

Roles and Conduct

The purpose of this section is to provide some information on what the roles of elected members and the Chief Executive are, and on the standard of conduct that applies.

Responsibility of the Chairperson and Elected Members

The Chairperson and councillors of the Otago Regional Council are collectively responsible for the following:

- the development and adoption of Council policy;
- monitoring the ongoing performance of Council against its stated objectives and policies (including signoff of the Annual Report);
- ensuring the prudent use and stewardship of Council resources;
- representing the interest of the region; and
- employing the Chief Executive Officer.

Chairperson

At the first meeting of the Council following a triennial general election, a Chairperson is elected by the members of Council. The role of the Chairperson includes the following:

- is the presiding member at Council meetings, (the Chairperson is responsible for ensuring the orderly conduct of business during meetings, as determined by Council's Standing Orders);
- is an advocate on behalf of the community;
- is the ceremonial head of Council;
- is a Justice of the Peace, while holding office.

Deputy Chairperson

At the first meeting or at any ordinary meeting of the Council, the members of Council elect a Deputy Chairperson. The Deputy Chairperson exercises the same roles as other elected members. In addition, the Deputy Chairperson performs all the responsibilities and duties, and may exercise all the powers of the Chairperson in the following circumstances:

- with the consent of the Chairperson, during the temporary absence of the Chairperson;
- at any time when the Chairperson is prevented by illness or other cause from undertaking the role of the Chairperson; and
- when the office of the Chairperson is vacant.

Committee Chairperson

The members of Council elect a Committee Chairperson for each committee set up by Council. That person is responsible for presiding over meetings of the committee, ensuring that the committee works within the powers delegated by Council, and as set out in the Terms of Reference for Committees.

Chief Executive

Council appoints the Chief Executive in accordance with section 42 and clauses 33 and 34 of Schedule 7 of the Local Government Act 2002. The Chief Executive implements and manages the

Council's policies and objectives. Under section 42 of the Local Government Act 2002, the Chief Executive is responsible for the following:

- implementing the decisions of Council;
- providing advice to elected members;
- ensuring that all responsibilities, duties and powers delegated to the Chief Executive or to any person employed by the Chief Executive, or imposed or conferred by an Act, regulation or bylaw, are properly performed or exercised;
- ensuring the effective and efficient management of the activities of Council;
- facilitating and fostering representative and substantial elector participation in elections and polls held under the Local Electoral Act 2001;
- maintaining systems to enable effective planning and accurate reporting of the financial and service performance of Council;
- providing leadership for the staff of Council;
- employing, on behalf of Council, the staff of Council; and,
- negotiating the terms of employment of the staff of Council.

The Chief Executive is responsible to the Council for ensuring, so far as is practicable, that the management structure of the Council reflects and reinforces the separation of regulatory responsibilities and decision-making processes from other responsibilities and decision-making processes and is capable of delivering adequate advice to the Council to facilitate the explicit resolution of conflicting objectives.

Elected Members

Elected members have specific obligations as to their conduct in the following legislation:

- Schedule 7 of the Local Government Act 2002, which includes obligations to act as a good employer in respect of the Chief Executive and to abide by the current Code of Conduct, and Standing Orders;
- the Local Authorities (Members' Interests) Act 1968, which regulates the conduct of elected members in situations where there is, or could be, a conflict of interest between their duties as an elected member and their financial interests, either direct or indirect;
- the Secret Commissions Act 1910, which prohibits elected members from accepting gifts or rewards which could be seen to sway them to perform their duties in a particular way; and,
- the Crimes Act 1961, regarding the acceptance of gifts for acting in a certain way and the use of official information for private profit.

All elected members are required to adhere to a [Code of Conduct](#), which is required to be prepared and adopted under the Local Government Act 2002. The code sets out understandings and expectations about the way elected members may conduct themselves while acting in their capacity as elected members, and this includes behaviour towards one another, staff, and the public. It also covers the disclosure of information that elected members receive in their capacity as an elected member. Once adopted, the code may only be amended by a vote of the Council of at least a 75 percent majority.