

Conduct Committee

Terms of Reference

1. Preamble

- 1.1. The Conduct Committee is established under section 41 of the *Local Government Act (SA) 1999* (the Act).
- 1.2. The Conduct Committee may be wound up at any time by resolution of the Council.

2. Purpose and Functions of the Committee

- 2.1. The Conduct Committee's primary objective is to undertake the assessment of complaints (if required) as outlined in the Complaint Operating Guideline – Chief Executive Officer (the Guideline).

3. Membership

- 3.1 The Conduct Committee will comprise:
 - 3.1.1. The Lord Mayor, who shall be the Presiding Member;
 - 3.1.2. The Deputy Lord Mayor;
 - 3.1.3. One (1) Qualified Independent Person
 - 3.1.4. One (1) Proxy Council Member (proxy for either the Lord Mayor or Deputy Lord Mayor)
 - 3.2. The required quorum shall be half plus one of the total members appointed to the Conduct Committee (2). A quorum must be present within 30 minutes of the scheduled start time for the meeting to proceed.
 - 3.3. The Qualified Independent Person must be present for the meeting to commence.
 - 3.4. The appointment of the Qualified Independent Person is delegated to the Chief Operating Officer.
 - 3.5. Conduct Committee Members must notify the Presiding Member if they cannot attend a Conduct Committee meeting.
 - 3.6. Subject to Clause 1.2 of these Terms of Reference, membership of the Conduct Committee is until the end of the Council Term, unless a Conduct Committee Member resigns or is otherwise incapable of continuing as a Conduct Committee Member or is removed as a Member of the Conduct Committee by the Council, or ceases to be a member of the Council.
-

4. Functions and Responsibilities

- 4.1. The Conduct Committee is responsible for the following functions under the Complaint Operating Guideline – Chief Executive Officer.
 - 4.1.1. Receive Preliminary Assessment Reports prepared by the designated Conduct Reviewer (if required);
 - 4.1.2. Undertake consideration and assessment of Preliminary Assessment Reports;
 - 4.1.3. Make determinations in relation to the Preliminary Assessment Reports regarding appropriate further action;
 - 4.1.4. Report to Council where necessary in accordance with the Guideline.

5. Other

- 5.1. Where appropriate, the Conduct Committee will make recommendations to Council, and those recommendations will be presented to Council at the next available ordinary meeting of Council.
- 5.2. The Conduct Committee will act in accordance with the relevant provisions of the Act, related Regulations and Behavioral Standards.
- 5.3. For the purposes of section 41 (8) of the Act, the Council's reporting and other accountability requirements are satisfied by a copy of the Conduct Committee Minutes being circulated to all Council Members and being displayed on the City of Adelaide website.
- 5.4. The Conduct Committee will meet on an ad hoc basis as required, and meetings will be held in the Colonel Light Room, Town Hall, Adelaide.
- 5.5. The Chief Operating Officer (COO) is authorised to call a meeting after liaising with the Presiding Member.
- 5.6. The Council Governance team and the Manager Council Governance will provide administrative support to the Conduct Committee for coordinating meetings, agendas and minutes.
- 5.7. All decisions of the Conduct Committee will be made based on the majority decision of the members present.
- 5.8. If the Presiding Member of the Conduct Committee is absent from a meeting, a member of the Conduct Committee will be chosen from those present to preside at the meeting.
- 5.9. The Conduct Committee will follow the Code of Practice for Meeting Procedures and in accordance with the Act and Parts 1, 2 and 4 of the *Local Government (Procedures at Meetings) Regulations 2013* (Regulations).
- 5.10. All members of the Conduct Committee who are present at a meeting (subject to the provisions of the Act or Regulations) must vote on any matter arising for a decision of the Conduct Committee.
- 5.11. The Presiding Member shall have a deliberative vote and does not have a casting vote. The decision will be referred to Council for deliberation if the votes are tied.

- 5.12. The agenda and minutes of the Conduct Committee will be available to the public in accordance with the Code of Practice – Access to Council and Committee Meetings and Documents.
- 5.13. All Conduct Committee members must comply with the Act about Disclosure of Interests.

6. Revision History – 2022-2026 Term of Office

In Response to:	Revision to Conduct Committee Terms of Reference

