

LGOIMA request – Code of Conduct Complaints

Complaint	Complainant	Summary of complaint	Date	Steps taken to resolve	Action
Cr Macpherson	Cr Donaldson	<p>Complaint laid in regard to breaches of the Rotorua Lakes Council 2019-2022 Code of Conduct by Cr Macpherson. Complaint cites comments made by Cr Macpherson on the Rotorua District Resident and Ratepayer page titled ‘Council Implicated in Whaka Project Scandals’ (posted 15 December at 13:21) and later comments made on that post by him.</p> <p>Cites concern over use of title of councillor when post is the view of the individual.</p> <p>Complaint cites:</p> <ul style="list-style-type: none"> • gross misinformation • racism • use of language that is offensive and inflammatory (towards Council and Tak Mutu) • a conflict of interest in respect of decisions relating to any collaboration with CNI Iwi • breach of confidentiality relating to council meeting and the outcome of the voting. 	<p>16 December 2019</p> <p>17 December 2019</p>	<p>Two attempts to meet informally with the Councillor to discuss the issues raised and to see if an agreement could be reached as to how to address them. The Councillor refused both invitations.</p> <p>Letter dated 18 December 2019 sent.</p> <p>A follow up letter sent on 15 January 2020 and 18 December 2019 letter resent.</p> <p>Letter dated 17 January 2020 – follows letter 15 January 2020</p>	<p>Referred to Audit and Risk Committee.</p> <p>The Audit and Risk Committee undertook an investigation to establish if the complaints breached the Code of Conduct.</p> <p>The investigation was undertaken by Barrister Lachlan Muldowny.</p> <p>Following the investigation a full written report was presented to the Audit and Risk Committee on 27 May 2020.</p> <p>The Audit and Risk Committee made a resolution to council.</p> <p>Full Council received the Audit and Risk Committee recommendations 29 July 2020.</p> <p>Upon Cr Macpherson’s failure to apologise to each of the complainants by the agreed date, Council in the best interest of ongoing partnering made a formal apology. The apology made</p>
	Mr Mutu	<p>Complaint laid in regard to defamatory comments made by Cr Macpherson on the Rotorua District Resident and Ratepayer page titled ‘Council Implicated in Whaka Project Scandals’ (posted 15 December at</p>	<p>16 December 2019</p>		

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		<p>13:21) and later comments made on that post by him.</p> <p>Posts contain damaging misinformation.</p>			on behalf of the Council covered the behaviours displayed by Cr Macpherson and has sought to work with the complainants to restore the trust that has been lost as a result of your behaviour.
	Mr Pakes	Request for the city to take action concerning statement made on the RDRR Facebook page. Mr Pakes notes that comments made are confusing and deliberately sets out to convict our council of corruption.	17 December 2019		
	Mr Te Pou	<p>Facebook post by Councillor Macpherson onto the Rotorua District Resident and Ratepayer page titled 'Council Implicated in Whaka Project Scandals" (posted 15 December at 13:21)</p> <p>Complaint states clear aspects of misrepresentation within the post, of the work that RLC and CNIHL have jointly achieved.</p>	17 January 2020		
	Mr Thomass	Complaint about behaviour of Cr Macpherson on RDRR Facebook dated 13 January 2020. Post makes accusations that Mr Thomass lied during a video interview in an attempt to deceive the community around the Rotoiti sewage treatment plant. Also states that post is spreading misinformation about the scheme costs in public.	19 January 2020	20 January 2020 - Wrote to Cr Macpherson and offered an informal meeting. This request was refused.	