



GPI POLICY - ISLAND COUNCIL GUIDING PRINCIPLES, ORDER & CONDUCT

The Pitcairn Islands Council is the democratically elected Branch of the Government of Pitcairn Islands and acts, in partnership with Her Majesty's Government and the Pitcairn Island Office, on behalf of the people of Pitcairn.

PART A – GUIDING PRINCIPLES AND EXPECTATIONS OF COUNCIL MEMBERS

All Members must observe the “**Nolan Principles**”, the accepted guiding principles of good conduct in public office:

- i. **Selflessness**
Members should make decisions solely in terms of the public interests. They should not so do in order to gain financial or other material benefits for themselves, their family or friends, or their business colleagues; or to secure special treatment for any voluntary or charitable organisation with which they are involved.
- ii. **Integrity**
Members should not place themselves under any financial or other obligation to outside individuals or organizations that might influence them in the performance of their official duties.
- iii. **Objectivity**
In carrying out public business, including involvement in making public appointments, awarding contracts, or recommending individuals for rewards and benefits, Members should make choices on merit.
- iv. **Accountability**
Members are accountable to the public for their decisions and actions and must submit themselves to whatever scrutiny is appropriate to their office.
- v. **Openness**
Members should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest, or issues of confidentiality, clearly demand it.
- vi. **Honesty**
Members have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.
- vii. **Leadership**
Members should promote and support these principles by leadership and example in order to maintain and strengthen the public's trust and confidence in the integrity of the Island Council and its Members.

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1. ISLAND COUNCIL REPRESENTATION

(1.1) Council Members

- i. Councillors will develop, follow and report to the community and partners regarding progress toward its strategic development plan(s) for the current and future requirements of the Pitcairn Islands.
- ii. Councillors are accountable to the community when carrying out Council tasks and achieving the objectives specified within its strategic development plan.
- iii. Councillors will adhere to all GPI policies and procedures relevant to their tasks and responsibilities.
- iv. Councillors will consult and take the views of the community into account when decision making.
- v. Councillors do not have the authority to act or make decisions independently on behalf of the Council.
- vi. Councillors must not make improper use of information obtained through Council to gain an advantage for themselves or anyone else or to cause embarrassment to Council
- ~~vii.~~ When representing Pitcairn Island on official business Councillors must be mindful of their granted representational roles and statesmanship.
- viii. Councillors will attend all scheduled Council meetings, other relevant meetings and official functions as required.
- ix. Councillors will attend compulsory child safe-guarding training and other relevant training as required.
- x. Councillors, the Mayor and Deputy Mayor will not, at any time, hold or retain the intellectual and/or material property rights to any works undertaken by them in their roles. These remain the property of the Island Council. All work and property must be surrendered to the incoming Council at the end of a given term.
- xi. Councillors will communicate effectively with all GPI partners and the Pitcairn Community following the procedures within the GPI Partner's Communications Policy (if implemented)
- xii. Proposed agenda items/motions should be prepared and distributed before council to present to Councillors at the table???????????

(1.2) Unless otherwise instructed by the Mayor, the Deputy

Mayor shall, in addition:

- i. Support the Mayor in the conduct of his/her duties
- ii. Contact vessels prior to arrival
- iii. Coordinate arrivals of visiting yachts
- iv. Be the official bell ringer and flag flyer
- v. Coordinate Community Share-outs as required.

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vi. Undertake other tasks as designated by the Mayor.

(1.3) Non-Council Members

- i. Individual(s), groups or organisations who have a legitimate interest in representing the Island Council, in any forum, must first seek permission from the Island Council, in writing, addressed to the Mayor and the Island Council.
- ii. No individual(s), groups or organisations may speak or make representation on behalf of the Pitcairn Islands Council unless explicitly authorised to do so.
- iii. Official authorisation granted to individuals, groups or organisations representing the Pitcairn Islands Council and endorsed by the Governor's office, will be given an official letter of authorisation approved by the Mayor on behalf of the Pitcairn Islands Council for the specific activity for which they are authorised to act.

2. CONFIDENTIALITY

All Council members are required to protect the confidentiality of information obtained in the course of their duties as Council members.

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PART B – PROCEEDINGS OF COUNCIL

3. COUNCIL MEETINGS

- i. Council meetings will be held at least once each month as a Regular Council meeting as required and agreed upon by the Mayor and Council members.
- ii. Council meetings in addition to Regular Council meetings will be held as Special Council meetings.
- iii. Council members may request the Mayor to hold a special Council meeting detailing reasons for the special Council meeting
- iv. The Council has the authority to adjourn a Council meeting into Committee when required, and exclude members of the public while the meeting is so adjourned.
- v. Decisions made within Council workshops will be recorded as meeting notes and circulated. Motions which arise within a Council workshop will be formally recorded as such at the next Regular or Special Council Meeting.
- vi. Decisions made within informal, off-the-table (OFT) meetings will be recorded as running Meeting Notes and circulated accordingly. Decisions, recommendations and Motions which arise within OFT meetings will be formally recorded as such at the next Regular or Special Council Meeting by the Island Secretary.
- vii. Council will hold public meetings to consult and take the views of the community into account when decision making, as appropriate.
- viii. Show-of hand-and private ballot votes, undertaken by attendees at any Public Meeting, are noted and recorded as such, at the next Regular Council meeting.
- ix. Private ballot and show-of-hand votes, undertaken at Public Meetings, do not necessarily indicate a final or particular Council decision or action but may be used to capture general agreement of a concept or proposal and/or recommendations for further action at the next available formal Council meeting. The Mayor will advise the public of this process when requesting show of hand or private ballots votes at Public Meetings
- x. Public Meetings initiated by Council, will be recorded as meeting minutes and approved at the next council sitting. Motions which arise within a Public Meeting, initiated by Council, will be formally recorded as such at the next Regular or Special Council Meeting.

(3.1) Agenda Items

- i. All formal Council meetings and Public Meetings, called by Council, must be accompanied by an agenda.
- ii. Items for Regular Council meeting agendas will be submitted no less than 3 days prior to Council meeting where possible.
- iii. Items for Special Council meeting agendas should be submitted, as soon as possible prior to Council meeting.
- iv. Outstanding items and stated Actions will take first priority on subsequent agendas.

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- v. Items which are not listed on an agenda will be raised under General Business. see viii
- vi. All Council members assigned actions within any Council Meeting will where possible complete actions and report back to Council at its next formal meeting.
- vii. Regular Council Meeting agendas and Public Meeting agendas will be posted on the Public notice boards prior to a meeting.
- viii. General Business will be raised for notification only, or subjects to be raised for further council discussion at the next regular meeting. Exceptions may be made for urgent/emergency items.

(3.2) Minutes

- i. Draft minutes of all formal Council meetings will be recorded by the ISEC and circulated to all Council members electronically. Members may submit requested amendments to draft minutes via the Island Secretary in a timely and efficient manner.
- ii. The Island Secretary and Mayor may use discretion if unsure of an amendment request and review the audio recording for clarification.
- iii. Minutes of each Council meeting, having been previously circulated, will be recorded as approved at the following formal Council meeting.
- iv. All approved Council minutes with the exception of minutes of “closed” Council meetings which were adjourned to Committee are public documents. Council minutes are available to the public via the Island Secretary or on the Pitcairn Island Government website.
- v. All approved minutes are filed as both hard and electronic copies for safe keeping at the Council Office. Only copies of the original minutes are made available to the public.
- vi. All Regular Council and Public Meetings are audio recorded. The ISEC will initially retain the audio recordings for 3 months, before having them permanently archived in the Council Office.
- vii. Once minutes have been approved at a council meeting no amendments shall be made.

(3.3) Voting

Councillors are required to vote for or against motions, reports and concepts as requested and required by the Mayor. Voting will be conducted in accordance with s6(5)-(7) of the Local Government Ordinance. Those wishing to abstain from voting may do so and their stance will not be considered in the count.

The Administrator, Deputy Governor and Governor do not have voting rights at Council.

STANDING ORDERS

- i. The Mayor shall, at all times, be responsible for Councillors’ observing these Standing Orders in the Council and his/her decision on any point of order shall be final.

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- ii. All members of Council will, at all times, show respect to each speaker and the points raised by speakers without interruptions.
 - iii. During a sitting, members shall enter or leave the Council Chamber with good manners.
 - i. If any Council member(s) shows disregard for the authority and integrity of Council, or abuses the rules of the Council by persistently and wilfully obstructing its business, or otherwise, the Mayor shall direct the attention of the Council to the incident and seek the removal of the obstructive Council member(s) for the remainder of the meeting. Such disruptions will be dealt with under the Code of Conduct.
 - ii. In the case of serious disorder arising in Council, the Mayor may, if she/he deems it necessary, adjourn the Council meeting without question.
1. ORDER 1 – Record of Proceedings
- The Island Secretary shall record the minutes of all meetings of the Council. At each meeting the Mayor shall ask Council members “That the Minutes, as previously circulated, be confirmed as true and accurate.”
- i. After the Minutes of any proceedings are confirmed/approved no alteration may be made. Confirmation shall be recorded and the Minutes will be signed and dated by the Mayor.
 - ii. The Island Secretary shall be responsible for the custody of the , records, draft Ordinances, Policies and Procedures, and other documents before the Council unless instructed otherwise by the Mayor.
2. ORDER 2 - Order of business
- Unless the Mayor otherwise directs, the business of each sitting shall be transacted in the following order:
- i. Welcome - Mayor
 - ii. Opportunity for prayer/reflection
 - iii. Actions and Matters arising from the Minutes of the previous meeting
 - iv. Confirmation/Approval of the Minutes
 - v. Previously circulated agenda items
 - vi. General business
3. ORDER 3 - Petitions
- i. A petition may be presented to the Council only through or by a member of Council.

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- ii. Every petition shall be signed at the beginning thereof by the member in charge of it and shall be deposited (at least 3 days before the sitting at which the Petition is to be presented) with the Island Secretary.
- iii. The Council shall not receive any petition which:
 - a) is not addressed to the Island Council;
 - b) is not respectfully worded;
 - c) has not at least one signature;
 - d) in the opinion of the Mayor does not conform to these Standing Orders.

4. ORDER 4 – Papers and Reports

- i. A member who wishes to present a paper or report shall circulate all relevant information to the Islands Secretary, who shall forward it to council members no less than 3 days before the date on which it is to be presented and discussed.
- ii. A member who presents a paper for debate must be responsible for recording amendments and will display all tracked changes within the document. The document will be titled appropriately using the term “draft” and subsequent drafts should be numbered e.g. *Draft 2*.

5. ORDER 5 – Council General Business

- i. Issues/Items must comply with the following rules:
 - a) not more than one subject shall be referred to in any one issue.
 - b) an issue tabled at Council must be factual and substantive.
 - c) references may not be made to any matter on which a judicial decision is pending in such a way as to prejudice the interests of the parties thereto.
- ii. The Island Secretary shall keep a record of the issues/items raised by each member.
- iii. When a response has been given on an issue, any member may ask supplementary questions for the purpose of elucidating any matters of fact given. Supplementary question shall not be used to introduce matters not related to the original issue.

6. ORDER 6 - Motions

- i. Subject to the provisions of these Orders, notice shall be given of any motion which it is proposed to make, with the exception of the following:

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- a) a motion for the amendment of any motion;
 - b) a motion for the adjournment of the Council or of a debate;
 - c) a motion to adjourn to Committee and exclude the Public;
 - d) a motion to amend a draft record.
- ii. Any member can make a motion following the debate. A motion must be seconded after which a vote will be taken.
 - iii. A motion shall be read exactly as it is recorded in the draft Minutes.
 - iv. The Island Secretary shall record the motion and the outcome of the vote in the minutes.
7. ORDER 7 - Members of the Public
- i. If any member of the public, present during any sitting of the Council, behaves in a manner that is disruptive of the proceedings of the Council or an otherwise disorderly manner, the Mayor, may require that person to leave the Council Chamber.
8. ORDER 8 – General Provisions as to Behaviour in the Council Chamber
- i. No person shall use any camera, including any television or video camera, or any device for recording sound, during the proceedings of the Council, without the prior consent of the Mayor.

PART C – CODE OF CONDUCT OF COUNCIL MEMBERS

The Code of Conduct provides guidance to members on standards of conduct expected in the discharge of their duties. All members of the Council are required to comply with the provisions of the Code, and are subject to its disciplinary provisions.

1. PUBLIC DUTIES

- i. The principal duty of a member is to act in the interests of the people of Pitcairn Island. In doing so members have a duty to uphold the Partnership Values set out in Part 1 of the Pitcairn Constitution 2010 and to act on all occasions in accordance with the public trust placed in them.
- ii. Members must be alert to the fact that the best interests of Pitcairn Islands as a whole may be different from those of vocal minorities or individuals, and may also be different from the members' personal preferences.

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- iii. Elected members should be accessible to the Pitcairn Community which they have been elected to serve.
- iv. Members must give priority to attendance at meetings and should be present in Council when meetings are held unless they have compelling reasons not to do so.
- v. Members must be adequately prepared for all meetings they attend, which includes prior reading, discussion and consideration of relevant documents.

Pitcairn Constitution Partnership Values:

- (1) The partnership between the United Kingdom and Pitcairn shall be based on the following values;
 - (a) good faith;
 - (b) the rule of law;
 - (c) good government;
 - (d) sound financial management;
 - (e) the impartial administration of justice;
 - (f) the impartiality of the Pitcairn Public Service;
 - (g) the maintenance of public order;
 - (h) compliance with applicable international obligations of the United Kingdom and of Pitcairn; and
 - (i) the maintenance of international peace and security and the right of individual or collective self-defence.

2. CONFLICT OF INTEREST

- i. Members are expected to declare any potential or actual conflict of interest that arises in their role as a member of Council.
- ii. Where a conflict of interest arises, the member must take appropriate steps to avoid or manage the conflict, which may include, for example, the member leaving the room during any discussion regarding the topic in which the member has an interest.
- iii. Irrespective of any specific sanctions provided by law any lack of complete honesty in relation to actual or apparent conflicts of interest may be subject to penalty/censure under section 5.
- iv. Where an actual or apparent conflict of interest arises because a member is both a Councillor and a Division Manager – the matter will be addressed by both the Mayor and the Administrator. The Mayor and the Administrator will decide the appropriate steps to manage the conflict.

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3. MEMBERS' CONDUCT

In addition to the Nolan Principles, members must at all times:

- i. conduct themselves in a manner which will maintain and strengthen trust and confidence in the integrity of the Pitcairn Islands Council.
- ii. Treat other members, HMG contracted staff and members of the public with respect, dignity and courtesy.
- iii. Demonstrate honesty and integrity, respect and duty, both within formal and informal settings.

4. GIFTS / TRADE AND HOSPITALITY

- i. The unauthorised acceptance of gifts, trade and hospitality to influence conduct as a member may amount to misconduct and subject to penalty/censure (see Section 5)
- ii. Unless authorized to do so, members should not trade for or accept gifts, hospitality or services that might appear to place the recipient under any form of obligation to the giver.
- iii. In receiving any trade, gift or hospitality members should, at all times, consider whether they would be prepared to justify acceptance to the public.
- iv. All gifts must be handed into the Council Office for storage and receipted on the GPI Gift Register by the Island Secretary.
- v. Gifts, surplus to Council requirements, will be distributed via public auction as stated in the GPI Gifts Policy.

5. PROCEDURE FOR MANAGING COMPLAINTS

If a Council member, or a member of the public wish to make a complaint about the conduct of any Council member the following procedures will apply:

- i. Complaints, whether from Council members or members of the public, alleging that the conduct of a member breaches of the Code, should be addressed in writing to the Mayor. If a complaint relates to the Mayor the procedure will be led by the Deputy Mayor.
- ii. The complainant will be provided with an official Complaint Form, available from the Island Secretary or on-line at the government website.

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- iii. The completed Complaint Form will be receipted by the Island Secretary, digitized, filed and passed to the Mayor.
- iv. If a complaint relates to the entire Council, it will be dealt with by Governor/Deputy Governor.
- v. If a complaint pertains to the conduct of the Administrator in his/her role as Head of the Public Service and/or ex-officio member of Council, the Mayor will refer the matter to the Office of the Governor and report the outcome to the Council once the Governor's investigation is complete.
- vi. When a written complaint is received by the Mayor, he/she will appoint a panel of 2 Councillors and the Administrator (where appropriate) to assess the validity of the complaint and recommend appropriate action.
- vii. The Mayor will designate 1 of the 3 appointees to be Chairperson of the investigation panel. The Chair will record and file meeting notes and recommendations accordingly.
- viii. The investigation of a complaint will take place formally and all investigations will include the opportunity for all parties to provide written and or verbal submissions.
- ix. The subject of a complaint is permitted to bring a support person, from within Council to formal meetings throughout this process. The support person will be there to provide emotional support rather than acting as an advocate.
- x. Where a complaint is considered serious enough to warrant legal advice, it will be sought from the office of the Attorney General, by the panel Chairperson/Mayor/Administrator.
- xi. As soon as practicable after the conclusion on an investigation, the Panel Chairperson shall deliver a written complaint investigation report to the Mayor.
- xii. The complaint investigation report will; state the nature of the complaint, provide a summary of the panel's investigative actions and state its findings and recommendations as to the appropriate resolution of the complaint. Recommendations may include:
 - a dismissal of the complaint; or
 - b formal censure of a Council Officer or Officers for a breach of this Code of Conduct;
 - c a requirement that a Council Officer or Officers apologize to anyone adversely affected by a breach of this Code of Conduct;
 - d provide guidance for a Council Officer or Officers, and/or

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- e such other recommendations as are deemed appropriate in the judgement of the panel.

Note: s3A of the Local Government Ordinance sets out grounds for suspension of Council Officers.

- xiii. A copy of the Complaint Investigation Report will be provided to the complainant and the Council Officer or Officers in question.
- xiv. If a complaint about member of Council impacts their role as an employee of the Pitcairn Public Service, both this complaint procedure and the Code of Management for Pitcairn Public Service may apply. Complainants have the right to appeal – to investigate and resubmit to workshop
- xv. Complaints received from the community must be in relation to Council, Councils business or the Councillors code of conduct.

6. COMMUNICATIONS

- i. All members will adhere to the GPI Communications Policy which guides Council's agreed upon communications and reporting practices.
- ii. Members do not have the authority to act independently on behalf of the Island Council when dealing with media.
- iii. Members, travelling overseas, must be mindful of their representational role and clear lines and/or statements they are proposing to make, shall be agreed with the Island Council before leaving Pitcairn Island.
- iv. The Mayor and Administrator will consult and agree upon GPI social media and general press release content, as and when required.

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