

Reference Number: 2026/1369

16 April 2026

[REDACTED]

Tēnā Koe | Dear [REDACTED]

Thank you for your email dated 17 March 2026 requesting information on Code of Conduct complaints under the Local Government Official Information and Meetings Act 1987 (LGOIMA). Please see below a response to each part of your request.

Complaint Handling Policies:

Please provide copies of all policies, procedures, or guidelines governing the receipt, assessment, investigation, and resolution of Code of Conduct complaints relating to:

- ***staff***
- ***senior management***
- ***council-controlled organisation officers***
- ***governance officials.***

Please find attached a copy of Horowhenua District Council (the Council) Performance Improvement Management and Disciplinary policy.

Records Relating to the Complaints Submitted

Please provide copies of any records relating to the receipt, assessment, consideration, or handling of the Code of Conduct complaints submitted on or about 20 January 2026 to 12 March 2026.

This request includes (but is not limited to):

- ***internal memoranda***
- ***file notes***
- ***reports***
- ***assessment documents***
- ***correspondence between staff involved in handling the complaints.***

The Council has identified one employee relationship matter that falls within the period specified in your request.

Records relating to the receipt, assessment, consideration, and handling of this Code of Conduct complaint are withheld in full under section 7(2)(a) of the LGOIMA, as their release would be necessary to protect the privacy of natural persons.

Internal Communications

Please provide copies of internal communications (including emails, memoranda, and correspondence) relating to the complaints and their handling.

This request includes communications between:

- ***staff and management***
- ***governance or corporate services staff***
- ***legal advisers***
- ***officers responsible for complaint handling.***

The Council has considered your request for copies of internal communications (including emails, memoranda, and correspondence) relating to the employee disciplinary matter and their handling. The information requested is withheld under section 7(2)(a) of the LGOIMA, to protect the privacy of natural persons.

Communications Between Organisations

Please provide copies of communications between:

Manawatū-Whanganui Local Authority Shared Services (MWLASS) and Horowhenua Regional Council and/or any shareholder councils concerning the complaints and their handling.

The Council has identified communications between Manawatū-Whanganui Local Authority Shared Services and Horowhenua District Council and/or shareholder councils that fall within the scope of your request. This information is withheld in full under section 7(2)(a) of the LGOIMA, to protect the privacy of natural persons.

In addition, where applicable, the information is withheld under section 7(2)(f)(i), to maintain the effective conduct of public affairs through the free and frank expression of opinions between officers involved in complaint handling.

Governance Reporting

Please provide copies of any reports, briefings, or correspondence provided to councillors, council governance committees, or shareholder representatives regarding the complaints. (LGOIMA requests will be sent to the shareholder councils)

No reports, briefings, or correspondence have been provided to Councillors, council governance committee, or shareholder representatives regarding the complaint.

Complaint Handling Outcomes

The Council has considered your request for information relating to the outcomes of complaint handling. Any information held relating to complaint handling outcomes is withheld in full under section 7(2)(a) of the LGOIMA, as its release would be necessary to protect the privacy of natural persons.

Information about complaint outcomes is inherently personal and, in the circumstances of this matter, individuals would remain identifiable even if names or other direct identifiers were removed.

The Council has considered whether the public interest in release outweighs the need to withhold the information and has concluded that it does not. The public interest is met through the availability of the Council's conduct and complaint-handling policies and through appropriate internal and governance oversight processes.

You are entitled to seek an investigation and review by the Office of the Ombudsman. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Horowhenua District Council publishes responses to Local Government Official Information and Meetings Act 1987 (LGOIMA) requests that we consider to be of wider public interest, or which relate to a subject that has been widely requested. To protect your privacy, we will not generally publish personal information about you, or information that identifies you. We will publish the LGOIMA response along with a summary of the request on our website. Requests and responses may be paraphrased.

If you would like to discuss this decision or any of the information provided as part of this request, please contact Nicki Brady (Group Manager Capability and Transformation) on nickib@horowhenua.govt.nz, or LGOIMAOfficer@horowhenua.govt.nz.

Ngā mihi | Best regards



Monique Davidson
Executive Sponsor

Performance Improvement & Disciplinary Policy

Policy expert	People and Culture Manager
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Policy owner	Group Manager People and Culture Manager
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Owner Department	People and Culture
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Approval date	1 July 2020
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Review date	1 July 2023
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1. Introduction

1.1. Purpose

The purpose of this policy is to explain Horowhenua's approach to addressing performance and disciplinary issues.

2. Policy Statements

2.1. Principles

Performance Management is intended to assist employees achieve the required level of performance within our organisation. Performance management can be implemented in relation to job performance generally but also to help address conduct and behaviour issues with an employee; this is when it becomes performance improvement management.

Usually, the disciplinary process is intended to address particular incidents or events. Depending on the circumstances, it may be that performance improvement management and disciplinary processes occur at the same time.

3. Procedure

3.1 Performance Improvement

"Performance" relates to task or role responsibilities, but also to attitude and engagement. An employee might be technically competent but detract from what the team is trying to achieve by displaying negative behaviour to customers and colleagues in a way that does not align with our organisational values.

We are committed to achieving outstanding performance individually and as an organisation. We want you to perform to the best of your ability. We want to help you to achieve a standard of work which reflects Horowhenua District Council's values. As a responsible organisation, we also have to think about the impact of poor performance on others in our team. We have a responsibility to address poor performance and have the tough conversations when we need to. We expect our managers to let employees know promptly if they are dissatisfied with any aspect of their performance.

If informal measures and discussions do not prompt performance improvement, then we may need to implement a formal performance improvement process.

Performance management, in general, is a method for letting employees know what is expected of them, with the aim of assisting you to achieve or exceed our expectations. We will review your performance annually and provide you with feedback as part of your employment.

If we are sufficiently concerned about your performance, we will initiate the formal performance improvement process.

This process is aimed at addressing our concerns. If a performance improvement process is initiated and an employee's performance does not improve to the required level, we may bring the employment relationship to an end.

We will first meet with you to discuss our concerns. Prior to this meeting, we will tell you about our concerns and provide you with a draft 'Performance Improvement Plan' (PIP), which will highlight what our expectations are as the process continues.

At the meeting we will talk about the substance of our concerns and our expectations of the role. We will get your views on our concerns and also talk through the PIP. The PIP will be the key 'action plan' for the improvements we want to see you achieve.

After the meeting we will give you a letter outlining the contents of the meeting, including details of the agreed PIP and outlining the time within which we expect to see an improvement. We will let you know about the possible outcomes should your performance not improve in time (within an agreed timeframe), which may include bringing the employment relationship to an end.

We will give you a reasonable time to improve your performance. We will schedule a review meeting to review your progress before the expiry of the performance improvement timeframe. We will also give you regular feedback on how you are progressing, if necessary.

The review meeting

We will review your performance under the PIP at the review meeting. If your performance has improved to the required standard, we will use the meeting time to give you feedback on your performance and explain our expectation that the performance improvement be maintained.

If your performance has not improved to the required standard, we will let you know in writing prior to the meeting. You will be able to bring a support person to that meeting where we will review our initial discussions and the agreed PIP, and discuss our continuing concerns. We will discuss a date by which your performance must improve. After that meeting, you will receive another letter outlining our discussions.

Should your performance still not improve by the timeframe agreed upon, we will hold a third meeting. Prior to that meeting, we will provide you with a letter outlining our continuing concerns. We will advise you if we are considering ending the employment relationship on the basis of poor

performance. We will give you a reasonable amount of time to consider our concerns before the meeting is conducted.

At the meeting, we will discuss our concerns. You are entitled to bring a support person to this meeting where you will have the opportunity to provide an explanation for not achieving the required performance improvement. You will have the opportunity to give your views on the outcome of the PIP and Horowhenua District Council will consider what you have to say before making a final decision.

If the employment relationship is terminated for poor performance, the termination and notice provisions in your individual employment agreement will apply.

3.2 Disciplinary Investigations

We want our staff to work together as a team in a positive and professional environment. If we are aware of any behaviour by an employee which is unacceptable, we will take steps to address it.

'Misconduct' is when an employee engages in incidents of behaviour or conducts themselves in a way that is unacceptable. Serious misconduct is misconduct at a more serious level.

Examples of misconduct are:

- Abusive or offensive language that cause offence to another person
- Carrying out duties in a manner that is negligent, careless inefficient or incompetent, or failing to perform work to the required standards
- Frivolous wasting of time or materials
- Smoking in a non-smoking area, including Council vehicles
- Disruptive, boisterous or unruly behaviour
- Interfering with or preventing another employee carrying out their duties
- Frequent lateness or absenteeism, or failing to report at the time required without notifying the Manager/Team Leader
- Leaving the workplace during working hours without good reason or authority
- Misuse or major or minor damage to property belonging to HDC, a member of the public or another employee, through negligence or misuse
- Failure to promptly report a fire, accident or other workplace accident or incident
- Failure to observe health and safety requirements, working in an unsafe manner or failing to make proper use of safety equipment or personal protective equipment

- Posting of unauthorised notices within Horowhenua District Council
- Any act which could diminish the reputation of Horowhenua District Council in the community
- Acting in an unprofessional and/or discourteous manner towards a customer, staff member or member of the community
- Failure to comply with Horowhenua District Council procedures or policies, or any other lawful and reasonable instruction
- Acts falling within the category of serious misconduct, but where the particular case is such as to fall short of requiring dismissal in the particular instance
- Deliberate misuse or unauthorised use of Council tools, vehicle, plant and equipment or defacing Council property including timesheet
- Failure to perform work to the required standard

It is important to note that the above are examples only and this is not an exhaustive list. Depending on the circumstances, misconduct may also amount to serious misconduct and be dealt with accordingly, depending on the seriousness of the incident.

Examples of serious misconduct are:

- Dishonesty, including falsification of any record or document, including timesheets, payment authorisations, submitting false expense claims, or committing fraud
- Abusive or offensive language that cause offence to another person
- Disruptive, boisterous or unruly behaviour
- Misappropriation or unauthorised use of Horowhenua District Council funds
- Failure to account for cash or failure to follow Horowhenua District Council procedures for handling cash
- Gambling on the premises or during working hours without management consent
- Misrepresentation of an employee's, or Horowhenua District Council position, whether or not for personal gain
- Wilfully disregarding or refusing to carry out a lawful and reasonable instruction, or walking off the job without good reason
- Sexual, racial or other harassment; or bullying, intimidation or unwelcome behaviour towards employees, customers or members of the community
- Gross incompetence or negligence in the performance of duties

- Reporting to work, or being at work, under the influence of alcohol or drugs
- The unauthorised use of alcohol, being in possession of or using non- prescription drugs or drug paraphernalia while on Horowhenua District Council premises or carrying out Horowhenua District Council business, or any other breach of the Horowhenua District Council Drug and Alcohol Policy
- Without good reason, sleeping during working hours
- Copying, removal or unauthorised disclosure of confidential information
- Deliberate or careless activities that result or could result in the injury of another person, or damage to Horowhenua District Council or personal property
- Unauthorised possession of any gun, firearm, knife or other offensive or dangerous weapon or material on Horowhenua District Council premises or while carrying out Horowhenua District Council business
- Unauthorised or irresponsible use of fire protection or safety equipment
- Failure to report to your Manager any accident, incident or damage to plant and/or equipment. This includes completing any required paperwork
- Any deliberate or careless action, which results in injury of, or has the potential to injure, any other person in the workplace
- Failure to observe any work site safety rules and regulations (including those of our clients), working in an unsafe manner or failing to make proper use of any safety equipment provided
- Eviction from any worksite or having an induction revoked due to any action/inaction contrary to site health and safety requirements
- Actual or threatened physical or verbal violence against another person or persons, including employees, customers or members of the community during work hours or during any out of work hours' function or event
- Being absent from work for three consecutive days without reporting (except in extenuating circumstances)
- Unauthorised absence from work, including misleading the employer as to the nature of the approved absence
- Unauthorised possession of, use or removal of property belonging to Horowhenua District Council, customers, the public at large or another employee

- Misrepresenting or with holding criminal convictions, health or employment history or qualifications pertinent to the employer's decision to hire or promote an employee
- Failure to report to Horowhenua District Council any criminal conviction or serious traffic offence (such as loss of licence) obtained while employed by Horowhenua District Council (whether or not the incident occurred during work time)
- Failing to report to Horowhenua District Council any traffic infringements or fine, road accidents or vehicle damage while driving Horowhenua District Council vehicles within 24 hours of receiving any such fine or infringement
- Being convicted of a criminal offence which impacts the employee's ability to perform their work function
- Breach of Horowhenua District Council email, internet and/or computer policies, including (but not limited to) downloading, saving, printing or forwarding pornographic, offensive or objectionable material
- Acts or behaviours detrimental to the quality and/or efficiency of Horowhenua District Council business, safety of Horowhenua District Council staff, customers or the community
- Accepting a personal fee or remuneration other than normal salary/wages or lump sum payment for any service provided in the normal course of duty
- Signing any document or making a statement on behalf of Horowhenua District Council without proper authorisation.
- Bringing Horowhenua District Council into disrepute or acting in a way that has the potential to bring Horowhenua District Council into disrepute, or damage the interests or integrity of Horowhenua District Council
- Any behaviour listed as misconduct which Horowhenua District Council in its sole discretion considers to be of sufficient seriousness to warrant consideration as Serious Misconduct
- Failure to use a company vehicle correctly and responsibly, including any unauthorised personal use or anything that prejudices the insurance for that vehicle
- Any inappropriate or unauthorised personal use of a fuel card
- Failing to perform work to the required standard

Other conduct may also be detrimental to the best interest of Horowhenua District Council and therefore amount to misconduct or serious misconduct. We will investigate where appropriate and disciplinary action may follow.

Conduct detrimental to the best interests of Horowhenua District Council includes:

- Any conviction for an offence which has the potential to adversely impact the reputation of Horowhenua District Council or brings the standing of the employee into disrepute
- An employee's behaviour (whether during or outside working hours) that brings Horowhenua District Council or the standing of the employee into disrepute

The disciplinary procedure is in place to address suspected misconduct and it is important that the procedure is fair and transparent, conducted in good faith, so our employees can have confidence in the system.

Disciplinary procedure for misconduct

If we become aware of an allegation of misconduct, this procedure will apply. If we consider that the nature of the allegation or other circumstances warrants it, we may first carry out a preliminary fact finding investigation prior to the disciplinary process being initiated. This may be conducted by any person in management at Horowhenua District Council.

In other cases, this step may not be required and a disciplinary procedure may be initiated immediately.

The first step is that we will provide you with information about the allegation. We will let you know that we are commencing an investigation into alleged misconduct.

We may be required to gather information relevant to the investigation and we will work through that investigative process.

We will then meet with you to talk about the allegations. You can bring a support person to this meeting. We will discuss the allegations, our investigation, and get your side of the story. You will have an opportunity to consider any material we have gathered as part of the investigation.

After we have completed the investigation, we will let you know about the outcome. We will tell you whether we find that misconduct has been proven.

If we make a finding of misconduct, the next step is to determine the outcome. We will call a meeting to discuss with you how to deal with the misconduct and you will have an opportunity to talk to the outcome before a decision is made. Outcomes could range from counselling or written or a final written warning and in serious cases dismissal may also be considered.

Disciplinary procedure for serious misconduct

The same procedure as for misconduct applies. There are two other factors which may apply:

We may require that you be suspended from work on full pay pending an investigation into the alleged misconduct. Suspension may be without pay if the investigation process is delayed as a

result of matters outside our control. An example is a police investigation or of a matter before the courts.

Additionally, we will let you know that if an allegation of serious misconduct is proven, you may be summarily (instantly) dismissed.

Outcomes for misconduct and serious misconduct

Possible outcomes for misconduct and serious misconduct include counselling, warnings, and in serious cases dismissal may occur.

If a warning is issued, you will be advised of the reason for the warning, what action will be taken if it becomes necessary to issue a further warning, and what improvements are needed to avoid a further warning.

Warnings are valid for 12 months from the date of issue. If you receive more than two warnings within a 12 month period, you may be dismissed. After 12 months, the warning will lapse.

Depending on the seriousness of the misconduct, you may be issued with a final written warning, even if you had no previous warnings.

Warnings may be issued by your manager, Senior Manager, Group Manager or CEO.

All warnings will be provided to you in writing and will be placed on your personnel file.

In the event of a dismissal, your Senior Manager, Group Manager and/or the CEO will deal with all dismissals, including summary dismissal. You will be advised of the reasons for dismissal.

4. Consequences of Non-Compliance

Failure by a staff member to fully comply with this Policy may constitute misconduct or serious misconduct by the staff member which may result in disciplinary action up to and including summary dismissal.

5. Related Documents

- Health and Safety at Work Act 2015
- The Human Rights Act 1993
- Employment Relations Act 2000
- Harassment Act 1997
- Local Government Official Information and Meetings Act 1987
- Privacy Act 1993

- Police - Complaints of a criminal nature, for example physical or sexual assault or stalking are a police matter as well as an employment matter.

Please note, Horowhenua District Council reserves the right to review, amend or change this Policy at any time if required.

6. Policy Review Process

To provide a consistent approach to the development, approval, implementation and review of Council's operational policy documents, the Operational Policy Framework Policy outlines the process for future reviews, including links to related documents e.g. templates, guidelines and Promapp processes.

[Policy - Operational Policy Framework Policy - 5 August 2019](#)

7. Signed by the Leadership Team:

David Clapperton
Chief Executive



Date: 19/11/2020

Nicki Brady
Deputy Chief Executive



Date: 23/10/2020

Lisa Slade
Group Manager People and Culture



Date: 15/09/2020

Kevin Peel
Group Manager Infrastructure Operations



Date: 22/09/2020

Brent Maguire
Group Manager Infrastructure Development



Date: 18/09/2020

David McCorkindale
Group Manager Customer and Strategy



Date: 23/09/2020

