

About our service - complaints about the conduct of councillors

Information for Complainants

The Local Government Act (Northern Ireland) 2014 (the Act) gives the Northern Ireland Local Government Commissioner for Standards (the Commissioner) the authority to investigate, and to adjudicate on, complaints that councillors have, or may have, failed to comply with the Northern Ireland Local Government Code of Conduct for Councillors (the Code).

The Commissioner has delegated the authority to investigate alleged breaches of the Code to the Deputy Commissioner and the Local Government Ethical Standards (LGES) Directorate within this Office. The LGES Directorate's role is to receive, assess and investigate complaints; the Commissioner undertakes the adjudication function.

When you complain to the Commissioner's Office, the LGES Directorate will assess the nature and circumstances of your complaint to decide whether it is one that can, and should, be investigated.

If an investigation is undertaken, the LGES Directorate will take account of all the facts and evidence available to it, including what you and the councillor you have complained about have to say.

If, having completed the investigation, the LGES Directorate decides that the available facts and evidence indicate that the councillor may have breached the Code, it will ask the Commissioner to adjudicate on the complaint.

The Commissioner will adjudicate, following a public hearing, by deciding whether or not there has been a breach of the Code and, if there has been a breach, what sanction, if any, should be imposed on the councillor.

When you ask us to consider a complaint about a councillor's conduct, you must accept the way in which we work and our authority to interpret the facts and the available evidence, and to come to a decision on the matter you have complained about.

Our service standards when dealing with your complaint

We aim to:

- Acknowledge your complaint within three working days of the date we receive it
- Tell you the name of the officer who will be dealing with your complaint
- Let you know within 20 working days of the date we receive your complaint¹ whether or not we are going to investigate
- If we decide not to investigate your complaint, explain the reason for this decision, and provide you with information on what you can do if you wish to request a review of our decision
- Undertake our investigation of your complaint in confidence (although we may publicise details of the outcome of the investigation and, if it is appropriate for the Commissioner to undertake an adjudication, there will be a public hearing² and the Commissioner's adjudication decision will be published)
- Contact you at least every eight weeks during the investigation, by telephone, email or letter, to provide an update on progress
- Complete our investigation of your complaint within 48 weeks of the date we told you that we were going to investigate
- Notify you about the outcome of our investigation of your complaint, and explain the reason for our finding
- Provide you with information on what you can do if you wish to request a review of our finding³
- Process your personal information fairly and in accordance with the law
- Treat you at all times with respect and courtesy.

If you feel that the service you have received from us has fallen short of these service standards, please contact the office or refer to our website www.nipso.org.uk to obtain information on our internal complaints procedure.

1 Or within 20 working days of the date we receive from you all the information we need to consider your complaint, if this is later.

2 The Commissioner may decide in certain circumstances, such as when confidential matters are to be discussed, to hear all or part of the evidence in private

3 If we decide not to investigate your complaint or where our finding is that there is no evidence of the councillor having breached the Code, or our finding is that no action needs to be taken regarding the conduct you have complained about

Your responsibilities

In dealing with your complaint, we expect you to:

- Accept our authority to decide whether or not to investigate your complaint
- Accept that we will have to tell the councillor your name and what you are complaining about
- Be willing to provide evidence to us in support of your complaint, which may include giving spoken evidence at a public hearing (in circumstances where it is appropriate for the Commissioner to undertake an adjudication)
- Accept that if we publish a report of our investigation of your complaint, your name will be made known to the public (unless we accept that there is a good reason why this should not be the case)
- Comply with any request we may make to you in connection with an investigation, and where appropriate, adjudication of your complaint, including a request for you not to disclose confidential information relating to the investigation or the adjudication
- Treat the Commissioner and her staff at all times with respect and courtesy.

Our contact details

You can contact us in the following ways:

Telephone: 028 9023 3821 or **Freephone:** 0800 34 34 24

Text phone: 028 9089 7789

Email: nipso@nipso.org.uk

Post: Freepost NILGCS

or

Northern Ireland Local Government
Commissioner for Standards
Progressive House
33 Wellington Place
Belfast
BT1 6HN

In Person: by calling, between the hours of 9.00am and 5.00pm, Monday to Friday, at the Commissioner's Office at Progressive House, 33 Wellington Place, Belfast, BT1 6HN.

This leaflet contains information that you may wish to refer to again while we are dealing with your complaint. You should therefore retain it until we have notified you that our work on your complaint has been completed.