



Northern Ireland

Local Government
Commissioner for **Standards**

Your Complaint ~ Our Decision

Complaints about the conduct of councillors

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.

The LGES Directorate does not have to investigate all the complaints that are made to the Commissioner's Office. Therefore, when a complaint is received, the LGES Directorate will assess the nature and circumstances of it to decide whether it is a complaint 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 the LGES Directorate decides that the available facts and evidence suggest that the councillor may have breached the Code, it will ask the Commissioner to adjudicate on the complaint.

The Commissioner will adjudicate by deciding, following a public hearing, 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 can you request a review of our decision?

The grounds on which you can ask us to review a decision we take in relation to your complaint are limited. We will not consider a request for a review on the basis that you simply disagree with our decision.

You may ask for a review of our decision not to investigate your complaint or, if we do decide to investigate, our decision either that there is no evidence of the councillor having breached the Code or that no further action needs to be taken regarding the conduct you have complained about. You may also ask for a review of any decision we make to discontinue an investigation of your complaint.

You can only ask for a review of our decision on the following grounds:

- You consider the decision was based on important evidence which contains facts that were not accurate, and you can show this using readily available information and/or
- You consider you have new and relevant information that was not previously available to us and which affects our decision. (In this case you should provide an explanation of where and when you obtained this new information and why it was not made available to us before we took the decision.)

How can you request a review of our decision?

You should write to the Director of Investigations (Review) within three weeks of the date on which we notify you of our decision on your complaint. The Director of Investigations (Review) will decide if your review request meets either (or both) of the grounds set out above.

The Director of Investigations (Review) will aim to give you a full response to your review request within 20 working days of receiving it. The response will let you know whether your review request is eligible and, if it is, will tell you whether our original decision has been upheld or whether the decision is to be reconsidered.

If you are still unhappy, and you want to challenge our decision again, you will only be able to do so using judicial review proceedings. This is a form of court proceeding where a judge reviews whether a decision or action taken by a public body or holder of public office is lawful. You may wish to take legal advice before deciding whether this is appropriate in your case.

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.

