



# Ombudsman Northern Ireland

Lord Morrow of Clogher Valley MLA  
Chair of the Ad Hoc Committee on the Public  
Services Ombudsperson Bill  
Room 222  
Parliament Buildings  
Ballymiscaw  
Stormont  
BELFAST  
BT4 3XX

*2nd* June 2015

Dear *Lord Morrow*

## **NIPSO BILL – REQUESTED AMENDMENT TO SCHEDULE 7 OF THE NIPSO BILL RELATING TO THE LOCAL GOVERNMENT ACT (NI) 2014**

I refer to the current draft of the NIPSO Bill that is under scrutiny at present by the Ad Hoc Committee established on 11 May 2015. I have been in correspondence with the Minister for the Environment, Mr Mark H Durkan MLA, to seek a number of amendments to the 2014 Act.

In particular, I am concerned that the work involved in investigating and adjudicating alleged breaches of the Code of Conduct for Councillors is significantly different from the work of NIPSO in relation to the investigation of complaints of maladministration. In light of these fundamental differences, I had invited Minister Durkan to amend the 2014 Act in order to establish the title of Local Government Standards Commissioner and I attach a copy of correspondence from the Department of the Environment conveying the Minister's agreement to the amendment.

I have also written to Mike Nesbitt MLA as Chair of the OFMDM Committee on similar terms. If you and the Ad Hoc Committee are content therefore, an amendment would be required to schedule 7 of the 2014 Act. Your officials are most welcome to contact me for any clarification that may be required regarding this matter.

Yours sincerely

**Dr Tom Frawley CBE**  
Northern Ireland Ombudsman

ASSEMBLY OMBUDSMAN FOR NORTHERN IRELAND  
NORTHERN IRELAND COMMISSIONER FOR COMPLAINTS



Department of the  
**Environment**

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Date: 24 November 2014

Dear Dr Frawley

#### **MEETING WITH THE MINISTER FOR THE ENVIRONMENT: 20 OCTOBER 2014**

You met with the Minister on Monday, 20 October, to discuss issues relating to the ethical standards and this proved to be a useful and informative discussion.

At the meeting you put forward a proposal that, in relation to the local government ethical standards work, a new title of Northern Ireland Local Government Commissioner for Standards should be applied when carrying out your statutory duties under Part 9 of the 2014 Act. You considered that this would help to provide a clear distinction between your responsibilities for local government ethical standards work under the 2014 Act and your responsibilities for maladministration cases.

In response, the Minister stated that he had no objections, in principle, to this rebranding, and officials indicated that the Northern Ireland Public Services Ombudsperson Bill could be a suitable legislative vehicle for bringing forward the amendment.

You will recall that the Minister considered that it would be preferable for any such change to be made prior to the NIPSO Bill being introduced and asked officials to provide him with further detail, so that he could consider the issue.

The Minister has now confirmed that he would have no objections to the inclusion of provisions in the NIPSO Bill for amending the references to "Northern Ireland Commissioner for Complaints" in the Local Government Act (NI) 2014 to references to "the Northern Ireland Local Government Commissioner for Standards", should the OFMDFM Committee wish to include them, and will look favourably on any formal approach from the OFMDFM Committee on this issue.

I also acknowledge your letter of 14 November relating to Article 62(4)(b) of the 2014 Act which provides that each council must inform the Commissioner and the Department that copies of the register of interests of their councillors is now available. I share your concern that you have yet to receive all notifications, and welcome your intention to write to all councils regarding the availability of their register of interests. I would confirm that we will continue to liaise with your office on any information that we may also receive following the issue of your letter.

I am grateful for the continued constructive assistance that exists between your office and this Division in developing the ethical standards framework.

Yours sincerely

A handwritten signature in cursive script that reads "Linda MacHugh".

**LINDA MacHUGH**

cc Marie Anderson