
**From: Paul Gill
Clerk of Standards**

Date: 24 September 2015

**To: Shauna Mageean
Ad Hoc Committee on the Public Services Ombudsperson Bill**

**Subject: Potential amendment to Schedule 3 of the Public Services
Ombudsperson Bill**

1. The Committee on Standards and Privileges has asked me to make the Ad Hoc Committee aware that it is giving consideration to bringing forward an amendment to Schedule 3 of the Public Services Ombudsperson Bill.
2. The Committee is considering seeking to amend Schedule 3 to make the office of the Northern Ireland Assembly Commissioner for Standards a listed authority into which the new Ombudsperson can investigate alleged maladministration.
3. The Committee has consulted the current Ombudsman on this proposal. I attach for information the Ombudsman's comments. You will note that the Ombudsman is content for the Committee to bring forward such an amendment. He has suggested, however, that before doing so the Committee should seek confirmation, from both the OFMdFM and Ad Hoc Committees, that they are satisfied that the office of the Commissioner for Standards meets the criteria for a listed authority.
4. The Committee on Standards and Privileges believes that the Commissioner for Standards does meet the criteria to be a listed authority. This is because the Commissioner is a public appointee who is financed out of public funds and who exercises functions conferred by statutory provision.
5. The Committee on Standards and Privileges has agreed to seek the comments of the OFMdFM Committee before taking a decision on whether to table this amendment.
6. The Committee on Standards and Privileges is aware that the Ad Hoc Committee has completed its formal clause-by-clause consideration of the Bill but nonetheless agreed that it should draw this matter to Ad Hoc Committee's attention.

7. Please let me know if you wish me to provide any further information.

Paul Gill
Clerk of Standards



Mr Paul Gill
Clerk of Standards
Committee on Standards & Privileges
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15 September 2015

Dear Mr Gill

**PROPOSED AMENDMENT TO THE NORTHERN IRELAND PUBLIC SERVICE
OMBUDSMAN BILL 2014**

I refer to your letter of 11 September 2015 regarding the Committee on Standards and Privileges' proposal to seek the inclusion of the Office of the Northern Ireland Assembly Commissioner for Standards as a listed authority for the purposes of the Bill.

I confirm that I am content for the Committee on Standards and Privileges to bring forward such a proposal. Before doing so, however, I would request that the Committee seek confirmation, from both the OFMDFM and Ad Hoc Committees, that they are satisfied that the Assembly Commissioner's Office meets the NIPSO criteria for a listed authority. This is set out at section 12 of the Bill. For ease of reference, I have enclosed a copy of that section.

I am happy to discuss the implications of this change with the Committee on Standards and Privileges if the Chair and members would find it helpful. The Committee will be aware the NIPSO jurisdiction is limited to investigating maladministration and I attach a paper regarding this for information purposes.

Yours sincerely

**Dr TOM FRAWLEY CBE
NI OMBUDSMAN**