

**Consultation on the NI Local Government Code of Conduct for Councillors:  
Alternative Action**

**Response from Fermanagh and Omagh District Council**

Fermanagh and Omagh District Council (Council) welcomes the opportunity to respond to the consultation on the NI Local Government Code of Conduct for Councillors: Alternative Action.

**Brief Background for Fermanagh and Omagh District Council**

Within the Council's Corporate Plan, our Council values include:

- Responsive, accountable civic leadership – a council that listens to its communities and takes responsibility for its decisions and actions
- Transparent and open – a council that is committed to open dialogue and transparency, providing clear, accessible information about decisions and how these are made
- Fair and inclusive – a council that promotes equality of opportunity, values diversity and is working towards a shared future for all

Council believes that the NI Local Government Code of Conduct for Councillors will build public confidence in the work of Councillors, and promote good governance for the benefit of all the people of the district.

**Consultation Feedback**

Council is supportive of the objectives of Alternative Action with particular reference to the promotion of good ethical conduct and the ability to deal with potential breaches of the Code in a proportionate and appropriate manner.

Council wishes to highlight the following issues for further consideration:

1. One of the Deputy Commissioner's criteria for a complaint to be valid, is that 'the complaint has been through the body's complaints system'. The findings of an internal investigation could result in recommendations that actions, such as a reminder of the obligations under the code, or refresher training on the code, were required in a particular case. Such Alternative actions should therefore only be utilised by the Deputy Commissioner where they have not been already undertaken by the Council.
2. In relation to the use of Mediation, Council welcomes this approach as such procedures can be less confrontational or adversarial than court proceedings. Not only can this reduce stress, it can also be an important consideration when the parties know that they want to have, or must have, an ongoing relationship. Council recommends that, once commenced, the

mediation process should be concluded within one calendar month, unless in exceptional circumstances.

3. Council would also recommend that indicative timeframes for the consideration of cases under the Alternative Action framework should be included in the document.

## **Conclusion**

In conclusion, Fermanagh and Omagh District Council welcomes the Commissioner for Complaints for Northern Ireland's consultation on the 'NI Local Government Code of Conduct for Councillors: Alternative Action and supports the objective of Alternative Action to bringing about a satisfactory resolution of the complaint without the cost and resource implications of an investigation and/or an adjudication.

Council would however recommend that further consideration be given to the issues raised in relation to the relationship with the Council's complaints procedure, the timeframe for the conclusion of any Mediation process and indicative timeframes for the consideration of cases under the Alternative Action framework.