



# Standards In Public Office (SIPO)



**Governance SPC Meeting 02/02/2021**

**Nora O' Farrell**  
**SEO Corporate Services**

# Standards in Public Office Commission

- Independent body established in December 2001 by Government
- Replaced the Public Offices Commission - established in November 1995 under Ethics in Public Office Act, 1995<sup>1</sup>
- Supervisory body that oversees compliance with legislation concerning ethical issues for all persons holding public office
- Have a role in providing advice & guidance on the legislation it oversees

# Current SIPO Membership

- Garrett Sheehan, Chairperson- appointed by President
- Seamus McCarthy, Comptroller and Auditor General;
- Peter Tyndall, Ombudsman;
- Peter Finnegan, Clerk of Dáil Éireann;
- Martin Groves, Clerk of Seanad Éireann; and
- Geraldine Feeney, Ordinary Member appointed by the Government



# Public Service at the Heart of What We Do

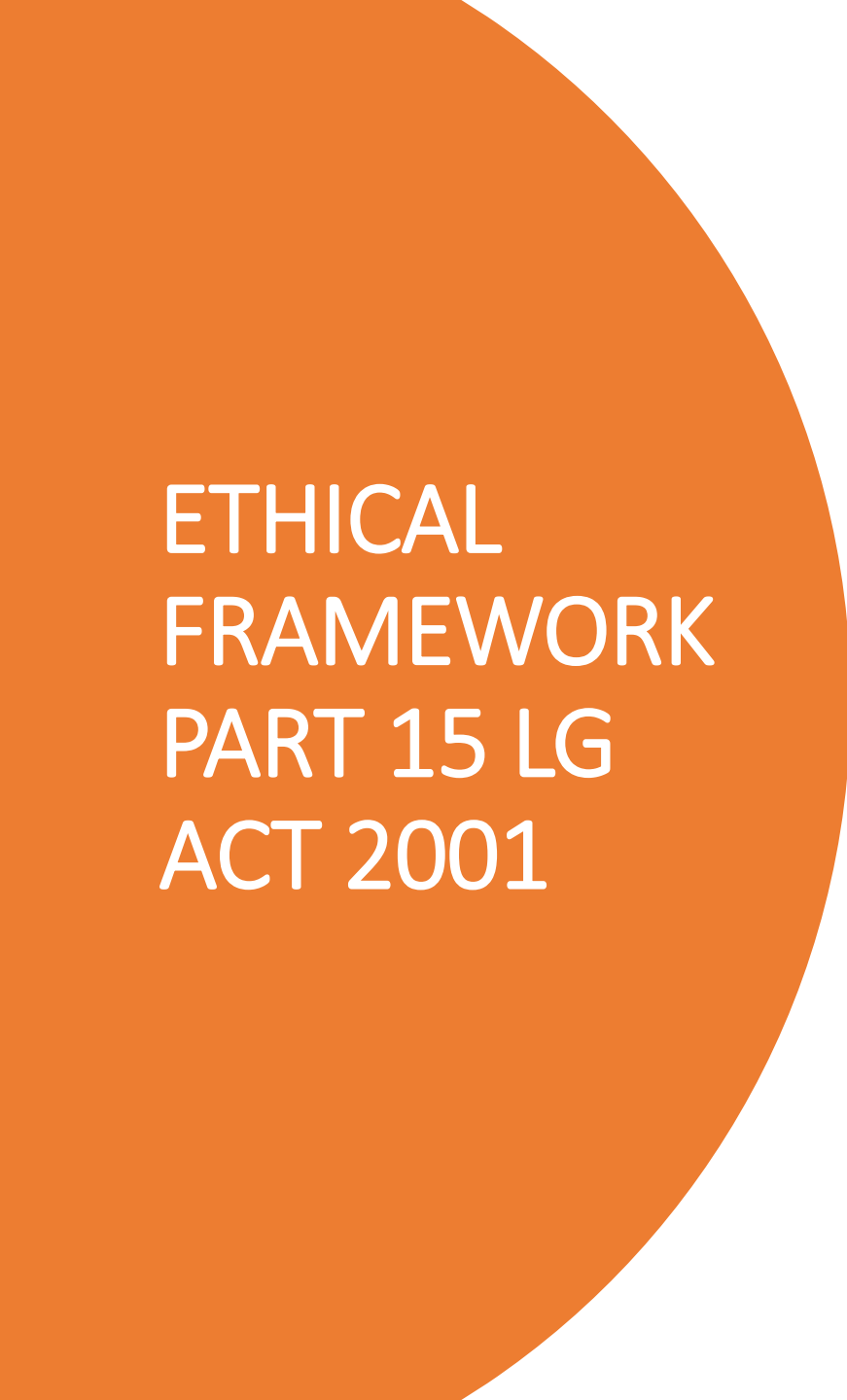


# Council Context


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***“In carrying out their functions under this or any other enactment, it is the duty of every member and every employee of a local authority and of every member of every committee to maintain proper standards of integrity, conduct and concern for the public interest.”***

(Section 168 LG Act 2001)



ETHICAL  
FRAMEWORK  
PART 15 LG  
ACT 2001

- Ethics Annual Declarations
  - Declarations of Interests
  - Codes of Conduct - Elected Members & Employees
  - Prohibition of favours, rewards, etc.
  - Consequences of failure to comply
  - Offences
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# WHO DOES ETHICAL FRAMEWORK APPLY TO

## **Annual Declaration & Declaration of Interest**

- A Council Member - Elected or Co Opted
- A prescribed Council Employee
- A designated Council Employee

Ethical Framework except requirement to completing annual declarations applies to a person who is:

- A member of a committee of the Council  
and
- A person whose services are being availed  
of by the Council

# ETHICS REGISTRAR

- Legal Requirement to have Ethics Registrar
- Chief Executive formally assigns Ethics Registrar duties to employee
- Employee can only hold this role maximum 2 year period

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# What does Ethics Registrar do

- Issue annual declaration forms to Elected Members & Employees
- Bring to other relevant person's attention the appropriate requirements of Part 15
- Inform member, employee of minor error or omission & give 21 days to correct
- Publish Register of Interests
- Provide Guidance
- Deal with possible contravention of Ethical Framework

# Declarations of Interests

At any time during the year where a decision is to be taken/ a function is to be performed

**Disclose to meeting/appropriate person in case of employee**

**Neither influence nor seek to influence decision on the matter**

# What is not a declarable or beneficial interest

An interest which is so remote or insignificant that:

it cannot reasonably be regarded as likely to influence a person in:

- Considering
- Discussing
- Voting on any question

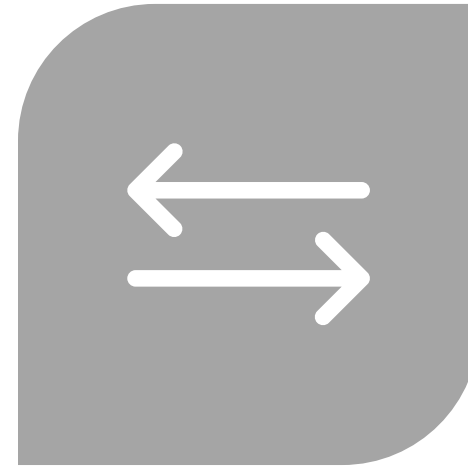
with respect to the matter **or**

in performing any function in relation to that matter

# WHAT WE DO WHEN AN ISSUE ARISES



POSSIBLE CONTRAVENTIONS  
OF ETHICAL FRAMEWORK



WHAT HAPPENS ?

# ETHICS REGISTRAR DUTY

Where Ethics Registrar becomes aware of possible contravention they have duty to bring to attention of:

- the Chief Executive, where it relates to any other employee;
- the Cathaoirleach, where it relates to the Chief Executive;
- the Cathaoirleach, where it relates to the Ethics Registrar;
- the Chief Executive, where it relates to the Cathaoirleach;
- the Cathaoirleach and the Chief Executive, where it relates to a Councillor other than the Cathaoirleach, and
- in any other case, the Chief Executive.

# Role of the Cathaoirleach/Chief Executive

Cathaoirleach and/or Chief Executive, as appropriate, shall consider in relation to the possible contravention what action should be taken

Such Action may include:

- Any investigative or disciplinary measures
- Referral to Director of Public Prosecutions
- Any other course of action considered appropriate in the circumstances

# **Role of the Standards in Public Office Commission**

- Considers complaints about local authority members or employees
- Complaints can concern contraventions of Part 15 of the Local Government Act 2001, or 'specified acts' such as conduct
- Commission conducts preliminary inquiries and investigations where it considers it appropriate

# Standards in Public Office



***THANK YOU FOR LISTENING***



***QUESTIONS?***