



2014 CHAPTER 8

PART 9

CONDUCT OF COUNCILLORS

Investigations

Investigations

55.—(1) The Commissioner may investigate—

- (a) cases in which a written allegation is made to the Commissioner by any person that a councillor (or former councillor) has failed, or may have failed, to comply with the code of conduct; and
- (b) other cases in which the Commissioner considers that a councillor (or former councillor) has failed, or may have failed, to comply with the code of conduct and which have come to the Commissioner's attention as a result of an investigation under paragraph (a).

(2) Instead of, or in addition to, conducting an investigation under this section, the Commissioner may take such action as appears to the Commissioner to be desirable to deal with any particular case falling within subsection (1).

(3) If the Commissioner considers that a written allegation under subsection (1)(a) should not be investigated, the Commissioner must take reasonable steps to give written notification to the person who made the allegation of the decision and the reasons for the decision.

(4) The purpose of an investigation under this section is to determine which of the findings mentioned in subsection (5) is appropriate.

(5) Those findings are—

- (a) that there is no evidence of any failure to comply with the code of conduct;
 - (b) that no action needs to be taken in respect of the matters which are the subject of the investigation;
 - (c) that the Commissioner should make an adjudication on the matters which are the subject of the investigation.
- (6) The Commissioner may cease an investigation under this section at any stage before its completion.