

## Local Government Act 2000

## **2000 CHAPTER 22**

#### PART III

CONDUCT OF LOCAL GOVERNMENT MEMBERS AND EMPLOYEES

## CHAPTER I

#### CONDUCT OF MEMBERS

## Standards committees

## 53 Standards committees.

- (1) Subject to subsection (2), every relevant authority must establish a committee [Flor, with one or more other relevant authorities, a joint committee] which is to have the functions conferred on it by or under this Part.
- [F2(1ZA) Subsections (1ZB) and (1ZC) apply for the purposes of subsection (1).
  - (1ZB) Where a relevant authority is a corporate joint committee—
    - (a) the reference to establishing a committee is to be read as a reference to establishing a sub-committee;
    - (b) the reference to establishing a joint committee with one or more other relevant authorities is to be read, where all of the other relevant authorities are corporate joint committees, as a reference to establishing a joint subcommittee.
  - (1ZC) The reference to establishing a joint committee is to be read, where one or more of the relevant authorities are corporate joint committees and one or more of the relevant authorities are not corporate joint committees, as a reference to establishing a joint committee which is—
    - (a) a sub-committee in relation to the corporate joint committee (or committees),
      and

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- (b) a committee in relation to the relevant authority which is not (or relevant authorities which are not) a corporate joint committee.]
- [F3(1A) In this Part, a reference to a "standards committee" is a reference to a committee or a joint committee established under subsection (1) [F4(read in accordance with subsections (1ZA) to (1ZC))].]
- [F5(1B) A relevant authority which is a corporate joint committee must establish its first standards committee within the period of 90 days which begins with the day after the day on which the first regulations under subsection (11) which apply to the corporate joint committee come into force.]

(2) Subsection (1) does not apply to a <sup>16</sup> community council.	
<sup>F7</sup> (3)	
<sup>F7</sup> (4)	
<sup>F7</sup> (5)	
<sup>F7</sup> (6)	
<sup>F7</sup> (7)	
F <sup>7</sup> (8)	
<sup>F7</sup> (9)	
$7(10) \dots \dots$	

- (11) The [F8Welsh Ministers] may by regulations make provision—
  - (a) as to the size and composition of standards committees of relevant authorities ... (including provision with respect to the appointment to any such committee of persons who are not members of the relevant authority [F10] or authorities] concerned),
  - (b) as to the term of office of members of any such committees.
  - (c) as to the persons who may, may not or must chair any such committees,
  - (d) as to the entitlement to vote of members of any such committee who are not members of the relevant authority concerned,
  - [FII(da) about establishing a standards committee which is a joint committee (including, in particular, provision about any restrictions on the number or types of relevant authority that may establish a joint committee),]
    - (e) for or in connection with treating any [F12standards] committees as bodies to which section 15 of the M1Local Government and Housing Act 1989 does not apply,
    - (f) with respect to the access of the public to meetings of such committees,
    - (g) with respect to the publicity to be given to meetings of such committees,
    - (h) with respect to the production of agendas for, or records of, meetings of such committees,
    - (i) with respect to the availability to the public or members of relevant authorities of agendas for, records of or information connected with meetings of any such committees,
    - (i) as to the proceedings and validity of proceedings of any such committees,

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- (k) for or in connection with requiring relevant authorities <sup>F13</sup>... to send to [<sup>F14</sup>the Public Services Ombudsman for Wales] statements which set out the terms of reference of their standards committees.
- (12) The provision which may be made by virtue of subsection <sup>F15</sup>... (11)(f) to (i) includes provision which
  - [F16(a)] applies or reproduces (with or without modifications) any provisions of Part VA of the Local Government Act 1972;
  - [F17(b) in relation to a standards committee which is established by a corporate joint committee and which is not a joint standards committee, disapplies or modifies any provision of regulations 16 to 21 of the Corporate Joint Committees (General) (No. 2) (Wales) Regulations 2021 (meetings and proceedings; see also regulation 22 of those Regulations);
    - (c) in relation to a standards committee which is established by a corporate joint committee and which is a joint standards committee, applies or reproduces (with or without modifications) any provision of regulations 16 to 21 of the Corporate Joint Committees (General) (No. 2) (Wales) Regulations 2021 (but the power in this paragraph does not affect the exercise of the power in paragraph (a) in relation to such joint standards committees).]
- [F18(13) A relevant authority which is considering establishing a joint committee must have regard to any guidance issued by the Welsh Ministers about establishing joint committees and the circumstances in which it is appropriate to do so.]

## **Textual Amendments**

- **F1** Words in s. 53(1) substituted (1.5.2015) by Local Government (Democracy) (Wales) Act 2013 (anaw 4), ss. 68(2)(a), 75(3); S.I. 2015/1182, art. 2(e)
- F2 S. 53(1ZA)-(1ZC) inserted (25.3.2022) by The Corporate Joint Committees (General) (Wales) Regulations 2022 (S.I. 2022/372), regs. 1(2), 3(6)(a)
- F3 S. 53(1A) inserted (1.5.2015) by Local Government (Democracy) (Wales) Act 2013 (anaw 4), ss. 68(2) (b), 75(3); S.I. 2015/1182, art. 2(e)
- F4 Words in s. 53(1A) inserted (25.3.2022) by The Corporate Joint Committees (General) (Wales) Regulations 2022 (S.I. 2022/372), regs. 1(2), 3(6)(b)
- F5 S. 53(1B) inserted (25.3.2022) by The Corporate Joint Committees (General) (Wales) Regulations 2022 (S.I. 2022/372), regs. 1(2), 3(6)(c)
- **F6** Words in s. 53(2) repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by Localism Act 2011 (c. 20), s. 240(2), Sch. 4 para. 12(2), **Sch. 25 Pt. 5**; S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)
- F7 S. 53(3)-(10) repealed (31.1.2012 for specified purposes, 22.11.2012 in so far as not already in force) by Localism Act 2011 (c. 20), s. 240(2), Sch. 4 para. 12(3), Sch. 25 Pt. 5; S.I. 2012/57, art. 5(1) (a)(c)(2)(c) (with arts. 6, 8); S.I. 2012/2913, arts. 1(2), 2(b) (with arts. 3-6)
- **F8** Words in s. 53(11) substituted (1.5.2015) by Local Government (Democracy) (Wales) Act 2013 (anaw 4), ss. 68(2)(c)(i), 75(3); S.I. 2015/1182, art. 2(e)
- F9 Words in s. 53(11)(a) repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by Localism Act 2011 (c. 20), s. 240(2), Sch. 4 para. 12(4)(a), Sch. 25 Pt. 5; S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)
- **F10** Words in s. 53(11)(a) inserted (1.5.2015) by Local Government (Democracy) (Wales) Act 2013 (anaw 4), ss. 68(2)(c)(ii), 75(3); S.I. 2015/1182, art. 2(e)
- F11 S. 53(11)(da) inserted (1.5.2015) by Local Government (Democracy) (Wales) Act 2013 (anaw 4), ss. 68(2)(c)(iii), 75(3); S.I. 2015/1182, art. 2(e)

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- **F12** Word in s. 53(11)(e) substituted (1.5.2015) by Local Government (Democracy) (Wales) Act 2013 (anaw 4), ss. 68(2)(c)(iv), 75(3); S.I. 2015/1182, art. 2(e)
- **F13** Words in s. 53(11)(k) repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by Localism Act 2011 (c. 20), s. 240(2), Sch. 4 para. 12(4)(b), **Sch. 25 Pt. 5**; S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)
- F14 Words in s. 53(11)(k) substituted (12.10.2005 for specified purposes, 1.4.2006 in so far as not already in force) by Public Services Ombudsman (Wales) Act 2005 (c. 10), s. 40, Sch. 4 para. 4; S.I. 2005/2800, arts. 4(1)(a)(2), 5(1) (with art. 4(3))
- F15 Words in s. 53(12) repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by Localism Act 2011 (c. 20), s. 240(2), Sch. 4 para. 12(5), Sch. 25 Pt. 5; S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)
- **F16** Words in s. 53(12) renumbered as s. 53(12)(a) (25.3.2022) by The Corporate Joint Committees (General) (Wales) Regulations 2022 (S.I. 2022/372), regs. 1(2), 3(6)(d)(i)
- F17 S. 53(12)(b)(c) inserted (25.3.2022) by The Corporate Joint Committees (General) (Wales) Regulations 2022 (S.I. 2022/372), regs. 1(2), 3(6)(d)(ii)
- F18 S. 53(13) inserted (1.5.2015) by Local Government (Democracy) (Wales) Act 2013 (anaw 4), ss. 68(2) (d), 75(3); S.I. 2015/1182, art. 2(e)

#### **Modifications etc. (not altering text)**

- C1 Pt. III savings for effects of 2005 c. 10, s. 38 (1.4.2006) by The Public Services Ombudsman (Wales) Act 2005 (Transitional Provisions and Consequential Amendments) Order 2006 (S.I. 2006/362), arts. 1(1), 4
- C2 Pt. III applied (with modifications) (22.11.2012) by The Police and Crime Panels (Application of Local Authority Enactments) Regulations 2012 (S.I. 2012/2734), regs. 1(1), 3-6, **Sch. Pt. 3**

#### **Commencement Information**

S. 53 wholly in force at 28.7.2001; s. 53 not in force at Royal Assent see s. 108; s. 53(11)(12) in force at 1.11.2000 in relation to Wales by S.I. 2000/2948, art. 2; s. 53 in force at 19.12.2000 in relation to England and to police authorities in Wales by S.I. 2000/3335, art. 2; s. 53 in force at 28.7.2001 in so far as not already in force see s. 108(4)-(6)

#### **Marginal Citations**

**M1** 1989 c. 42.

#### 54 Functions of standards committees.

- (1) The general functions of a standards committee of a relevant authority are—
  - (a) promoting and maintaining high standards of conduct by the members and coopted members of the authority, and
  - (b) assisting members and co-opted members of the authority to observe the authority's code of conduct.
- (2) Without prejudice to its general functions, a standards committee of a relevant authority has the following specific functions—
  - (a) advising the authority on the adoption or revision of a code of conduct,
  - (b) monitoring the operation of the authority's code of conduct, and
  - (c) advising, training or arranging to train members and co-opted members of the authority on matters relating to the authority's code of conduct.

Part III - Conduct of local government members and employees

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- [F19(2A) A standards committee of a county council or county borough council in Wales also has the specific functions of—
  - (a) monitoring compliance by leaders of political groups on the council with their duties under section 52A(1), and
  - (b) advising, training or arranging to train leaders of political groups on the council about matters relating to those duties.]
  - (3) A relevant authority may arrange for their standards committee to exercise such other functions as the authority consider appropriate.
- [F20(3A) In relation to a relevant authority whose members and co-opted members are subject to mandatory provisions by virtue of section 51(5)(b), references in subsection (1)(b) and (2)(b) and (c) to the authority's code of conduct are to those mandatory provisions.]
  - - (5) The [F22Welsh Ministers] may by regulations make provision with respect to the exercise of functions by standards committees of relevant authorities F23....
- [F24(5A) Regulations made under subsection (5) may modify any provision of this Part, or any other enactment relating to a standards committee or to any functions of a standards committee, in relation to cases where a function of a standards committee is exercisable by a joint committee.
  - (5B) In subsection (5A) "enactment" includes an enactment comprised in subordinate legislation (within the meaning of the Interpretation Act 1978 (c. 30)), whenever passed or made.]

  - [F26(7) A standards committee must, in exercising any of its functions, have regard to any relevant guidance issued by the Welsh Ministers.]

## **Textual Amendments**

- **F19** S. 54(2A) inserted (5.5.2022) by Local Government and Elections (Wales) Act 2021 (asc 1), **ss. 62(3)**, 175(7); S.I. 2021/231, art. 6(1)
- **F20** S. 54(3A) inserted (31.1.2008) by Local Government and Public Involvement in Health Act 2007 (c. 28), ss. 184(3), 245(5) (with s. 201); S.I. 2008/172, art. 2(1)(i)
- **F21** S. 54(4) repealed (7.6.2012 for specified purposes, 1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by Localism Act 2011 (c. 20), s. 240(2), Sch. 4 para. 13(2), **Sch. 25 Pt. 5**; S.I. 2012/1463, arts. 2(h), 5(a)(d) (with arts. 6, 7); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)
- **F22** Words in s. 54(5) substituted (1.5.2015) by Local Government (Democracy) (Wales) Act 2013 (anaw 4), ss. 68(3)(a), 75(3); S.I. 2015/1182, art. 2(e)
- **F23** Words in s. 54(5) repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by Localism Act 2011 (c. 20), s. 240(2), Sch. 4 para. 13(3), **Sch. 25 Pt. 5**; S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)
- **F24** S. 54(5A)(5B) inserted (1.5.2015) by Local Government (Democracy) (Wales) Act 2013 (anaw 4), ss. **68(3)(b)**, 75(3); S.I. 2015/1182, art. 2(e)
- F25 S. 54(6) repealed (31.1.2012) by Localism Act 2011 (c. 20), s. 240(2), Sch. 4 para. 13(4), Sch. 25 Pt. 5; S.I. 2012/57, art. 5(1)(a)(c)(2)(d) (with arts. 6, 8)
- **F26** S. 54(7) substituted (1.5.2015) by Local Government (Democracy) (Wales) Act 2013 (anaw 4), ss. 68(3)(c), 75(3); S.I. 2015/1182, art. 2(e)

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#### **Commencement Information**

S. 54 wholly in force at 28.7.2001; s. 54 not in force at Royal Assent see s. 108; s. 54(5)(7) in force at 1.11.2000 in relation to Wales by S.I. 2000/2948, art. 2; s. 54 in force at 19.12.2000 in relation to England and to police authorities in Wales by S.I. 2000/3335, art. 2; s. 54 in force at 28.7.2001 in so far as not already in force see s. 108(4)-(6)

## [F2754A Sub-committees of standards committees

- (1) A standards committee of a relevant authority may appoint one or more subcommittees for the purpose of discharging any of the committee's functions, whether or not to the exclusion of the committee.
- Subsection (1) does not apply to a standards committee established by a corporate F28(1A) joint committee.]
  - (2) Subsection (1) does not apply to functions under section <sup>F29</sup>...56.
  - (3) A sub-committee under subsection (1) shall be appointed from among the members of the standards committee by which it is appointed F30....

- (5) As regards sub-committees appointed under subsection (1) by a standards committee of a relevant authority F32...
  - regulations under section 53(11) may make provision in relation to such subcommittees, and
  - section 54(5) and (7) apply in relation to such sub-committees as they apply (b) in relation to standards committees.
- (6) Subject to F33... any provision made by regulations under section [F3453(11)(a)] (as applied by this section)
  - the number of members of a sub-committee under subsection (1), and
  - the term of office of those members,

are to be fixed by the standards committee by which the sub-committee is appointed.]

#### **Textual Amendments**

- F27 S. 54A inserted (18.11.2003) by Local Government Act 2003 (c. 26), ss. 113(1), 128(2)(d)
- S. 54A(1A) inserted (25.3.2022) by The Corporate Joint Committees (General) (Wales) Regulations 2022 (S.I. 2022/372), regs. 1(2), 3(7)
- Words in s. 54A(2) repealed (31.1.2008) by Local Government and Public Involvement in Health Act 2007 (c. 28), ss. 188(1)(a), 245(5), Sch. 18 Pt. 15 (with s. 201); S.I. 2008/172, art. 2(1)(j)(u)(ii) (with
- Words in s. 54A(3) repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by Localism Act 2011 (c. 20), s. 240(2), Sch. 4 para. 14(2), Sch. 25 Pt. 5; S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)
- S. 54A(4) repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by Localism Act 2011 (c. 20), s. 240(2), Sch. 4 para. 14(3), Sch. 25 Pt. 5; S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)

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- **F32** Words in s. 54A(5) repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by Localism Act 2011 (c. 20), s. 240(2), Sch. 4 para. 14(4), **Sch. 25 Pt. 5**; S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)
- **F33** Words in s. 54A(6) repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by Localism Act 2011 (c. 20), s. 240(2), Sch. 4 para. 14(5)(a), **Sch. 25 Pt. 5**; S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)
- F34 Words in s. 54A(6) substituted (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by Localism Act 2011 (c. 20), s. 240(2), Sch. 4 para. 14(5)(b); S.I. 2012/1463, art. 5(a) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b) (with arts. 3-6)

F3655	<b>Standards committees</b>	F35 for	parish	councils.
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#### **Textual Amendments**

- F35 Words in s. 55 repealed (31.1.2008) by Local Government and Public Involvement in Health Act 2007 (c. 28), ss. 188(2)(a), 245(5), Sch. 18 Pt. 15 (with s. 201); S.I. 2008/172, art. 2(1)(j)(u)(ii) (with art. 2(2))
- **F36** S. 55 repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by Localism Act 2011 (c. 20), s. 240(2), Sch. 4 para. 15, **Sch. 25 Pt. 5**; S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)

## 56 Standards committees or sub-committees for community councils.

- (1) A standards committee of a county council in Wales is to have the same functions in relation to—
  - (a) the community councils which are situated in the area of the county council, and
  - (b) the members of those community councils,
  - as the standards committee has under section 54(1) and (2) in relation to the county council and the members of the county council.
- (2) A standards committee of a county borough council is to have the same functions in relation to—
  - (a) the community councils which are situated in the area of the county borough council, and
  - (b) the members of those community councils,
  - as the standards committee has under section 54(1) and (2) in relation to the county borough council and the members of the county borough council.
- (3) A standards committee of a county council or county borough council may appoint a sub-committee for the purpose of discharging all of the functions conferred on the standards committee by this section.
- (4) In deciding whether it will be their standards committee, or a sub-committee of their standards committee, which is to discharge the functions conferred by this section, a

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county council or county borough council must consult the community councils which are situated in their area.

- (5) Regulations under section 53(11) may make provision in relation to sub-committees appointed under this section.
- (6) Subsections (5) and (7) of section 54 apply in relation to sub-committees of standards committees appointed under this section as they apply in relation to standards committees.
- (7) Any function which by virtue of the following provisions of this Part is exercisable by or in relation to the standards committee of a relevant authority which is a community council is to be exercisable by or in relation to—
  - (a) the standards committee of the county council or county borough council in whose area the community council is situated, or
  - (b) where that standards committee has appointed a sub-committee under this section, that sub-committee;

and any reference in the following provision of this Part to the standards committee of a relevant authority which is a community council is to be construed accordingly.

# F3756A Joint committees of relevant authorities in England

#### **Textual Amendments**

**F37** S. 56A repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by Localism Act 2011 (c. 20), s. 240(2), Sch. 4 para. 16, **Sch. 25 Pt. 5**; S.I. 2012/1463, art. 5(a)(d) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)

## [F3856B Annual reports by standards committees

- (1) As soon as reasonably practicable after the end of each financial year, a standards committee of a relevant authority must make an annual report to the authority in respect of that year.
- (2) The annual report must describe how the committee's functions have been discharged during the financial year.
- (3) In particular, the report must include a summary of—
  - (a) what has been done to discharge the general and specific functions conferred on the committee by section 54 or 56;
  - (b) reports and recommendations made or referred to the committee under Chapter 3 of this Part;
  - (c) action taken by the committee following its consideration of such reports and recommendations;
  - (d) notices given to the committee under Chapter 4 of this Part.
- (4) An annual report by a standards committee of a county council or county borough council in Wales must include the committee's assessment of the extent to which

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leaders of political groups on the council have complied with their duties under section 52A(1) during the financial year.

- (5) An annual report by a standards committee of a relevant authority may include recommendations to the authority about any matter in respect of which the committee has functions.
- (6) A relevant authority must consider each annual report made by its standards committee before the end of 3 months beginning with the day on which the authority receives the report.
- (7) The function of considering the report may be discharged only by the relevant authority (and accordingly is not a function to which section 101 of the Local Government Act 1972 [F39] or, in the case of a relevant authority which is a corporate joint committee, regulation 13 of the Corporate Joint Committees (General) (No. 2) (Wales) Regulations 2021 (arrangements for discharge of functions)] applies).
- (8) In this section "financial year" means a period of 12 months ending with 31 March.]

#### **Textual Amendments**

**F38** S. 56B inserted (5.5.2022) by Local Government and Elections (Wales) Act 2021 (asc 1), **ss. 63(1)**, 175(7); S.I. 2021/231, art. 6(m)

F39 Words in s. 56B(7) inserted (6.5.2022) by The Corporate Joint Committees (General) (Wales) Regulations 2022 (S.I. 2022/372), regs. 1(3), 3(8)

## **Status:**

Point in time view as at 06/05/2022.

## **Changes to legislation:**

Local Government Act 2000, Cross Heading: Standards committees is up to date with all changes known to be in force on or before 14 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.