



# Local Government Act 2000

## 2000 CHAPTER 22

### PART III

#### CONDUCT OF LOCAL GOVERNMENT MEMBERS AND EMPLOYEES

### CHAPTER II

#### INVESTIGATIONS ETC: ENGLAND

#### *Functions of ethical standards officers*

#### **59 Functions of ethical standards officers**

- (1) The functions of ethical standards officers are to investigate—
  - (a) cases referred to them by the Standards Board for England under section 58(2), and
  - (b) other cases in which any such officer considers that a member or co-opted member (or former member or co-opted member) of a relevant authority in England has failed, or may have failed, to comply with the authority's code of conduct and which have come to the attention of any such officer as a result of an investigation under paragraph (a).
- (2) The Standards Board for England may make arrangements in relation to the assignment of investigations under this section to particular ethical standards officers.
- (3) The purpose of an investigation under this section is to determine which of the findings mentioned in subsection (4) is appropriate.
- (4) Those findings are—
  - (a) that there is no evidence of any failure to comply with the code of conduct of the relevant authority concerned,
  - (b) that no action needs to be taken in respect of the matters which are the subject of the investigation,

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*Status: This is the original version (as it was originally enacted).*

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- (c) that the matters which are the subject of the investigation should be referred to the monitoring officer of the relevant authority concerned, or
  - (d) that the matters which are the subject of the investigation should be referred to the president of the Adjudication Panel for England for adjudication by a tribunal falling within section 76(1).
- (5) Where a person is no longer a member or co-opted member of the relevant authority concerned but is a member or co-opted member of another relevant authority in England, the reference in subsection (4)(c) to the monitoring officer of the relevant authority concerned is to be treated as a reference either to the monitoring officer of the relevant authority concerned or to the monitoring officer of that other relevant authority (and accordingly an ethical standards officer who reaches a finding under subsection(4)(c) must decide to which of those monitoring officers to refer the matters concerned).