



# Local Government Act 2000

## 2000 CHAPTER 22

### PART III

#### CONDUCT OF LOCAL GOVERNMENT MEMBERS AND EMPLOYEES

### CHAPTER II

#### INVESTIGATIONS ETC: ENGLAND

*Reports etc. [<sup>F1</sup>by ethical standards officers ]*

#### 64 Reports etc.

- (1) Where an ethical standards officer determines in relation to any case that a finding under section 59(4)(a) or (b) is appropriate—
  - (a) he may produce a report on the outcome of his investigation,
  - (b) he may provide a summary of any such report to any newspapers circulating in the area of the relevant authority concerned,
  - (c) he must send to the monitoring officer of the relevant authority concerned a copy of any such report, and
  - (d) where he does not produce any such report, he must inform the monitoring officer of the relevant authority concerned of the outcome of the investigation.
- (2) Where an ethical standards officer determines in relation to any case that a finding under section 59(4)(c) is appropriate he must—
  - (a) produce a report on the outcome of his investigation,
  - (b) subject to subsection (4)(b), refer the matters which are the subject of the investigation to the monitoring officer of the relevant authority concerned, and
  - (c) send a copy of the report to the monitoring officer, and the standards committee, of the relevant authority concerned.

*Status: Point in time view as at 31/01/2008. This version of this provision has been superseded.*

*Changes to legislation: Local Government Act 2000, Section 64 is up to date with all changes known to be in force on or before 29 May 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. (See end of Document for details)*

- (3) Where an ethical standards officer determines in relation to any case that a finding under section 59(4)(d) is appropriate he must—
- (a) produce a report on the outcome of his investigation,
  - (b) refer the matters which are the subject of the investigation to the president of the Adjudication Panel for England for adjudication by a tribunal falling within section 76(1), and
  - (c) send a copy of the report to the monitoring officer of the relevant authority concerned and to the president of the Adjudication Panel for England.
- [<sup>F1</sup>(3A) Where an ethical standards officer produces a report under subsection (1) or (3), he may send a copy of it to the standards committee of the relevant authority concerned if he believes that it will assist that committee in the discharge of its functions under this Part.]
- (4) 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—
- (a) the references in subsections (1)(b), (c) and (d), (2)(c) [<sup>F2</sup>, (3)(c) and (3A) ] to the relevant authority concerned are to be treated as including references to that other relevant authority, and
  - (b) an ethical standards officer who reaches a finding under section 59(4)(c) must refer the matters concerned either to the monitoring officer of the relevant authority concerned or to the monitoring officer of that other relevant authority.
- (5) A report under this section may cover more than one investigation under section 59 in relation to any members or co-opted members (or former members or co-opted members) of the same relevant authority.
- (6) An ethical standards officer must—
- (a) inform any person who is the subject of an investigation under section 59, and
  - (b) take reasonable steps to inform any person who made any allegation which gave rise to the investigation,
- of the outcome of the investigation.
- [<sup>F3</sup>(7) The Secretary of State may by regulations make provision for or in connection with the withdrawal of a reference under subsection (3)(b).]

#### Textual Amendments

- F1** S. 64(3A) inserted (31.1.2008) by [Local Government and Public Involvement in Health Act 2007](#) (c. 28), [ss. 192\(3\), 245\(5\)](#) (with s. 201); S.I. 2008/172, art. 2(1)(m)
- F2** Words in s. 64(4)(a) substituted (31.1.2008) by [Local Government and Public Involvement in Health Act 2007](#) (c. 28), [ss. 192\(4\), 245\(5\)](#) (with s. 201); S.I. 2008/172, art. 2(1)(m)
- F3** S. 64(7) inserted (31.1.2008) by [Local Government and Public Involvement in Health Act 2007](#) (c. 28), [ss. 192\(5\), 245\(5\)](#) (with s. 201); S.I. 2008/172, art. 2(1)(m)

#### Commencement Information

- II** S. 64 wholly in force at 28.7.2001; s. 64 not in force at Royal Assent see s. 108; s. 64 in force at 19.12.2000 in relation to England and to police authorities in Wales by [S.I. 2000/3335](#), [art. 2](#); s. 64 in force at 28.7.2001 in so far as not already in force see s. 108(4)-(6)

**Status:**

Point in time view as at 31/01/2008. This version of this provision has been superseded.

**Changes to legislation:**

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