



# Local Government (Wales) Measure 2011

2011 nawm 4

## PART 1

### STRENGTHENING LOCAL DEMOCRACY

#### CHAPTER 1

##### PROMOTING AND SUPPORTING MEMBERSHIP OF LOCAL AUTHORITIES

###### *Survey of councillors and unsuccessful candidates for election as councillors*

#### **1 Duty to conduct a survey**

- (1) A local authority must, in accordance with regulations under this section, conduct a survey of—
    - (a) councillors in its area, and
    - (b) unsuccessful candidates for election to the office of councillor in its area.
  - (2) A local authority must conduct a survey [<sup>F1</sup>, or arrange for the conduct of a survey, in relation to] each ordinary election to—
    - (a) the council of the county or county borough, and
    - (b) a community council in the local authority's area.
  - (3) The survey must be conducted by—
    - (a) asking prescribed questions in any prescribed form or manner, and
    - (b) collating the information in any prescribed form or manner.
- [<sup>F2</sup>(3A) A survey in the case of an ordinary election may be conducted—
  - (a) entirely after the ordinary election, or
  - (b) by asking the candidates for election to the office of councillor to answer the prescribed questions before the ordinary election and collating the information provided afterwards.]

**Changes to legislation:** *There are currently no known outstanding effects for the Local Government (Wales) Measure 2011, Cross Heading: Survey of councillors and unsuccessful candidates for election as councillors. (See end of Document for details)*

- (4) The questions that may be prescribed under subsection (3) include (but are not limited to) questions about the individual to whom they are addressed which relate to—
- (a) gender;
  - (b) sexual orientation;
  - (c) language;
  - (d) race;
  - (e) age;
  - (f) disability;
  - (g) religion or belief;
  - (h) health;
  - (i) education and qualifications;
  - (j) employment;
  - (k) work as a councillor.

(5) Nothing in this section places a duty on [<sup>F3</sup>any individual] to provide any information.

<sup>F4</sup>(6) .....

(7) section—

“belief” (“”) means any religious or philosophical belief and a reference to belief includes a reference to a lack of belief;

“councillor” (“”) includes community councillor;

“disability” (“”) means a physical or mental impairment that has a substantial and long-term adverse effect on a person's ability to carry out normal day to day activities;

“race” (“”) means colour, nationality or ethnic or national origins;

“religion” (“”) means any religion and a reference to religion includes a reference to a lack of religion;

“sexual orientation” (“”) means a person's sexual orientation towards—

- (a) persons of the same sex,
- (b) persons of the opposite sex, or
- (c) persons of either sex.

#### **Annotations:**

#### **Amendments (Textual)**

**F1** Words in s. 1(2) substituted (25.1.2016) by [Local Government \(Wales\) Act 2015 \(anaw 6\), ss. 42\(2\), 46\(1\)](#)

**F2** [S. 1\(3A\)](#) inserted (25.1.2016) by [Local Government \(Wales\) Act 2015 \(anaw 6\), ss. 42\(3\), 46\(1\)](#)

**F3** Words in s. 1(5) substituted (25.1.2016) by [Local Government \(Wales\) Act 2015 \(anaw 6\), ss. 42\(4\), 46\(1\)](#)

**F4** [S. 1\(6\)](#) omitted (25.1.2016) by virtue of [Local Government \(Wales\) Act 2015 \(anaw 6\), ss. 42\(5\), 46\(1\)](#)

#### **Commencement Information**

**I1** S. 1 in force at 31.8.2011 by [S.I. 2011/2011, art. 2\(a\)](#)

**Changes to legislation:** There are currently no known outstanding effects for the Local Government (Wales) Measure 2011, Cross Heading: Survey of councillors and unsuccessful candidates for election as councillors. (See end of Document for details)

## 2 Completion of a survey and publication of information

- (1) A local authority must complete its survey and provide the information collated in it to the Welsh Ministers within six months of the date of the ordinary election to which it relates.
- (2) A local authority must provide the information in any prescribed form or manner.
- (3) A local authority may publish the information collated in a survey in such manner as it considers appropriate, subject to subsection (6).
- (4) The Welsh Ministers must—
  - (a) collate the information they receive from local authorities under this section, and
  - (b) publish it within twelve months of the date of the ordinary election to which it relates.
- (5) The Welsh Ministers may—
  - (a) publish information under subsection (4)(b) in such manner as they consider appropriate, subject to subsection (6);
  - (b) share any information provided to them under subsection (1) with any body representing the interests of county, county borough or community councils in Wales.
- (6) No information received under section 1 or this section is to be published or shared in any form that, either by itself or in combination with any other information, identifies any individual to whom it relates or enables that individual to be identified.

### Annotations:

#### Commencement Information

**I2** [S. 2](#) in force at 31.8.2011 by [S.I. 2011/2011](#), [art. 2\(a\)](#)

## 3 Guidance about surveys

In exercising its functions under sections 1 and 2, a local authority must have regard to guidance given by the Welsh Ministers.

### Annotations:

#### Commencement Information

**I3** [S. 3](#) in force at 31.8.2011 by [S.I. 2011/2011](#), [art. 2\(a\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Local Government (Wales) Measure 2011, Cross Heading: Survey of councillors and unsuccessful candidates for election as councillors.