

LOCAL GOVERNMENT ACT 2000

EXPLANATORY NOTES

INTRODUCTION

Part Iii: Conduct of Local Government Members and Employees

Commentary on sections

Sections 53 and 54: Standards committees

122. *Section 53* places a duty upon all relevant authorities—except parish councils or community councils—to establish a standards committee.
123. This section also specifies various details of the composition of an authority’s standards committee. Although the authority has discretion over the overall number of members of the standards committee, the committee must have at least three members—two who are elected members of the authority and one of whom is an independent person (i.e. not a member of that or any other authority). In an authority that operates under the executive arrangements set out in Part II of the Act, a standards committee must not include a directly-elected mayor or executive leader, and may not be chaired by a member of the executive.
124. *Section 53* also gives both the Secretary of State and the NAW power to make regulations on the appointment of the independent member, the size of standards committees, and the way in which standards committees conduct their business. The Standards Board (the CLAW in Wales) may also provide guidance to relevant authorities on such issues. This section provides the independent members on the committee with voting rights, and requires the authority to provide the Standards Board with a copy of the standards committee’s terms of reference. Police authorities in Wales will be subject to the regulations made by the Secretary of State, and to advice and guidance from the Standards Board, due to the non-delegation of policing matters.
125. *Section 54* sets out the functions of a standards committee. The general functions are to promote and maintain high standards of conduct within the authority and to assist members of that authority to observe the authority’s code of conduct.
126. This section also outlines a range of specific functions. These are to:
 - advise the authority on the adoption or revision of a code of conduct;
 - monitor the operation of the authority’s code; and
 - advise members of the authority on matters relating to their code of conduct.
127. This section also enables the Secretary of State and the NAW to issue further regulations in respect of the functions of standards committees. It also allows the Standards Board (and the CLAW in Wales) to issue guidance on these matters.