

LOCAL GOVERNMENT ACT 2000

EXPLANATORY NOTES

INTRODUCTION

Part iii: Conduct of Local Government Members and Employees

Commentary on sections

Section 57 and Schedule 4: Standards Board for England

130. *Section 57* provides for the creation of a Standards Board for England. The Standards Board is to have at least three members appointed by the Secretary of State. In exercising its functions, the Standards Board for England must have regard to the need to promote and maintain high standards of conduct by members of relevant authorities in England. The functions of the Standards Board are:
- to appoint employees known as ethical standards officers;
 - to issue guidance to relevant authorities in relation to the conduct of their members (the Board may arrange for any such guidance to be made public);
 - to issue guidance to relevant authorities in England in relation to the qualifications or experience which monitoring officers should possess;
 - to issue guidance on the size, composition and functions of standards committees of relevant authorities (under section 53); and
 - such other functions as may be conferred on the Standards Board by orders made by the Secretary of State.
131. *Schedule 4* covers the status and general powers of the Standards Board. It sets out the grounds for disqualification for being appointed as a member of the Board and for being employed as an ethical standards officer. It requires the Secretary of State to appoint the chairman and deputy chairman of the Board, and describes the tenure of office of the chairman, deputy chairman and members. This Schedule also enables the Standards Board to appoint and pay staff, including a chief executive, to carry out its functions and includes provision for the employment of staff to support the Adjudication Panel and case tribunals in the exercise of their functions (see commentary on *sections 73 to 78* below). It provides that staff cannot be employed both to assist an ethical standards officer in the conduct of an investigation and to support the Adjudication Panel or case tribunals.
132. *Schedule 4* also includes provision for:
- the proceedings of the Standards Board;
 - declaration of members' interests;
 - the protection of any statements by an ethical standards officer (in relation to the law of defamation).

*These notes refer to the Local Government Act 2000
(c.22) which received Royal Assent on 28 July 2000*

- provision of finance;
- submission of accounts;
- annual reporting arrangements;
- the application of seal and evidence;
- the Standards Board to be subject to the Parliamentary Commissioner; and
- Parliamentary disqualification for any member of the Standards Board.