

SL(6)681 – The Local Government (Standards Committees and Member Conduct) (Miscellaneous Amendments) (Wales) Regulations 2025

Background and Purpose

These Regulations amend-

- (a) the Standards Committees (Wales) Regulations 2001 (“the 2001 Regulations”),
- (b) the Conduct of Members (Principles) (Wales) Order 2001 (“the 2001 Order”), and
- (c) the Local Authorities (Model Code of Conduct) (Wales) Order 2008 (“the 2008 Order”).

Part 3 of the Local Government Act 2000 (“the Act”) makes provision concerning the conduct of local government members and employees.

Section 49(2) of the Act makes provision for the principles which govern the conduct of members and co-opted members of relevant authorities in Wales. These principles are set out in the Schedule to the 2001 Order.

Section 50(2) of the Act makes provision for a model code which sets out the conduct expected of members and co-opted members of relevant authorities in Wales. The model code of conduct is set out in the Schedule to the 2008 Order.

Section 53(1) of the Act requires every relevant authority in Wales to establish a standards committee. The 2001 Regulations make provision in respect of the size, composition and proceedings of standards committees and sub committees, along with the appointment, term of office and re-appointment of independent members to those committees.

These Regulations amend existing requirements of the model code of conduct for relevant authorities, to ensure its requirements align with the protected characteristics and socio-economic duty specified in the Equality Act 2010. Similar amendments are also made to the 2001 Order.

These Regulations also remove the lifetime prohibition on previous members and employees of a relevant authority sitting as independent members on the standards committee of the authority to which they were previously elected, or previously worked, or the standards committee of a corporate joint committee (“CJC”) of which the relevant authority is a constituent authority, or a National Park authority. The changes make provision for waiting periods in respect of specified former members and officials.



Procedure

Negative.

The Regulations were made by the Welsh Ministers before they were laid before the Senedd. The Senedd can annul the Regulations within 40 days (excluding any days when the Senedd is: (i) dissolved, or (ii) in recess for more than four days) of the date they were laid before the Senedd.

Technical Scrutiny

The following three points are identified for reporting under Standing Order 21.2 in respect of this instrument.

1. Standing Order 21.2(vi) – that its drafting appears to be defective or it fails to fulfil statutory requirements

In the preamble, in the second paragraph, it refers to “sections 49(5) and 50(5) of **the Act**”. However, the Local Government Act 2000 has not been defined as “the Act” in the previous paragraph of the preamble. Therefore, it should either note “**that Act**” in the reference in the second paragraph or there should be a definition in brackets, “(**“the Act”**)”, after the first reference to the Local Government Act 2000 in the previous paragraph of the preamble.

2. Standing Order 21.2(vi) – that its drafting appears to be defective or it fails to fulfil statutory requirements

In regulation 2(2), reference is made to the Local Government Act 1972 and to the Local Government Act 2000 in the new definition of “senior, cabinet or executive post” that is inserted in regulation 2 of the Standards Committees (Wales) Regulations 2001. However, both of those Acts have already been defined as “the 1972 Act” and “the 2000 Act” respectively in the existing text of regulation 2 of the 2001 Regulations. Therefore, the defined terms should have been used in the new definition when referring to those Acts.

3. Standing Order 21.2(vi) – that its drafting appears to be defective or it fails to fulfil statutory requirements

In regulation 4(a), a new definition of “protected characteristics” is inserted “at the appropriate place” in paragraph 1(1) of the Schedule to the Local Authorities (Model Code of Conduct) (Wales) Order 2008. However, there are several problems with this approach in relation to the existing Welsh text of paragraph 1(1) of the Schedule to the 2008 Order. One of the existing definitions, “eich awdurdod” (“your authority”), was not listed in the correct place according to Welsh alphabetical order in the original text of paragraph 1(1) of the Schedule to the 2008 Order. In addition, it appears that the existing definition of “registered society” was only inserted into the English text of both paragraphs 1(1) and 10(2)(a)(ix)(bb) of the Schedule to the 2008 Order by paragraph 21 of the Schedule to UK SI 2014/1815. Therefore, this definition is missing from the Welsh text of paragraph 1(1) of the Schedule to the 2008 Order (and also from paragraph 10(2)(a)(ix)(bb)). As a result, the amendment made



to paragraph 1(1) of the Schedule to the 2008 Order does not fully succeed because of the missing definition and the fact that not all of the existing definitions were listed in alphabetical order in the Welsh text.

Merits Scrutiny

No points are identified for reporting under Standing Order 21.3 in respect of this instrument.

Welsh Government response

A Welsh Government response is required.

Committee Consideration

The Committee considered the instrument at its meeting on 8 December 2025 and reports to the Senedd in line with the reporting points above.

