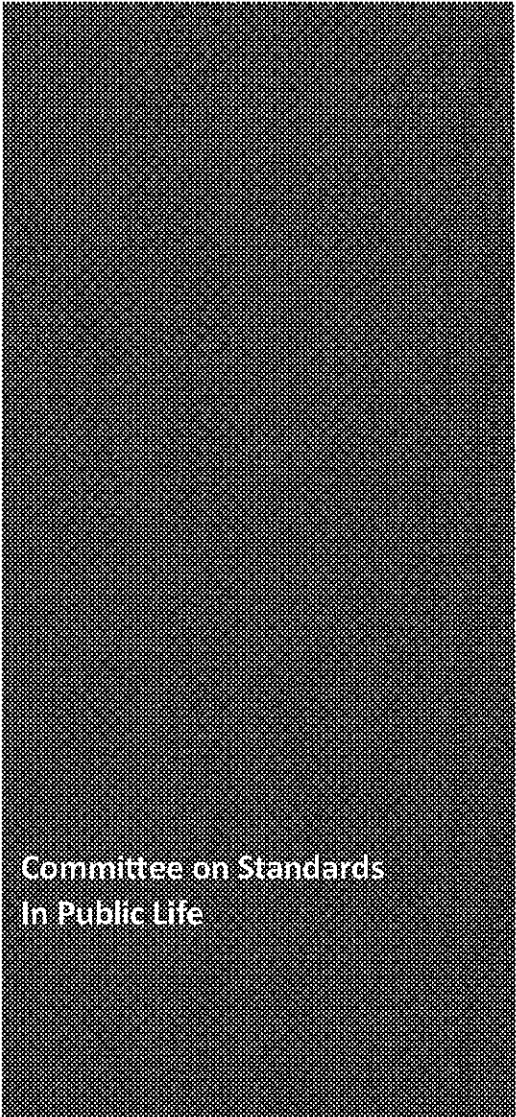


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# **Annual Report 2013-14**



Committee on Standards  
In Public Life

**September 2014**

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## THE SEVEN PRINCIPLES OF PUBLIC LIFE

The Seven Principles of Public Life apply to anyone who works as a public office-holder. This includes all those who are elected or appointed to public office, nationally and locally, and all people appointed to work in the civil service, local government, the police, courts and probation services, NDPBs, and in the health, education, social and care services. All public office-holders are both servants of the public and stewards of public resources. The Principles also have application to all those in other sectors delivering public services.

### SELFLESSNESS

Holders of public office should act solely in terms of the public interest.

### INTEGRITY

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

### OBJECTIVITY

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

### ACCOUNTABILITY

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

### OPENNESS

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

### HONESTY

Holders of public office should be truthful.

### LEADERSHIP

Holders of public office should exhibit these <sup>UNCLASSIFIED</sup> principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

*The Seven Principles were established in the Committee's First Report in 1995; the accompanying descriptors were revised following a review in the Fourteenth Report, published in January 2013.*

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## FOREWORD

Since Lord Nolan set down the seven principles of public life - honesty, integrity, objectivity, accountability, openness, honesty and leadership - almost twenty years ago what we mean by public life in this country has changed significantly.

As we finalise this report, the full implication of the 'no' vote in the Scottish referendum is beginning to dawn on the United Kingdom. A momentous shift in democratic accountability is irrefutable; with new local structures, further devolution and a reallocation of power across our country widely expected.

In recent years the country has also adapted to widespread changes in the delivery of public services – including new third party providers of front line services, Clinical Commissioning Groups, Academies and Free Schools and Elected Mayors and Police and Crime Commissioners.

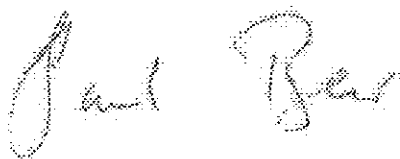
In the face of these changes, our research shows that public support for the seven principles endures. These principles are not merely theoretical concepts, they have practical consequences for ordinary people in receipt of public services. The public must feel reassured that for example safeguarding or educating children, caring for the elderly, or security arrangements at our prisons, are carried out in line with these expected behaviours.

The Committee for Standards in Public Life is at the centre of the storm over values which currently convulses British public life. Today, issues around the accountability of policing and local government are centre stage. Yesterday, it was the ethical standards of Members of Parliament: of particular relevance was the issue of lobbying. Before that, it was the scandals which surfaced concerning the performance of private companies who are in receipt of vast sums of public money. The Committee is determined to promote high standards in British public life. This requires facing up to the implications of such troubling controversies. I believe that the work we have carried out this year, detailed in this report, is an important contribution to the debate.

The Nolan principles were revolutionary at the time because they focused on behaviour and culture, rather than processes. High ethical standards need to be embedded and internalised in the culture of organisations. This applies equally to all providers of services to the public - whether they are in the private, public or voluntary sector. It is therefore important that all those involved in public service from MPs to front line local services remain alert to the fundamental role that high ethical standards play in the healthy functioning of society. Nearly twenty years on from the introduction of the seven principles of public life, they remain as relevant as ever in building public trust in our changing democracy.

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Finally, over the course of this year, the term of membership of two long-standing members of the Committee, Dame Denise Platt and Sir Derek Morris ended. Their departure will be a great loss for the Committee and I thank them for the enormous contribution they have made and the dedication with which which they carried out their role.

A handwritten signature in cursive script, appearing to read 'Paul Bew'.

Paul Bew  
Chair

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## INTRODUCTION

1. The Committee on Standards in Public Life has wide terms of reference.

“To examine current concerns about standards of conduct of all holders of public office, including arrangements relating to financial and commercial activities, and make recommendations as to any changes in present arrangements which might be required to ensure the highest standards of propriety in public life and to review issues in relation to the funding of political parties, and to make recommendations as to any changes in present arrangements.”<sup>1</sup>

2. The Committee fulfils this role partly through its formal inquiries and reviews. In addition, we routinely monitor and consider issues and concerns relating to standards in public life, track public perception of standards of conduct by public office holders and seek to promote the Seven Principles of Public Life. We contribute to public policy development through meetings, seminars, speaking engagements, and by responding to consultation papers on relevant issues.
3. This report provides an overview of the Committee’s activities over the course of the past financial year and beyond until July 2014. We also published Annual Plans for the years April 2013 -14 and April 2014 -15. Next year we will combine the Annual Report and Annual Plan into one document which will be published in July 2015.
4. In line with our post-Triennial Review ways of working we have carried out this year some shorter pieces of work. The first part of the year was spent conducting a review of transparency around lobbying. In the second half of the year we completed two short projects. The first considered ethical standards for providers of public services and the second ethics in induction and training. It is important that as part of its work the Committee researches public perception on standards issues and in September 2013 the Committee published its fifth general survey of public attitudes to standards in public life. We followed this up with research to compare UK public perceptions with those recorded in a number of other European countries which formed the basis of a public seminar in March 2014.
5. The appendices to the report provide detail about the structure and finances of the Committee.

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<sup>1</sup> Hansard (HC) 25 October 1994, col. 758 and Hansard (HC) 12 November 1997, col. 899

## OVERVIEW OF ACTIVITIES

### Strengthening Transparency around Lobbying

6. The Committee published its Lobbying report in November 2013. We applied the Nolan principles to lobbying and considered how best the lobbied and lobbyists could live out those principles. In doing so we recognised that lobbying is a legitimate and potentially beneficial activity and necessary for effective policy formulation, and that free and open access to government is essential. But, lobbying must be carried out transparently and ethically.
7. We concluded that a package of measures was urgently required to deliver a greater culture of openness and transparency around lobbying; provide greater clarity for public office holders on the standards expected of them; and to reassure the public that a more ethical approach to lobbying is actively being applied by all those individuals and organisations involved in lobbying.
8. Recommendations included:
  - more timely and detailed disclosure about all significant meetings and hospitality involving external attempts to influence a public policy decision;
  - disclosure arrangements widened to cover special advisers and senior civil servants as well as Ministers, Permanent Secretaries and Departmental Boards;
  - public office holders who are outside the scope of the Freedom of Information Act (including Members of Parliament, Peers and Councillors) should be encouraged to disclose the same information and consideration should be given to including this in relevant Codes of Conduct;
  - extending the lobbying rules to former Members of the House for two years in respect of approaches to Ministers, other Members or public officials; and require former Members to register for two years any occupation or employment which involves them or their employer in contact with Ministers, other Members or public officials;
  - consideration to be given to Chairs of Select Committee having additional restrictions in relation to conflicts of interests and explicit provision that Members should not accept any but the most insignificant or incidental gift, benefit or hospitality or payments from professional lobbyists.
9. We welcome the steps taken by the House of Lords to address the recommendations in our report. The House of Lords Privileges and Conduct Committee proposed amendments to the Code of Conduct

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and the Guide to the Code in March 2014<sup>2</sup> and May 2014<sup>3</sup> which were subsequently approved by the House of Lords. These amendments included incorporating the revised descriptors of the Seven Principles of Public Life into the House of Lords Code of Conduct, introducing a statement of principle on how to deal with lobbyists, lowering the threshold for registering gifts, benefits and hospitality to Members from third parties from £500 to £140 and introducing a new Code of Conduct for Members' Staff with requirements to register interests in parliamentary lobbying and abstain from lobbying or using access to Parliament to further outside interests in return for a payment or other reward.

10. The House of Commons Committee on Standards consulted in January 2014<sup>4</sup> on interests of committee chairs, in response in part to one of our recommendations that invited consideration of whether chairmanship of a Select Committee brings with a particular influence on matters of public policy that justifies the imposition of additional restrictions in relation to conflicts of interest. Both the Speaker of the House of Commons<sup>5</sup> and the Parliamentary Commissioner of Standards<sup>6</sup> have raised similar questions. Despite the consultation concluding in March, no report from the Committee has been forthcoming. This is disappointing particularly given that the House of Commons has not yet found time to debate proposals put forward by the previous Parliamentary Commissioner for Standards and the Committee on Standards for changes to the current rules, which this Committee supported and which addressed some of the recommendations of the Group of States against Corruption (GRECO), in relation to lobbying.
11. Many of the recommendations in our report were for Government and related to transparency of information about lobbying activities and arrangements for the movement of office holders between the public and private sectors which raises the risk of potential conflicts of interest. During our review the Government introduced the Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Bill which proposed a register of consultant lobbyists. We considered that the narrow definition of "consultant lobbyists" would significantly limit the Bill's potential to enhance transparency around lobbying. We note that the Members of Parliament of all parties, like the respondents to our review, were severely critical of the Bill's detail. The Political and Constitutional Reform Committee pre-legislative scrutiny report of the Government's proposals for a statutory

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<sup>2</sup> Committee for Privileges and Conduct Thirteenth Report Amendments to the Code of Conduct and Guide to the Code of Conduct HL 182

<sup>3</sup> Committee for Privileges and Conduct Fifteenth Report Further Amendments to the Code of Conduct and Guide to the Code of Conduct HL 181

<sup>4</sup> <http://www.publications.parliament.uk/pa/cm201314/cmselect/cmstandards/997/99702.htm>

<sup>5</sup> Letter from Mr Speaker to the Chair of the Committee on Standards on select committee Chairs and commercial interests dated 12 June 2013, [www.parliament.uk](http://www.parliament.uk)

<sup>6</sup> Committee on Standards, Fifth Report of Session 2013-14, Mr Tim Yeo, HC 849, Appendix 1, para 58

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register of lobbyists considered that regardless of any such register, changes could be made to improve transparency about who is lobbying whom, through enhanced disclosure of Ministerial meeting.

12. In the course of the parliamentary debate, in response to such criticism, Lord Wallace of Tankerness made a government commitment to make further improvements to the accessibility of government transparency information. This included ensuring:

*"greater co-ordination of the publication of data sets so that all returns within a quarter can be found on one page.....we ought to get better at the speediness with which we make this information available....."*

*We will also ensure greater consistency in the content of departmental reporting, particularly on including the subject of meetings. Finally, we will ensure that the gov.uk transparency pages contain a link to the statutory register of lobbyists so that the data can be easily cross-referenced. The practical implications of those improvements are that: rather than having to visit a number of different sites or pages, all information will be accessed via one easily located page of gov.uk; the consistency of those data will be improved so that the transparency reports can be more easily located via search functions; and the subject of the meetings will be set out more helpfully."*<sup>7</sup>

13. This commitment addresses some of the criticisms by this Committee in our report around accessibility of transparency information but does not go as far as our recommendation 5<sup>8</sup> which we considered would provide sufficient transparency and accountability to enable effective public scrutiny of lobbying. We also note that the Government is committed to publishing transparency data quarterly, or at any time in the following quarter. Notwithstanding this all of the data published in 2013 was published late. The Government therefore has some way to go to meet its commitment to Parliament.

14. The Government has also recently revised the Business Appointment Rules<sup>9</sup> which apply to Former Ministers and Crown servants namely civil servants (including special advisers) and members of the Diplomatic Service, Intelligence Agencies and Armed Forces before they accept any new appointment or employment after leaving their role. We welcome the greater clarity in the rules around the definition of lobbying and the practical application of a lobbying ban but note that the rules have

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<sup>7</sup> <http://www.publications.parliament.uk/pa/ld201314/ldhansrd/text/140113-0001.htm>

<sup>8</sup> *Strengthening Transparency Around Lobbying* November 2013 p29

<sup>9</sup> Business Appointment Rules: Government Response to the Committee's Third Report of Session 2012-13 HC 563 17 July 2014

reverted to the pre-2010 position whereby only applications from the most senior special advisors are referred to the Advisory Committee on Business Appointments ("ACOBA"). Whilst this Committee has argued for a risk based approach to application of the rules, we do not think seniority is necessarily the only risk factor and the nature of the role of special advisor as a conduit of access to the Minister, in our view necessitates the referral of all applications to ACOBA.

15. The Committee also notes that the revised rules will require Departments to publish information in broad terms about the advice they give to applicants in the senior civil servants whose applications are not dealt with by ACOBA. This Committee called for the publication of consistent summary information by Departments on all cases they consider. It is the Cabinet Office's responsibility to provide assurance of Department's compliance with the Rules and we will maintain an interest in Departmental performance and transparency in this respect.
16. We are disappointed that given the increased use of interchange through secondments, loans and career breaks to move in and out of the public sector organisations, the Government has not accepted our recommendation for Departments and their Agencies, for transparency and public confidence reasons, to publish on an annual basis the number of secondments and interchanges in and out of their organisation.<sup>10</sup>

## Public Perceptions Survey

17. In September 2013 the Committee published the fifth and latest survey of public attitudes towards conduct in public life,<sup>11</sup> a series which started in 2004. It is a unique long term, independent study and source of information about what the public think about standards in public life in the UK. The research focussed on three main issues:
  - To establish what the public sees as acceptable and unacceptable behaviour on the part of holders of public office;
  - To assess how far the public believes that the behaviour of holders of public office is, for the most part, acceptable or unacceptable;
  - To assess how far the public believes that holders of public office are effectively held responsible and accountable for their conduct.
18. Over the lifetime of the survey, there has been a continuous and substantial decline in the percentage

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<sup>10</sup> *Strengthening Transparency Around Lobbying* November 2013 recommendation 11 p 36

<sup>11</sup> <https://www.gov.uk/government/publications/public-attitudes-survey-2012>

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of respondents rating standards as “quite high” or “very high”, while the percentage of respondents rating standards as “quite poor” or “very poor” has steadily increased, showing a clear trend across this data. But this trend masks a deeper pattern that shows that in fact, prior to 2010 confidence was rising, and that it suffered a major decline in 2010 after the MPs’ expenses scandal, from which there is only marginal recovery in 2012.

19. In relation to Westminster MPs, the public share broadly a set of expectations that are in line with the seven principles of public life. However they have consistently low levels of confidence that MPs actually meet these standards. In the latest survey, pessimism was less marked than in 2010, but levels of confidence have not returned to their 2008 levels. Although absolute levels of confidence are low in particular types of national public office holders or professions such as Ministers, MPs and tabloid journalists, this should be contrasted with higher and rising confidence in institutions and in processes and in those administering the process – so for example, as in most countries that have low and falling levels of confidence in politicians, there is, paradoxically, a higher confidence in national institutions such as Parliament and much higher confidence in the legal system.
20. In addition, responses to new questions in the 2012 survey indicate people’s widespread belief that they will receive fair treatment from a range of front line public services. A large majority of respondents thought they would be treated fairly by doctors, police officers, judges, and local planning bodies. Responses suggested that members of the public have more confidence in the probity of relatively junior front line staff - in terms of putting the public interest first, owning up to making mistakes, and being held accountable for mistakes - than in that of more senior managers. They also expressed more confidence in the probity of public sector employees than in those in the semi-public or private sectors.
21. Our most recent survey explored, amongst other things, which measures for ensuring good standards of conduct in public life elicit the most public support. The questions were informed by a common distinction drawn between ‘compliance-based’ and ‘integrity-based’ behaviour: that is, between good behaviour resulting from a well-designed and systematically enforced external set of rules, and good behaviour that is internally driven and the result of strong ethical character. Respondents were asked to choose up to three policies they thought important in ensuring probity in large public and private organisations.
22. Findings suggest that members of the public favour adopting elements from both the compliance and integrity models in ensuring public probity. They do not endorse internal self-regulation or a culture of financial incentives for those doing a job (26% for large public sector organisations and 22% for private sector). They do favour senior managers setting a good example, (38% for large public sector

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organisations and 51% for private sector) and training people in a code of conduct (63% for large public sector organisations and 60% for private sector), but they also want protection for 'whistleblowing' and external regulators for organisations (whether public or private sector). Encouraging a culture where people are not afraid to report wrongdoing (66% for large public sector organisations and 53% for private sector) was seen as particularly important for promoting probity.

23. The responses of different groups of respondents - as distinguished by trust in public office holders, perceptions of standards, party-political preferences, social grade, ethnicity, age and gender - were compared to see if there were any clear differences found in how various segments of the public think that probity should be promoted. In fact, none of these comparisons yielded significant differences.
24. There is therefore very wide agreement in all segments of the British general public about the ways in which probity in both the public and the private sector can be promoted. In that shared view, the ways seen as most important are the promotion of a culture in which people are not afraid to report wrongdoing, the use of codes of proper conduct in which office holders and staff are trained, and the setting of a good example by senior managers or office holders.
25. The evidence from this long term study suggests that public attitudes are broadly stable, that they respond to events and their reporting, and that they can become more negative or more positive. This suggests that the public's perceptions of standards in public life can be repaired as well as damaged. The data also gave us a picture of groups who are most likely to feel most sceptical. This was particularly the case for those from lower social grades, from white-British or white-Irish background, middle aged or older and who have little engagement with the political system. The growth in the size of this group presents a challenge to all those involved in public life.
26. The Committee recognises it is important to place these findings in a wider context and so commissioned some further research on assessing the results from our British survey compared with other European countries, to see if results are potentially motivated by domestic factors or reflect citizen's attitudes across western democracies. This research was published in March 2014<sup>12</sup> and it shows that the UK public's decline in perceptions of standards in public life is part of a broader trend across Western democracies. The research also finds that British citizens' assessments of standards in public life are not unusual and they are rarely the most cynical. In fact British citizens' perceptions and experiences of corruption are lower than those in most other European countries.
27. Both sets of research however illustrate as a reminder to public authorities and office holders that public perceptions of standards in public life have political consequences. Events and the response to

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<sup>12</sup><https://www.gov.uk/government/publications/public-perceptions-of-standards-in-public-life-in-the-uk-and-europe>

them they play a part in informing citizens' views of standards, probity and trust.

28. Whilst this research was the final biennial survey of its type, the Committee continues to believe it is important to test public perceptions of standards issues and will continue to undertake such research, as appropriate, in its ongoing work.

## **Ethical Standards for providers of public services**

29. The Committee's terms of reference were clarified last year so that its remit to examine standards of conduct of all holders of public office encompassed all those involved in the delivery of public services. As public services are increasingly being delivered by those outside the public sector, the Committee decided to test the expectation and assurance of ethical standards in the public service market. The Committee commissioned new independent research with members of the public, commissioners and providers of public services. We also spoke to individuals and organisations with current experience of commissioning and providing public services to understand their expectations of the ethical principles and standards expected of public services. The Committee's report *Ethical standards for providers of public services* and accompanying research was published in June 2014.

30. On the basis of our research, we can be confident that:

- the public want common ethical standards across all provider types regardless of sector, supported by a code of conduct;
- "how" the service is delivered is as important to the public as "what" is delivered;
- public and stakeholder views of what should constitute ethical standards are broadly in line with the Seven Principles of Public Life;
- commissioners expect providers to conform to ethical standards but rarely explicitly articulate this;
- commissioners want guidance on how to embed ethical standards in the commissioning and procurement process.

31. For the Committee this is an issue of accountability. The public needs to be reassured that the standards it expects are being delivered by providers, Government must be capable of assuring the public that ethical standards are part of service delivery standards and business (as the CBI has recently acknowledged) needs to recognise that a cultural shift is required in its approach to the public service market, in order to meet the public's legitimate expectations and to build public trust.

32. It was evident from our research that there are currently no consistent structures or arrangements in place to promote actively an ethical culture and behaviours in the public service market. The

Committee therefore recommended that ethical standards need to be proportionately addressed within existing contractual and monitoring arrangements, as part of the process for securing the regularity and propriety of public services.

33. The Government believes that the Seven Principles of Public Life, the basis of the ethical standards framework for those operating in the public sector, has application to all those delivering public services whether they are public sector providers or third-party providers from the private or voluntary sector. As a consequence, using the evidence base from the review and building on existing mechanisms, we set out in the report a high level framework required to support these ethical standards and provide the necessary assurance.
34. We have received considerable interest in our report and its recommendations from business organisations, commissioners and providers and we intend to follow this up with further discussions with a view to developing practical measures to help ensure high ethical standards are met.

## **Ethics in Practice**

35. In July 2014, the Committee published *Ethics in Practice: Promoting Ethical Conduct in Public Life*, a short report which looked at the role of induction processes in embedding ethical standards in public life. The project looked at works in terms of building an ethical culture through induction, education and training, captured examples of best practice, and identified areas where more needs to be done or where previous progress may be at risk.
36. After looking across a range of public, private and voluntary sector organisations, we concluded that induction is key to ensuring that all public office holders are aware of the standards expected of them. Ethical standards need to be included in the induction arrangements for all those public life. For many of those in public life, this message has already been heard and understood. For some, however, more clearly needs to be done to embed ethical standards. The Committee was particularly concerned at the low level of engagement with ethical standards evidenced by those in Parliament.
37. Our report called for more of an obvious demonstration of leadership in relationship to ethical standards from those in the Westminster Parliament, both elected and appointed. We called for MPs, parties and the House Authorities to develop a meaningful and credible induction and professional development programme that builds an awareness and understanding of ethical standards – both principles and rules - that meets the needs of MPs and Lords and the expectations of the public.

## STANDARDS CHECK

### Behaviour and conduct of the police

38. The police standards have been the focus of much public concern over the last year. Both new and ongoing revelations about the conduct of individual officers and the culture and behaviours in police forces and the Police Federation have damaged public confidence and trust in the police. The role of Police and Crime Commissioners in holding police to account locally is relatively new and the College of Policing is still establishing itself as the professional standards body. We welcome the College's focus on promoting ethics, values and standards of integrity.
39. Over the last 12 months his Committee has been monitoring the ethical risks in policing and has:
- Met with the Association of Police and Crime Commissioners to discuss how best to pre-empt any ethical risks in their role
  - Responded to the Home Affairs Select Committee call for evidence on Police and Crime Commissioners
  - Responded to the Public Administration Select Committee inquiry on the validity of crime statistics
  - Responded to the College of Policing consultation on their draft code of ethics and meeting with the College to discuss the draft code, its implementation and the embedding of high ethical standards
  - Attended and spoken at conferences on policing ethics.
40. The Committee made clear its intention to monitor the extent to which Police and Crime Commissioners are genuinely open and accountable and how successful any ethical risks arising from their role are addressed in its response to the Home Affairs Committee call for evidence. This report concluded that it was too early to determine whether the introduction of Police and Crime Commissioners had been a success.
41. The Public Administration Select Committee concluded in its report on police recorded crime statistics that *"the quality of leadership within the police, and its compliance with the core values of policing, including accountability, honesty and integrity, will determine whether the quality of police recorded crime data can be restored."* PASC recommended that this Committee *"conducts a wide ranging*

*inquiry into the police's compliance with the new Code of Ethics; in particular the role of leadership in promoting and sustaining these values in the face of all the other pressures on the force."*

42. The Committee have considered seriously this recommendation. The Committee are likely to focus over the coming year on the accountability mechanisms for holding the police to account generally and specifically the role of Police and Crime Commissioners in representing the public in holding Chief Constables to account, and on the issues where we have heard the most concern namely the extent of their public remit and their role as ethical leaders. This will compliment and not duplicate the considerable work already underway by Her Majesty's Inspectorate of Constabulary to review anti-corruption capability in police forces and the inspection of police integrity and the College of Policing Review of police leadership.

## Local government standards

43. The Committee has continued this year to maintain a watching brief of the standards regimes in local government and the changes resulting from The Localism Act 2011 implemented in 2012. Having emphasised at the time the need for a mandatory code of conduct, strong local leadership, and effective independent persons and expressed concern at the lack of sanctions, the Committee also recognised the need to allow new arrangements to bed down.
44. The survey carried out by Local Government Lawyer on the implementation of the Localism Act 2011,<sup>13</sup> suggests indications are that the role of the independent person has been generally well received and there is some evidence that the number of vexatious complaints is falling. However, the effectiveness of the sanctions regime for non-adherence to Local Authority codes of conduct, which apart from criminal prosecution, provides only for censure or suspension from a particular committee or committees, remains an issue of concern. We are aware that there have been recent individual cases that illustrate this, in particular the lack of a sanction to suspend councillors who have seriously breached the code of conduct.
45. In contrast to the recent public debate on parliamentary standards calling for greater sanctions, tightening of codes of conduct, and a greater independent element, local government is now largely self regulated with no systematic approach to conduct issues and limited sanctions. There remains in our view a significant risk under these arrangements that inappropriate conduct by Local Authority

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<sup>13</sup> <http://www.localgovernmentlawyer.co.uk/images/stories/Localism%20Act%20Special%20Report.pdf>



members will not be dealt with effectively, eroding public confidence and trust in local government. We call upon the Local Government Association to support strong long leadership and continue to use its peer challenge process to offer sector led improvement in this area<sup>14</sup> as we believe the LGA has a major responsibility to provide the leadership and peer support across the sector to ensure that all councils and councillors live up to the public's expectations of high standards of ethical behaviour in those whom they elect.

46. As part of the research for the Committee's *Ethics in Practice* report, we conducted a snapshot survey of Local Authorities' approach to induction and training. The Committee sent an electronic questionnaire to Local Authority Monitoring Officers in England, asking them to circulate it further to elected members. We received over 130 responses from Monitoring Officers and elected members.
47. The Committee was extremely pleased to learn that 90% of those who responded to the survey stated that their Local Authority provided an induction programme for newly elected councillors. Coverage and awareness of the Seven Principles of Public Life in local government was also pleasingly high, with 68% of respondents saying their induction covered the Seven Principles of Public Life, 88% saying it covered their Code of Conduct and 83% of respondents saying that councillors at their Local Authority were familiar or fairly familiar with the Seven Principles of Public Life.
48. Despite these positive results, however, the Committee remains alert to the challenges to ethical standards arising from financial constraints and changes to the Local Authority standards regime. The Committee will therefore continue to monitor provision of Local Authority induction programmes and the profile of standards, conduct and ethical behaviour within those programmes by repeating this survey in 2015.
49. More generally, we have provided evidence to the Communities and Local Government Select Committee inquiry on local government procurement, highlighting our belief that public sector procurement processes should take account of ethical issues as part of delivering value for money in the broadest sense. Our report *Ethical standards of third party providers of public services* considered the ethical principles and standards that the public and commissioners of services have of those delivering public services and the necessary safeguards to ensure those principles and standards are met, is directly relevant to local government who spends over a quarter of its annual expenditure on procuring goods and services from third party providers.

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<sup>14</sup> See Thanet District Council Corporate Peer Challenge 28 April 2014 at [thanet.gov.uk](http://thanet.gov.uk)

## Electoral system

50. In light of the forthcoming elections this year and next, the introduction of the individual electoral registration and recent changes arising from the Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014, and other developments in the electoral sphere, the Committee met with Chair of the Electoral Commission this year to discuss the level of ethical risk to the electoral system.
51. The forthcoming election brings into focus two particular matters on which the Committee has made recommendations in the past. Firstly, electoral registration. The Committee key made recommendations about electoral registration in its Eleventh report – *Review of the Electoral Commission* (2007) - including the introduction of arrangements for individual registration to modernise the system and to help tackle electoral fraud. The Committee therefore welcomes the introduction this year of individual electoral registration (IER). The Committee also notes the Electoral Commission recent report on *Electoral Fraud in the UK* which recommended that more could be done to tackle electoral fraud and that “polling station voting in Great Britain remains vulnerable to impersonation fraud because there are currently few checks available to prevent someone claiming to be an elector and voting in their name,’. Given recent allegations of electoral irregularities in local elections, the Committee will keep a watching brief on electoral fraud and the implementation of IER.
52. Secondly, reform of party funding. The Committee published its report on Party Funding in 2011. It made 24 recommendations to be accepted as a complete package. Key recommendations included:
- a donation cap of £10,000 for all donations from any individual or organisation to any political party in any year;
  - the cap to apply to all individuals and organisations, including trade unions;
  - limits on campaign funding in the period before an election to be cut by 15%;
  - an increase in existing state funding to parties calculated on the basis of the number of votes received in the previous election or elections at £3 per vote received in a Westminster election and £1.50 in an election to a devolved legislature;
  - the additional state funding we recommended after 2015 would amount to approximately £23m per year. Broken down that is 50p per voter.
53. Following the breakdown of cross-party talks on reforming party finance, the Government confirmed in October 2013 it would not be taking forward any of the Committee’s recommendations this

Parliament.

54. It is clear to the Committee that party funding is still an issue of concern for the public. They want to be sure that people and organisations are not buying influence through the funding of political parties. Dependency on a big donor culture creates a suspicion that donations can be used to exert influence on the parties. That suspicion is, in turn, corroding to trust in politics generally.
55. The Committee's package of recommendations was designed to restore integrity and provide meaningful accountability, providing a radical change to create a sustainable party funding system. The Committee made clear that any move to implement some parts, whilst rejecting others would upset the overall balance the recommendations were trying to achieve. Real progress will require all main parties to look beyond their own political advantage to arrive at a solution that has cross-party agreement and will restore public confidence in the integrity of the funding system.

## REPRESENTATIONS AND SPEECHES

56. Over the course of the year, the Chair has spoken at a number of events on standards issues, promoting the work of the Committee and the importance of the Seven Principles of Public Life and providing other examples of best practice, including:
  - In November 2013 Lord Bew gave the opening address at the Annual Governance Conference of Lawyers in Local Government; a presentation about the work of the Committee to the Public Service Commissioners of various Commonwealth countries; and a speech at the OECD 'Restoring Trust in Government' policy forum in Paris
  - In January 2014 Lord Bew gave a speech entitled 'Effective Parliamentary Standards' at the Annual Conference of the Study of Parliament Group, at Worcester College, Oxford
  - In May 2014 Lord Bew gave evidence to the Northern Ireland Assembly's Committee on Standards and Privileges in relation to their review of the Assembly's Code of Conduct and Guide to the Rules Relating to the Conduct of Members
  - In June 2014 Lord Bew gave a speech at the launch of the Hansard Society's Audit of Political Engagement and also gave evidence to the House of Commons Committee on Standards Sub-Committee in relation to their inquiry on the standards system in the House of Commons.
57. In March 2014 the Committee held a seminar on issues around trust in public life. The event was open

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to the public and the video of the event can be found on our website (<https://www.gov.uk/government/organisations/the-committee-on-standards-in-public-life>)

58. Other Committee and Secretariat Members also spoke about the work of the Committee and standards issues in a number of contexts, including:

- a presentation, in September 2013 to a group of students on MA Corruption and Governance course at University of Sussex
- a presentation, in November 2013, to a group of visiting Canadian politics students
- attending the 40<sup>th</sup> Forum of Asia Pacific Privacy Authorities in New South Wales in December 2013 to discuss ethical issues for privacy authorities
- a speech at The Policing of Ethics: Towards an Ethical Police Service conference in July 2014

59. The Committee has also been proactive in promoting the Seven Principles of Public Life through responses to a number of consultations including:

- the draft cross party Bill on democratic political activity (funding and expenditure) in April 2013
- the Whistleblowing Commission consultation on strengthening policy and law on whistleblowing in the workplace in July 2013
- the Public Administration Select Committee's consultation on the integrity of crime statistics in November 2013
- the College of Policing's draft Code of Ethics in December 2013
- the Home Affairs Select Committee's consultation on Police and Crime Commissioners in December 2013
- the Civil Service Commission's consultation on changes to their Recruitment Principles in February 2014
- the Committee on Standards' consultation on the Interests of Committee Chairs in March 2014
- Sir Richard Lambert's Banking Standards Review in March 2014
- the Public Administration Select Committee's inquiry into Civil Service impartiality and referendums in April 2014
- the Northern Ireland Assembly's Committee on Standards and Privileges' review of their

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Members' Code of Conduct in May 2014.

60. The secretariat received and responds regularly to public enquires and correspondence on standards issues. The Secretariat has had the means of monitoring the number and sources of visitors to its former corporate website ([www.public-standards.gov.uk](http://www.public-standards.gov.uk)) since October 2013. Between 1 October 2013 and 26 August 2014 we received 22,745 unique visits to our corporate website, from 140 countries. Efforts to redesign our corporate website between November and early August 2014 resulted in user engagement (in the form of visitors returning to the site) more than doubling over this period. As of August 2014 the Committee's website has been moved to Gov.uk (<https://www.gov.uk/government/organisations/the-committee-on-standards-in-public-life>)

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## APPENDIX 1: ABOUT THE COMMITTEE

### Terms of reference

61. The Committee on Standards in Public Life was established under the chairmanship of the Rt. Hon. Lord Nolan by the then Prime Minister, the Rt. Hon. John Major MP, in October 1994, with the following terms of reference:

*"To examine current concerns about standards of conduct of all holders of public office, including arrangements relating to financial and commercial activities, and make recommendations as to any changes in present arrangements which might be required to ensure the highest standards of propriety in public life."*<sup>15</sup>

62. On 12 November 1997, the then Prime Minister, the Rt. Hon. Tony Blair MP, announced additional terms of reference:

*"To review issues in relation to the funding of political parties and to make recommendations as to any changes in present arrangements."*<sup>16</sup>

63. On 5 February 2013, the terms of reference of the Committee were clarified in two respects:

*"in future the Committee should not inquire into matters relating to the devolved legislatures and Governments except with the agreement of those bodies"*

and

*"The Committee's remit to examine 'standards of conduct of all holders of public office' [should be understood] as encompassing all those involved in the delivery of public services, not solely those appointed or elected to public of."*<sup>17</sup>

64. The Committee's remit does not allows us to investigate individual allegations of misconduct.

### Status

65. The Committee is an independent advisory non-departmental public body (NDPB). Its members are appointed by the Prime Minister. Six of its members, including the chair, are chosen through open

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<sup>15</sup> Hansard (HC) 25 October 1994, col. 758

<sup>16</sup> Hansard (HC) 12 November 1997, col. 899

<sup>17</sup> Hansard (HC) 5 February 2013, col. 7WS

competition under the rules of the Office of the Commissioner for Public Appointments (OCPA). The remaining three members are nominated by the three main political parties. The Committee is not founded in statute and has no legal powers to compel witnesses to provide evidence or to enforce its recommendations. Nor does it have any powers to investigate individual allegations of misconduct. It presents its recommendations to the Prime Minister and publishes them simultaneously.

## **Funding and administration**

66. The Committee receives its budget from the Cabinet Office. Day-to-day responsibility for financial controls and budgetary mechanisms are delegated to the secretary of the Committee. The Secretary and the rest of the secretariat are permanent civil servants employed by the Cabinet Office or on secondment from other departments or elsewhere. The current Secretary is seconded from the Ministry of Justice.

## **Policy on openness**

67. In its first report the Committee defined the Seven Principles of Public Life. The Committee has always sought to implement these principles in its own work, including the principle of openness.
68. The Secretary of the Committee has responsibility for the operation and maintenance of the Committee's publication scheme under the Freedom of Information Act 2000. Most of the information held by the Committee is readily available, and does not require a Freedom of Information Act request before it can be accessed. The Committee can be contacted in writing, by email, by telephone or by fax. The public can also access information via the Committee's website. Requests for information under the Freedom of Information Act should be made to the Secretary to the Committee at the following address:

- **Committee on Standards in Public Life**  
Room GC05  
1 Horse Guards Road  
London SW1A 2HQ
- Phone: 020 7271 2948
- Email: [public@standards.gsi.gov.uk](mailto:public@standards.gsi.gov.uk)
- Website: <https://www.gov.uk/government/organisations/the-committee-on-standards-in-public-life>

## APPENDIX 2: MEMBERS OF THE COMMITTEE

69. Until the latest appointments, Committee members were appointed for a three year term, with the possibility of reappointment. The latest three members were recruited for a five year non-renewable term. The Chair is appointed for a single non-renewable five year term.

### Chair: Lord Paul Bew

**Appointed:** 1 September 2013    **Term ends:** 31 August 2018

Lord Bew teaches Irish History and Politics at the School of Politics, International Studies and Philosophy at Queen's University.

Lord Bew has previously:

- served on the Joint Committee on Parliamentary Privilege
- chaired the independent review of Key Stage 2 (SATs) provision in England
- served on the Joint Committee on the Defamation Bill, which addressed key issues of academic freedom
- served on the Local London Authority Bill Select Committee
- acted as historical adviser to the Bloody Sunday Inquiry

He was appointed as a non-party-political peer by the independent House of Lords Appointments Commission in February 2007, following his contributions to the Good Friday Agreement.

### Members active in 2013-2014 who are currently members

#### Lord Alderdice

**Appointed:** 1 September 2010    **Reappointed:** 1 September 2013    **Term ends:** 31 August 2016

John Alderdice is a fellow of the Royal College of Psychiatrists. He led the Alliance Party and has held a variety of positions in the Federation of European Liberal, Democrat and Reform Parties and Liberal International. He was one of the negotiators of the Good Friday Agreement. Raised to the peerage on October 1996, he took his seat on the Liberal Democrat benches in the House of Lords on 5 November that year. In 1998 Lord Alderdice was elected member for Belfast East and appointed Speaker of the Northern Ireland Assembly. In 2004 he was appointed as a Commissioner for the newly established Independent Monitoring Commission. He is also the Chairman and a Director of the Centre for Democracy and Peace Building (based in Belfast) and President of ARTIS (Europe) Ltd, a research institution designed to improve the understanding of cognitive and behavioral science related to politically motivated violence through science-based field research.



**Rt Hon Margaret Beckett MP**

**Appointed:** 1 November 2010      **Reappointed:** 1 September 2013      **Term ends:** 31 August 2016

Margaret Beckett has been Labour MP for Derby South since 1983. She was Secretary of State for Trade and Industry 1997-1998, President of the Council and Leader of the House of Commons 1998-2001, Secretary of State for Environment, Food and Rural Affairs 2001-2006, for Foreign Affairs 2006-2007, Minister for Housing and Planning (attending Cabinet), Department for Communities and Local Government 2008-2009. She has also been Chair of the Intelligence and Security Committee. Margaret is a member of the Labour National Executive Committee and Chair of the Joint Committee on National Security Strategy.

**David Prince CBE**

**Appointed:** 1 June 2009      **Re-appointed:** 1 June 2012      **Term ends:** 31 May 2015

David Prince is the former Chief Executive of the Standards Board for England. He held senior positions at the Audit Commission, as Managing Director, Strategy and Resources and District Audit. Previously his career was in local government, where posts included Chief Executive of Leicestershire County Council and Director of Finance and Administration of Cambridgeshire County Council. He has held non-executive independent appointments as lay member of the General Social Care Council, Leicestershire Police Authority and the Performance and Best Value Committee of the Bar Standards Board. David is currently Chair of the Audit Committee of Parkinson's UK and, an independent member of the Audit and Corporate Governance Committee of the Care Quality Commission and a lay member of the General Pharmaceutical Council.

**Patricia Moberly**

**Appointed:** 17 May 2012      **Term ends:** 16 May 2017

Patricia Moberly was Chair of Guy's and St Thomas' NHS Foundation Trust from 1999 to 2011. During her previous career as a schoolteacher, she worked in secondary schools in London and Zambia, and was Head of the Sixth Form at Pimlico School from 1985 to 1998. She served on the National Executive of the Anti-Apartheid Movement, was a member of Area and District Health Authorities and of the General Medical Council, a local councillor and a magistrate. Currently she is a prison visitor and a member of the Ethics Committee of the Royal College of Obstetricians and Gynaecologists, and serves on an advisory committee to the Secretary of State for Transport. She is a panellist for the Judicial Appointments Commission.

**Sheila Drew Smith OBE****Appointed:** 17 May 2012**Term ends:** 16 May 2017

Sheila Drew Smith OBE is an economist by background. She has been an independent assessor for public appointments (OCPA) since 1997 and undertakes selection work in the private sector. She is the Chair of the National Approved Letting Scheme and a committee member for Safe Agents. She is also currently a member of the appointments panel of the Bar Standards Board, the Member Selection Panel of Network Rail and an independent panel member for RICS. She was was a board member of the Housing Corporation between 2002 and 2008, the Audit Commission between 2004 and 2010, and the Infrastructure Planning Commission and the Office of the Regulator of Social Housing until March 2012. She was also an independent assessor for public appointments until May 2012. Prior to this she was a partner in the predecessor firms of PricewaterhouseCoopers working in the UK and internationally. Her earlier career was in the civil service.

**Dame Angela Watkinson MP****Appointed:** 30 November 2012**Term ends:** 30 November 2017

After an early career in banking and a family career break, Dame Angela Watkinson worked for several local authorities in special education and central services. She has served as a councillor for both the London Borough of Havering and an Essex County Council. Angela was elected as Conservative MP for Upminster in 2001 and continues to serve her enlarged constituency of Hornchurch and Upminster. She has spent most of her Parliamentary Career as a Whip, and Lord Commissioner to the Treasury. Angela is also a member of Parliamentary Assembly of the Council of Europe.

**Richard Thomas CBE****Appointed:** 17 May 2012**Term ends:** 16 May 2017

Richard Thomas CBE LLD was the Information Commissioner from November from 2002 to 2009 and the Chairman of the Administrative Justice and Tribunals Council (AJTC) from 2009 to 2013. He is currently a Strategy Adviser to the Centre for Information Policy Leadership and has served as Deputy Chairman of the Consumers Association, as Trustee of the Whitehall and Industry Group, and as Board Member of the International Association of Privacy Professionals (IAPP). During his earlier career his roles included Director of Consumer Affairs at the Office of Fair Trading from 1986 to 1992 and Director of Public Policy at Clifford Chance, the international law firm, from 1992 to 2002.

## Members active in 2013 – 2014 who have subsequently stood down

### Sir Derek James Morris MA DPhil

**Appointed:** 1 March 2008

**Re-appointed:** 1 March 2011

**Term ended:** 28 February 2014

Sir Derek Morris has been Provost of Oriel College, Oxford since 2004. Previously he was Chairman of the Competition Commission (formerly the Monopolies and Mergers Commission). From 1970 to 1997 he was an Economics Fellow at Oriel College and from 2004 to 2005 he chaired the Morris Review of the Actuarial Profession. He is chairman of trustees of Oxford University Press Pension Fund, non-executive chairman of Lucida plc and a senior consultant to Frontier Economics.

### Dame Denise Platt DBE

**Appointed:** 1 July 2008

**Re-appointed:** 1 July 2011

**Term ended:** 30 June 2014

Denise Platt was an Audit Commissioner and chair of the independent advisory panel for the Local Innovation Awards until October 2010. From 2004 until 2009 she was chair of the Commission for Social Care Inspection (now part of the Care Quality Commission). She has held a variety of posts both nationally and locally in local government and social care and has been an independent panel member to appoint the Electoral Commissioner. She holds posts with a number of voluntary organisations and is the chair of the National AIDS Trust (NAT). She is governor of the University of Bedfordshire and a member of the independent Review Board of the Cheshire Fire and Rescue Service and the Independent Commission on Assisted Dying.

## Research Advisory Board

The Committee's work is supported by a Research Advisory Board. The current Board members are:

- **Dr Mark Philp** (Chairman), Professor, Director of the European History Research Centre, Dissertation Coordinator, Department of History, University of Warwick
- **Dr Jean Martin**, Senior Research Fellow, Social Inequality and Survey Methods, Department of Sociology, University of Oxford
- **Professor Cees van der Eijk**, Professor of Social Science Research Methods, Director of Social Sciences Methods and Data Institute, University of Nottingham
- **Dr Wendy Sykes**, Director of Independent Social Research Ltd (ISR) and Member of the SRA

implementation group on commissioning social research.

### Members' attendance (1 April 2013 – 31 March 2014)

70. The table below shows the total number of meetings that each member of the Committee could have attended and the number they actually attended.

Name	Possible meetings	Actual meetings
Lord Bew	5	2
Lord Alderdice	11	7
Rt Hon Margaret Beckett MP	11	8
Patricia Moberly	11	10
Richard Thomas	11	10
Sir Derek Morris	8	7
Dame Denise Platt	11	8
David Prince	11	11
Sheila Drew Smith	11	10
Angela Watkinson MP	11	8

71. In addition to the monthly Committee meetings, all members attend a variety of other meetings and briefings in relation to the business of the Committee.

### Remuneration

72. Committee members who do not already receive a salary from public funds for the days in question may claim £240 for each day they work on committee business. The Chair is paid on the basis of a non-pensionable salary of £500 per day, with the expectation that he should commit an average of 2-3 days a month, although this can increase significantly during Committee inquiries. All members are reimbursed for expenses necessarily incurred.

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73. For the period April 2013 to March 2014 committee members other than the Chair claimed a total of £21,765.74 in fees and expenses.
74. In total, the Chairs (David Prince being interim Chair from 1 April to 31 July 2013) claimed £20,159.84 in fees and expenses.
75. In accordance with the best practice recommended in its first report, members of the Committee formally adopted a code of practice in March 1999. The code is available on the website and has been reviewed periodically by the Committee, most recently in July 2011. Members provide details of any interests that might impinge on the work of the Committee through the Committee's register of interests, also available on the website at:
- <https://www.gov.uk/government/publications/register-of-interests>

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## APPENDIX 3: FINANCIAL INFORMATION

Expenditure	2012-13 (£)	2013-14 (£)
Staff costs and fees	355,737	214,791
Other running costs	161,425	116,084
Total net expenditure	517,162	330,875

76. As an advisory Non-Departmental Public Body (NDPB), the Committee receives its delegated budget from the Cabinet Office. The Cabinet Office Accounting Officer has personal responsibility for the regularity and propriety of the Cabinet Office vote. Responsibility for certain levels of authorisation, methods of control and day to day mechanisms have been delegated to the Secretary to the Committee but creation of all new posts and the use of external resources are subject to the approval of the Cabinet Office Approvals Board. Whilst the core secretariat has been reduced to three, the Secretary can and has used the budget to buy-in additional time limited resource to service specific inquiries and reviews. This level of resource necessarily constrains the choices the Committee makes in relation to its work programme and, taken together with the time taken to secure approvals, affects its ability to respond quickly and comprehensively to standards issues as they emerge.

77. The Secretary to the Committee is responsible for setting out the outputs and outcomes which the Committee plans to deliver with the resources for which they have delegated authority, and for reporting regularly on resource usage and success in delivering those plans. She is also responsible for maintaining a sound system of internal control over the resources for which she has delegated authority, and for providing the accounting officer with assurances that those controls are effective.

78. For the year 2013-14 the Committee's budget allocation was £400,000. There was an under spend of £69,125. The main causes of this under spend were savings generated by a) a decision not to commission a planned survey into the impact of the Committee's report *"Standards Matter: A review of best practice in promoting good behaviour in public life"* and b) a planned re-design of the Committee's website during November 2013 being cancelled because a decision was made to migrate the contents of its website to gov.uk in 2014. Both of the projects on the two most recent reports also ran into the current financial year.

## APPENDIX 4: REPORTS AND PUBLICATIONS

The Committee has published the following reports:

- ✧ Ethics in Practice: Promoting Ethical Standards in Public Life (July 2014)
- ✧ Ethical standards for providers of public services (June 2014)
- ✧ Strengthening transparency around lobbying (November 2013)
- ✧ Standards matter: A review of best practice in promoting good behaviour in public life (Fourteenth Report (Cm 8519)) (January 2013)
- ✧ Political Party Finance - Ending the big donor culture (Thirteenth Report (Cm 8208)) (November 2011)
- ✧ MPs' Expenses and Allowances: Supporting Parliament, Safeguarding the Taxpayer (Twelfth Report (Cm7724)) (November 2009)
- ✧ Review of the Electoral Commission (Eleventh Report (Cm7006)) (January 2007)
- ✧ Getting the Balance Right: Implementing Standards of Conduct in Public Life (Tenth Report (Cm6407)) (January 2005)
- ✧ Defining the Boundaries within the Executive: Ministers, Special Advisers and the permanent Civil Service (Ninth Report (Cm 5775)) (April 2003)
- ✧ Standards of Conduct in the House of Commons (Eighth Report (Cm 5663)) (November 2002)
- ✧ The First Seven Reports - A Review of Progress - a stock-take of the action taken on each of the 308 recommendations made in the Committee's seven reports since 1994 (September 2001)
- ✧ Standards of Conduct in the House of Lords (Seventh Report (Cm 4903)) (November 2000)
- ✧ Reinforcing Standards (Sixth Report (Cm 4557)) (January 2000)
- ✧ The Funding of Political Parties in the United Kingdom (Fifth Report (Cm 4057)) (October 1998)
- ✧ Review of Standards of Conduct in Executive Non-Departmental Public Bodies (NDPBs), NHS Trusts and Local Public Spending Bodies (Fourth Report) (November 1997)<sup>18</sup>
- ✧ Standards of Conduct in Local Government in England, Scotland and Wales (Third Report (Cm

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<sup>18</sup> This report was not published as a Command Paper.

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3702)) (July 1997)

- Local Public Spending Bodies (Second Report (Cm 3270)) (June 1996)
- Standards in Public Life (First Report (Cm 2850)) (May 1995)

Since 2004, the Committee has also undertaken four biennial surveys of public attitudes towards conduct in public life. Findings were published in 2004, 2006, 2008, 2011 and 2013.

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Annual Report 2013-14 were published in 2004, 2006, 2008 and 2011

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