

Agenda

Meeting: Standards Committee

**Venue: The Grand Meeting Room, County Hall, Northallerton DL7 8AD
(see attached location plan)**

Date: Monday 21 September 2015 at 10.00am

Recording is allowed at County Council, committee and sub-committee meetings which are open to the public, subject to:- (i) the recording being conducted under the direction of the Chairman of the meeting; and (ii) compliance with the Council's protocol on audio/visual recording and photography at meetings, a copy of which is available to download below. Anyone wishing to record must contact, prior to the start of the meeting, the Officer whose details are at the foot of the first page of the Agenda. Any recording must be clearly visible to anyone at the meeting and be non-disruptive. <http://democracy.northyorks.gov.uk/>

Business

1. **Minutes of the Meeting held on 20 March 2015.**

(Pages 1 to 4)

2. **Public Questions or Statements.**

Members of the public may ask questions or make statements at this meeting if they have given notice to Steve Loach of Democratic Services (*contact details below*) by midday Wednesday 16 September 2015, three working days before the day of the meeting. Each speaker should limit themselves to 3 minutes on any item. Members of the public who have given notice will be invited to speak:-

- at this point in the meeting if their questions/statements relate to matters which are not otherwise on the Agenda (subject to an overall time limit of 30 minutes);
- when the relevant Agenda item is being considered if they wish to speak on a matter which is on the Agenda for this meeting.

3. **Local Ethical Framework Developments** – Report of the Monitoring Officer.
(Pages 5 to 53)
4. **Dispensation Issue** – Report of the Monitoring Officer
(Pages 54 to 56)
5. **Complaints Update** – Report of the Monitoring Officer.
(Report Not Yet Available)
6. **Standards Bulletin** – Report of the Monitoring Officer.
(Report Not Yet Available)
7. **Other business which the Chairman agrees should be considered as a matter of urgency because of special circumstances.**

Barry Khan
Assistant Chief Executive (Legal and Democratic Services)

County Hall
Northallerton

September 2015

NOTES:

- (a) Members are reminded of the need to consider whether they have any interests to declare on any of the items on this agenda and, if so, of the need to explain the reason(s) why they have any interest when making a declaration.

The relevant Committee Administrator, Monitoring Officer or Deputy Monitoring Officer will be pleased to advise on interest issues. Ideally their views should be sought as soon as possible and preferably prior to the day of the meeting, so that time is available to explore adequately any issues that might arise.

- (b) **Emergency Procedures For Meetings**

Fire

The fire evacuation alarm is a continuous Klaxon. On hearing this you should leave the building by the nearest safe fire exit. From the **(insert relevant room and relevant evacuation procedure)**. Once outside the building please proceed to the fire assembly point outside the main entrance

Persons should not re-enter the building until authorised to do so by the Fire and Rescue Service or the Emergency Co-ordinator.

An intermittent alarm indicates an emergency in nearby building. It is not necessary to evacuate the building but you should be ready for instructions from the Fire Warden.

Accident or Illness

First Aid treatment can be obtained by telephoning Extension 7575.

STANDARDS COMMITTEE

1. Membership

County Councillors (5)							
	<i>Councillors Names</i>				<i>Political Party</i>		
1	GOSS, Andrew				Liberal Democrat		
2	GRANT, Helen				NY Independent		
3	JEFFELS, David (Vice-Chairman)				Conservative		
4	PATMORE, Caroline (Chairman)				Conservative		
5	SOWRAY, Peter				Conservative		
Total Membership – (5)				Quorum – (3)			
Con	Lib Dem	NY Ind	Labour	Liberal	UKIP	Ind	Total
3	1	1	0	0	0	0	5

2. Substitute Members

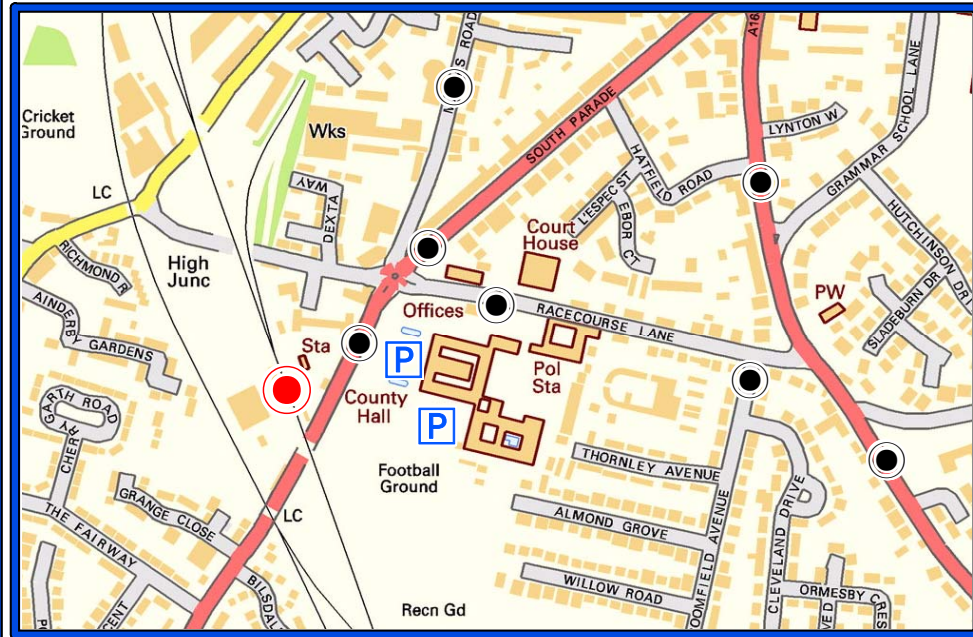
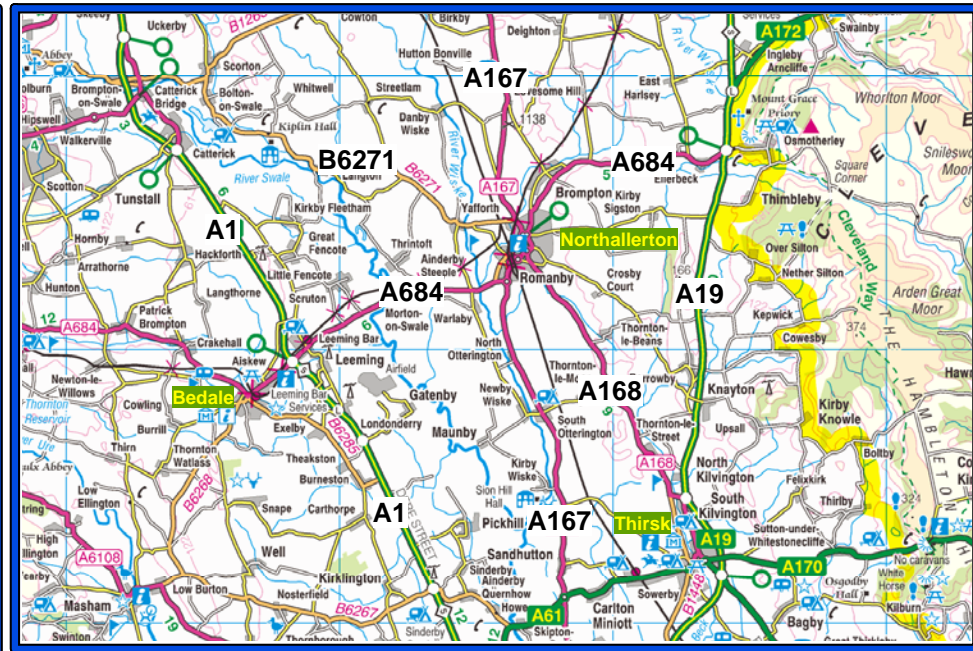
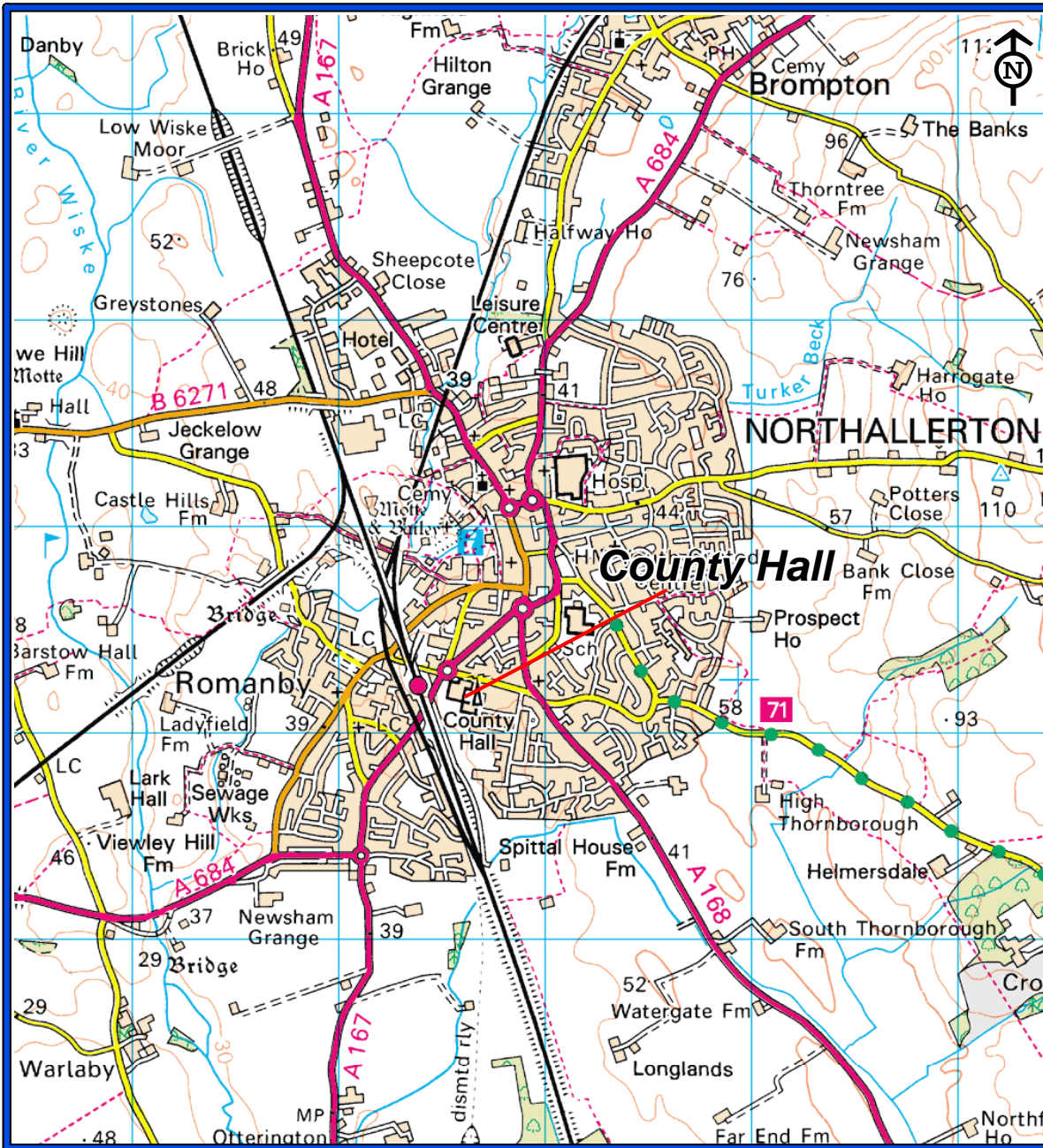
Conservative		Liberal Democrat	
	<i>Councillors Names</i>		<i>Councillors Names</i>
1	BARKER, Arthur	1	SHIELDS, Elizabeth
2	FORT, John BEM	2	
3	SWEIRS, Helen	3	
4	SANDERSON, Janet	4	
5		5	
NY Independent		Labour	
	<i>Councillors Names</i>		<i>Councillors Names</i>
1	BARRETT, Philip	1	
2		2	
3		3	
4		4	
5		5	

Note:

- (i) The Standards Committee is now subject to the rules on political balance.
- (ii) The Independent Persons for Standards are Hilary Gilberston MBE and Louise Holroyd.

TERMS OF REFERENCE

As set out in Article 9.03 of the Constitution



Visitor Parking
at County Hall



Northallerton National
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County Hall

Northallerton
North Yorkshire
DL7 8AD

Tel : 0845 8 72 73 74



North
Yorkshire County Council

North Yorkshire County Council

Standards Committee

Minutes of the meeting held on Friday 20 March 2015 at 10 am at County Hall, Northallerton.

Present:-

County Councillors Caroline Patmore (Chairman), Andrew Goss, Helen Grant and Robert Windass (as substitute for County Councillor Jeffels) and Independent Persons Hilary Gilbertson MBE and Louise Holroyd

Apologies were received from County Councillor David Jeffels.

Copies of all documents considered are in the Minute Book

26. Minutes

Resolved –

That, subject to the following clarification, the minutes of the meeting held on 19 September 2014, having been printed and circulated, be taken as read and be confirmed and signed by the Chairman as a correct record.

It was clarified that in relation to the final bullet point in relation to minute 24 'Complaints Update', this reflected a general discussion by the Standards Committee: there had been no complaint or assertion that the Independent Persons for Standards were not independent of the authority and the Standards Committee had full confidence in the independence and impartiality of the Independent Persons.

27. Public Questions or Statements

There were no questions or statements from members of the public.

28. Local Ethical Framework Developments

Considered -

The report of the Monitoring Officer updating Members on the development of the Ethical Framework under the Localism Act 2011.

The report provided details of the Annual Report 2013/14 of the Committee on Standards in Public Life (CSPL), which was provided as an Appendix to the report.

The report also highlighted a report published by the National Audit Office regarding conflicts of interests and provided links to the National Audit Office website where the full report and Executive Summary could be found.

The Monitoring Officer provided key highlights of these matters and the following issues and points were raised in the discussion that followed:-

- ◆ The Committee noted the 'Local government standards' section of the CSPL Annual Report and that the CSPL would maintain a watching brief of the

national ethical framework. It further noted the CSPL concerns over the effectiveness of the sanctions regime under the ethical framework. The range of sanctions available to the Standards Committee and the loss of the power to suspend a subject Member were discussed, along with the types of matters which may be considered by the Police under the Localism Act. The Standards Committee noted the need for councillors to be accountable and that effective sanctions were required to assist in this and it was important to keep this area under review. Discussions focussed on the sanction of an apology and how this could be made more effective, for example if made in front of the Standards Committee or the Monitoring Officer seeing all draft written apologies. The Committee noted the assistance the Independent Persons could give in order to guide the authority in maintaining high standards of conduct.

- ◆ The Committee noted the Annual Report's conclusion that public sector procurement processes should take account of ethical issues and highlighted that it was important to ensure the embedding of proper standards with contractors delivering public sector contracts.
- ◆ The National Audit Office report Executive Summary set out the importance of recognising and adequately managing conflicts in the public sector. The Committee noted the documents and processes in place within the Council which assist in identifying and managing potential conflicts of interests, enabling the Council to be well-placed to deal with the types of issues raised in the report.

Resolved -

- (i) That the contents of the report be noted.

29. Complaints Update

Considered -

The report of the Monitoring Officer presenting to the Committee for consideration, amendments to the standards complaint form and also providing Members with an update in respect of ethical framework complaint activity since the Committee's last meeting in September 2014.

The report provided details of required administrative updates to the standards complaint form for sending to potential complainants, to update the Monitoring Officer details in the opening section and also to include the more recent version of the Code of Conduct in the Appendix to the form. These amendments had been undertaken by the Monitoring Officer and a revised copy of the complaint form was attached as an Appendix to the report for endorsement by the Committee.

The Monitoring Officer provided details of the two new complaints received since the Committee's last meeting, the context behind those complaints and how they had been or were being addressed and further provided statistics for complaints received for the year 1 April 2014 – 11 March 2015.

Members discussed the report and the following points were raised:-

- ◆ It was noted that in relation to the complaint assessed, it had been agreed by the Monitoring Officer in consultation with the Independent Person for Standards that no action should be taken in relation to the complaint. In relation to the other new complaint, this was due for assessment.

- ◆ It was noted that for the year 1 April 2014 – 11 March 2015, the Council had received three complaints that Members may have breached the Members' Code of Conduct. Of those three complaints, one was being scheduled for assessment, no action was required in relation to the other two complaints; and all were made by different complainants against different subject Members.
- ◆ An update was provided in relation to, and a discussion took place regarding, the handling of complaints/complainants previously considered to be unreasonably persistent and/or vexatious. Vexatious complaint activity targeted at certain individuals could lead to those individuals refusing to undertake public work in the future. The Monitoring Officer expressed gratitude to the Independent Persons on behalf of the Committee for their assistance in shaping the work of the Committee, particularly in this regard.

(County Councillor Patmore declared an interest as she was a member of the North York Moors National Park Authority, which was currently the subject of some of the complainants' enquiries).

Resolved -

- (i) That the current position on complaints received and the update on unreasonably persistent complaints be noted;
- (ii) That the revised standards complaint form attached at Appendix 1 to the report be approved.

30. Standards Bulletin

Considered -

The report of the Monitoring Officer presenting, for consideration, a draft of the next edition of the Standards Bulletin.

A copy of the draft of the Bulletin was appended to the report.

Resolved -

That the Bulletin be circulated.

31. Other business which the Chairman agrees should be considered as a matter of urgency because of special circumstances

Considered –

The Chairman queried whether any further meetings would be arranged between neighbouring authority independent persons for standards, as the meetings previously held had been very helpful and it was important to maintain a high profile for standards matters.

The Monitoring Officer agreed to raise this matter at a future meeting of neighbouring authority Monitoring Officers.

In response to a question from an Independent Person, a brief, general discussion also took place around the issue of devolution of powers.

Resolved -

That the arrangement of a future meeting of neighbouring authority Independent Persons for Standards be considered.

The meeting concluded at 11.00 am.

MPB

NORTH YORKSHIRE COUNTY COUNCIL

STANDARDS COMMITTEE

21 September 2015

Local Ethical Framework Developments**1.0 PURPOSE OF REPORT**

- 1.1 To update Members on the development of the ethical framework under the Localism Act 2011.

2.0 BACKGROUND

- 2.1 Members receive a report at each Standards Committee meeting setting out any recent developments in the ethical framework.

3.0 CSPL ANNUAL REPORT 2014 - 2015 AND BUSINESS PLAN 2015 - 2016

- 3.1 The Committee on Standards in Public Life ("CSPL") is an advisory Non-Departmental Public Body (NDPB) sponsored by the Cabinet Office. The Chair and members are appointed by the Prime Minister.

- 3.2 The CSPL has published its Annual Report for 2014/15 and Business Plan 2015/16, a copy of which is attached at **Appendix 1** to this report for Members' information and is available to download from:

<https://www.gov.uk/government/publications/cspl-annual-report-2014-2015-and-business-plan-2015-2016>

- 3.3 The CSPL Annual Report provides an overview of the CSPL's activities from July 2014 and now incorporates its annual forward plan of work for 2015 -16. Key activity by the CSPL over the last year has been reported to the Standards Committee via this standing Local Ethical Framework Developments report on each Committee agenda.

- 3.4 Key highlights from the Report are:

- (a) Effective independent scrutiny is necessary to support high standards.
- (b) the Committee looked at the accountability and governance framework for local policing and produced a report "*Tone from the top Leadership, ethics and accountability in policing*", which calls for greater safeguards in the accountability arrangements in local policing in between the four yearly cycle of elections for Police and Crime Commissioners (PCCs). It recommends a national minimum code of conduct for PCCs and an ethical checklist that PCC candidates should be invited to sign at the 2016 election to demonstrate their personal commitment to high standards. The Committee also concluded that PCCs need more constructive challenge and active support from their local Police and Crime Panels to ensure that their decisions are tested on behalf of the public on a regular basis. Further information about the Local police accountability inquiry is set out at page 11 of the Annual Report and a copy is available to download:

<https://www.gov.uk/government/news/cspl-launches-tone-from-the-top-leadership-ethics-and-accountability-in-policing>

An Executive Summary document is also available.

- (c) *Devolution and new ways of delivering public services can bring creativity and innovation which save money, meets local need and stimulates local economies. But it can also mean, greater complexity and a lack of clarity as to the lines of accountability for those in receipt of services, some of whom may be vulnerable individuals. In times of reduced expenditure and financial pressures on local services, it is all the more critical that there is effective and continuous accountability to provide assurance and command public confidence... Expected standards of behaviour for those working for the public should be integrated in the design and implementation of any governance model.*
- (d) *the importance of individuals in leadership roles exemplifying, promoting and sustaining high standards of behaviour... The issue of party funding remains a matter of significant public concern centred on the confluence of money, power and influence.*
- (e) The CSPL will continue to monitor ethical standards across public services and will:
- *Maintain a watching brief to identify emerging or persistent standards issues and respond promptly to them.*
 - *Undertake independent quantitative and qualitative research into public perceptions of ethical standards.*
 - *Respond to consultations and key policy announcements and legislation where these impact on ethical standards and we have an informed contribution to make.*
- (f) The CSPL sets out its Key Findings for 2015 on pages 18 and 19 of its Annual Report. The research shows a continuing downward trend in public attitudes towards the standards of office holders:
- i. *more respondents rated standards of conduct of public office holders as low (36%) as rated them as high (18%);*
 - ii. *more respondents thought the standards of conduct of public office holders had worsened (36%) than had improved (16%);*
 - iii. *most respondents (56%) were not confident that authorities are committed to upholding standards in public life;*
 - iv. *most respondents (61%) were not confident that authorities will generally uncover wrongdoing by people in public office;*
 - v. *most respondents (58%) were confident that the media will generally uncover wrongdoing by people in public office;*
 - vi. *most respondents (63%) were not confident that people in public office caught doing wrong would be punished;*
 - vii. *a consistent pattern emerged across several variables measuring different aspects of satisfaction with Britain's political system. Those*

who were positive about the system also gave more positive answers about standards of conduct in public life, suggesting an association between attitudes towards the political system in general and perceptions of standards of conduct in public life.

3.5 The Committee's attention is particularly drawn to pages 22 to 24 of the Annual Report, which looks at 'Local Government Standards' in particular. The CSPL has previously stated that it would keep a watching brief on local government standards:

- *... the effectiveness of the sanctions regime is still a concern. The Committee continues to receive correspondence both from members of the public, Councils and councillors on this issue. This correspondence includes, for example, calls for a national code of conduct, strengthened guidelines or sanctions or a power of recall. Members of the Committee participated in a roundtable event in Parliament in January with representatives from local government to test the level of ethical risk.*
- *We are also aware that some local councils are taking action to strengthen their own arrangements where the behaviour of local councillors falls below a standard that voters have a right to expect. Examples quoted in the Report include giving local voters the opportunity to recall their local councillor if they fail to meet a set of clearly defined standards, and amending a Code of Conduct to extend the range of sanctions to include restriction of access to the council premises and council resources for a period of up to six months and partial or full suspension from the council for up to six months;*
- *... For the public to have confidence requires those in positions of leadership in local government— both political and managerial – to demonstrate they have listened, learned and improved. The use of regular and credible external challenge has great potential to strengthen the behaviour and personal responsibility of individuals, but is not enough by itself. Those individuals need to be supported by the culture of the organisation of which they are a part. It is the leaders of every council who are responsible for setting an appropriate tone and promoting the right culture.*
- *We continue to liaise with the relevant stakeholders on the way in which ethical standards can effectively be embedded in all parts of local government.*

3.6 In terms of the CSPL's Forward Plan, in addition to the items already highlighted which the CSPL will monitor going forwards, it will also:

- *... undertake a review in the second half of 2015 running into early 2016. The central focus would be to review how a selection of regulatory bodies currently manage ethical issues and the extent (if any) to which the particular characteristics of regulators demand any specifically-tailored ethical standards...*
- *... The Chair intends to write to party leaders after the election inviting them to re-convene discussion on party funding particularly in the light of public dissatisfaction with the political process as evidenced by the Hansard Audit.*

and in relation to local government standards in particular:

- *Once new councillors have been in post for some time and any induction and training will have been completed, we will consider if there is merit in repeating the survey of local authorities undertaken for the Ethics in Practice report on approaches to induction and training and the profile of standards, conduct and ethical behaviour within those programmes.*
- *... the Committee has offered to work with the Society of Local Government Chief Executives on the development of their code of ethics for chief officers for those in senior management roles in local public services led by locally elected politicians...*
- *.. the Committee will continue to monitor local government standards issues.*

3.7 The Committee is requested to note the highlights of the CSPL Annual Report.

4.0 PROPOSED MEETING OF STANDARDS COMMITTEE CHAIRS, VICE-CHAIRS AND INDEPENDENT PERSONS

4.1 At the Standards Committee's last meeting, it was agreed that consideration be given to the arrangement of a further meeting of neighbouring authority Standards Committee Chairs, Vice-Chairs and Independent Persons for Standards. The Monitoring Officer offered to raise the issue at a future meeting of the neighbouring authority Monitoring Officers' group.

4.2 There is a meeting of the group in the near future when the issue will be raised. Members will be kept informed of developments.

5.0 RECOMMENDATIONS

5.1 That the Committee notes the contents of this report.

BARRY KHAN

Assistant Chief Executive (Legal and Democratic Services) and Monitoring Officer

Background Papers:

Information published on www.gov.uk

County Hall
NORTHALLERTON

10 September 2015

**Committee on Standards
In Public Life**

Annual Report 2014-15

Business Plan 2015-16

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 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

This report provides an overview of the Committee's activities over the course of the past financial year from July 2014 and also sets out our forward plan of work for 2015 -16.

It is twenty years since the First Report of this Committee made recommendations for reform, which have formed the basis of the language and infrastructure of standards of propriety in public life which remain in place today. Nolan set out Seven Principles of Public Life and the mechanisms for embedding and enforcing those principles.

This year for the first time in its history the Committee looked at the accountability and governance framework for local policing. Our report *Tone from the top Leadership, ethics and accountability in policing*, the result of an eight month inquiry, calls for greater safeguards in the accountability arrangements in local policing in between the four yearly cycle of elections for Police and Crime Commissioners (PCCs). It recommends a national minimum code of conduct for PCCs and an ethical checklist that PCC candidates should be invited to sign at the 2016 election to demonstrate their personal commitment to high standards. The Committee also concluded that PCCs need more constructive challenge and active support from their local Police and Crime Panels to ensure that their decisions are tested on behalf of the public on a regular basis.

Effective independent scrutiny was one of the mechanisms Nolan argued was necessary to support high standards. Recent interventions, inquiries and reports into local authorities across the country, such as the response to child exploitation in Rotherham and Oxford, the best value inspection in Tower Hamlets and the review of the governance and organisational capabilities of Birmingham City Council have all questioned the effectiveness of scrutiny and challenge in local government. There are common themes of a lack of transparency, the existence of a culture of failing to listen and learn and, in some cases, poor behaviour of individual public office holders.

Devolution and new ways of delivering public services can bring creativity and innovation which save money, meets local need and stimulates local economies. But it can also mean, greater complexity and a lack of clarity as to the lines of accountability for those in receipt of services, some of whom may be vulnerable individuals. In times of reduced expenditure and financial pressures on local services whether policing, schools or social care, it is all the more critical that there is effective and continuous accountability to provide assurance and command public confidence.

The Government recently indicated that a "revolution in the way we govern England is on its way"; what these various reports and the work of the Committee this year – and over the last twenty years - has shown is that the promotion and sustainability of high standards of behaviour by public office holders cannot be taken for granted. Expected standards of behaviour for those working for the public should be integrated in the design and implementation of any governance model. It cannot be left as a "bolt on" after thought.

The Committee also found in our policing inquiry a recognition of the importance of those individuals in leadership roles exemplifying, promoting and sustaining high standards of behaviour. It is clear after the General Election

that the issue of party funding remains a matter of significant public concern centred on the confluence of money, power and influence. It cannot be resolved without the political will to do so and the Committee believes it is long overdue for the main political parties to show leadership, put aside partisan positions and re-convene discussions to reach a cross party agreement which will restore public trust.

Finally I should end in thanking our departing members. Carolyn Fairbairn who is stepping down to take up an appointment as Director General of the Confederation of Business Industry. Carolyn's time on the Committee has been short but her contributions were always significant. David Prince's term of office comes to an end in July. David has been a member of the Committee since 2009 and played a key part in reports including MPs' expenses and Party Political Finance, acted as temporary Chair before my appointment and most recently he led the work on local policing. His knowledge across the public sector, insight and judgement and most of all his enthusiasm and dedication to the work of the Committee has made a significant contribution that the Committee will greatly miss. As Chairman I would like to record my strong personal sense that his advice has always been invaluable.

Paul Bew
Chair

July 2015

ABOUT THE CSPL

1. The Committee on Standards in Public Life monitors, reports and makes recommendations on all issues relating to standards in public life. This includes not only the standards of conduct of holders of public office, but all those involved in the delivery of public services.
2. As an independent Committee we are uniquely placed to consider the ethical landscape as a whole. As a standing committee we have a constant presence, which enables us to monitor progress on different issues, including our own recommendations, over time. It also enables us to respond quickly when an ethical issue arises which requires our consideration.
3. Our purpose is to help promote and maintain ethical standards in public life and thereby to protect the public interest through:
 - monitoring standards issues and risks across the United Kingdom (by invitation in the devolved areas);
 - conducting inquiries and reviews and making practical and proportional recommendations that are generally implemented;
 - researching public perceptions on standards issues relating to specific areas of concern, and also over time.
4. The Committee's status is that is an independent advisory non-departmental public body (NDPB). It is not founded in statute and has no legal powers to compel witnesses to provide evidence or to enforce its recommendations. Our secretariat and budget are sponsored by the Cabinet Office.
5. To fulfil our remit effectively it is important that we remain robustly non-partisan and independent of the Government that appoints us. It is for that reason that the chair and other members, other than those representing the political parties, are now appointed through a fair and transparent public appointment process, for non-renewable terms. The Committee's three political members are nominated by the three main political parties at the time of appointment.
6. By convention, the Committee consults the Prime Minister before starting an inquiry, and can be asked by the Prime Minister to mount an inquiry on a specific subject, but the decision on whether to proceed will be our own.

STRATEGIC PLAN

Our strategic objectives

7. The Committee has agreed the following five strategic objectives:
- Where appropriate, we will undertake balanced, comprehensive inquiries which enable us to develop evidence-based, practical recommendations which will help maintain or improve ethical standards across public services.
 - We will undertake robust and effective research which will provide useful information about public perceptions of ethical standards across public services. We believe that it is important to check our perceptions of the standards the public expects of public servants and organisations, and the extent to which they are being met, against reality.
 - We will make informed contributions to public debates about ethical standards.
 - We will constantly be alert, spotting developments and responding promptly to emerging ethical risks, engaging with a wide range of stakeholders to develop the ethical standards agenda.
 - We will improve the way we work, evolving so that we continue to be an effective, efficient organisation delivering value for money.

Setting Priorities

8. Since our remit is wide and our resources limited, we will ensure that we take a strategic approach and set priorities. The distribution of our effort between substantive inquiries and the rest of our work will depend on our assessment of current standards issues, their relative importance and how best they can be addressed. We will ensure that time spent in responding to inquiries and consultations initiated by others, while important, and is not allowed to crowd out work on other issues we regard as important.

Selection of inquiries

9. The choice and scope of our inquiries will be informed by our assessment of the importance of the issue, the scope for a distinctive and authoritative contribution and its potential impact. In each inquiry we will aim to identify concrete recommendations which will ensure the highest standards of propriety in public life. After reports have been delivered we will continue to follow up on our recommendations, as appropriate, to

monitor the extent of their implementation and the effectiveness of the measures taken.

10. Specific areas in which we will continue to take an interest in the next few years, which may not necessarily become the subject of a full inquiry, are set out in detail in the Standards Check section of this report.

11. We will be ready to initiate inquiries promptly on other issues not currently on the horizon, as circumstances require, and to identify any general lessons from individual issues of impropriety that may come to light.

Monitoring standards issues

12. To further our remit to monitor ethical standards across public services as a whole we will:

- Maintain a watching brief to identify emerging or persistent standards issues and respond promptly to them.
- Undertake independent quantitative and qualitative research into public perceptions of ethical standards.
- Respond to consultations and key policy announcements and legislation where these impact on ethical standards and we have an informed contribution to make.

Making sure our voice is heard on standards issues

13. In addition to our inquiries and monitoring of standards issues, we will take steps to ensure our voice is heard promoting high ethical standards, including as appropriate by:

- Providing evidence to Select Committees and Public Bill Committees in both Houses.
- Writing to ministers and others on key issues.
- Participating in conferences, seminars and workshops.
- Writing articles and delivering speeches to communicate our key messages; and
- Speaking to the media.

14. We have also this year increased our collaboration with other bodies providing advice, support and challenge to organisations as they work on standards issues; and jointly promoting high ethical standards in public life. We hope in this way we can add value and use our resources to best effect.

Using our resources to best effect

15. The Committee accepts the importance of being as economical as possible in its use of resources, consistent

with delivering effectively against its remit. Its annual budget is currently around £400 000. Both budget and staff numbers have reduced considerably over the last few years and this has necessarily placed limitations on the scope and extent of work the Committee can undertake and limited the Committee's ability to respond quickly and comprehensively to standards issues as they emerge.

16. We will continue to exercise economy, including in the following ways:

a) *Research*

Rather than commissioning a stand-alone piece of quantitative research, the Committee recently commissioned research into public attitudes to ethical standards. Our Research Advisory Board added questions to a survey being undertaken by the Hansard Society. This reduced costs without, we think, significantly compromising the quality of the results. In addition, analysis of the results of the research was been undertaken by a doctoral student part funded by the Committee, under the supervision of the Research Advisory Board, rather than by the research company in question. This too has reduced costs. We expect to continue this approach in the future, provide it continues to be possible to maintain quality.

b) *Visits*

While we continue to maintain an interest in standards issues in the devolved administrations, the Committee has not held public hearings or visited stakeholders in these areas, unless invited, since our remit was amended in 2013 to the effect that we should no longer do so without the agreement of their governments and legislatures.

As part of the evidence gathering for the police accountability inquiry some members of the Committee visited, between December 2014 and February 2015, only five selected police areas to meet with key stakeholders and members of the community to discuss the issues raised by the inquiry and hear their views. These five areas were Essex, Greater Manchester, the West Midlands, Warwickshire and Northumbria.

In recent times budgets have not allowed the Committee to investigate comparable issues in countries outside the UK by making visits there. We have instead made use of videoconferencing, taken into account international surveys and studies where appropriate and commissioned international comparative work from academic sources. We may, however, request the resources necessary for overseas visits should the circumstances of an inquiry and the absence of the availability of necessary information from other sources appear to demand it.

c) *Administrative processes*

All services (including travel, accommodation, IT and HR) are obtained wherever possible through Cabinet Office framework agreements or approved providers. This ensures best value for money and helps maximise the volume of public sector business being obtained through certain contracts, in order to drive down costs across the public sector.

Measuring our effectiveness

17. Our effectiveness will depend upon the success with which we fulfil the specifics of each year's business plans. But we ought to be able to identify issues on which our voice has been heard and we have made a difference.

18. We have developed the following Key Performance Indicators:

- Delivering effective reports as frequently as necessary which identify ways to improve and maintain ethical standards in public services, together with other proactive outputs as specific issues arise. We will always try to produce a rounded and proportionate package of measures intended to be implemented as a whole;
- Demonstrably increasing the profile of ethical standards as an issue in public services; and
- Ensuring we continue to justify our role and contribution through meaningful mechanisms of openness and accountability.

19. In making recommendations it should always be our intention to make recommendations that are persuasive, practical and firmly evidence-based. In the past the Committee has usually had the majority of its recommendations accepted, although not always in the precise form suggested and sometimes not immediately. We will monitor this. We will not hesitate to make recommendations that we believe to be right even though we anticipate that those responsible for implementing them may find them difficult.

20. In addition, we will identify and measure the success of our impact and stakeholder engagement by developing, monitoring and evaluating the following measures:

- Numbers attending events.
- Numbers responding to consultations.
- Requests for speeches or presentations.
- Traffic to our website.
- Coverage in print and broadcast media.
- Twitter followers and usage.

- Feedback and take up rate of quarterly newsletter.
- Stakeholder survey results and feedback.

OVERVIEW OF ACTIVITIES 2014 - 2015

21. Our [Annual Plan 2014-15](#) set out our plan for the year. We have delivered against that plan and gone further.

Local police accountability inquiry

22. We made clear in our last Annual Report our intention to monitor the extent to which the College of Policing's Code of Ethics was being implemented and embedded within police forces and how Police and Crime Commissioners (PCCs) were addressing ethical risks arising from their role and holding Chief Constables to account for ethical standards in their police forces.

23. In October 2014 we launched an inquiry looking at local policing accountability and whether it operates in a way which is capable of ensuring ethical behaviour, reducing ethical risks and providing effective accountability in order to command public confidence. Our online consultation closed on 30 November 2014 and we received over a 100 responses, from a wide range of stakeholders including Police and Crime Commissioners, Police and Crime Panels, police forces, national charities, the public, local government representatives, academics and professional bodies.

24. We commissioned [independent research](#) of public awareness of local policing accountability, which found that the public's knowledge of and engagement with local policing accountability arrangements is not very high and that there is a very low level of public interest in finding out about policing issues in their local area. Similarly more respondents said they were not interested in the work of PCCs than said they were interested. However, most respondents agreed that police were held to account for their actions and that police were dealing with the crime and anti-social behaviour issues that matter.

25. We conducted 5 police area visits (Essex, Greater Manchester, West Midlands, Northumbria and Warwickshire) to meet with key stakeholders, the public and providers of victim support services, to gather further evidence. We used our website and Twitter to promote the inquiry and the area visits and encourage members of the public to contribute questions. In addition to individual stakeholder meetings, we also ran a number of roundtable meetings with academics, the Chief Executives of Office of Police Crime Commissioners. We held a concluding roundtable meeting with representatives from key stakeholders including the College of Policing, the Local Government Association, the Association of Police and Crime Commissioners and the National Police Chief Council. We are grateful to all those who have contributed to our inquiry.

26. Our [report](#) *Tone from the top – Leadership, ethics and accountability in policing* was published on the 29 June 2015. The Committee welcomed the recognition of the importance of the College of Policing Code of Ethics and good practice in implementing and embedding the Code within police forces and the increased professionalism and acknowledgement of the importance of leadership in policing to support high ethical standards. We recognised the increased visibility and local public engagement by PCCs in comparison to the Police Authorities they replaced and the existence of various mechanisms of varying effectiveness to support high standards of behaviour and propriety.

27. We also identified significant standards risks including:

- confusion amongst the public and the participants about roles and responsibilities, especially in relation to where operational independence and governance begin and end;
- a significant absence of a clear process to take action against a PCC whose conduct falls below the standards expected of public office holders, resulting in that behaviour going unchallenged and uncensured;
- concerns about the robustness of current selection processes for chief officers;
- PCCs not encountering sufficient constructive challenge or active support in exercising decision making powers;
- barriers to the effective operation of Police and Crime Panels as scrutinisers
- potential for high risk conflict of interests in roles jointly appointed by PCCs and Chief Constables (which although relatively rare may increase in number) and risks inherent in the combined role of Chief Executive and Monitoring Officer to the PCC;
- confusion between, and inherent tensions in the current police complaints system and the complaints system attaching to PCCs', and a gap in, the expectations of the public in how complaints against PCCs would be resolved, especially when this involved unethical but not criminal behaviour.

28. The Committee was not convinced that the existing safeguards in the current framework for local policing accountability, whereby the accountability of PCCs rests almost entirely upon the democratic process was sufficient. We also made a number of recommendations to provide for more effective day to day scrutiny and transparency, building on existing good practice and experience. The key recommendations include:

- The Home Secretary should conduct an urgent review of whether there are sufficient powers available to take action against a PCC whose conduct falls below the standards expected of public office holders.
- The PCCs' Police and Crime Plans should set out how they intend to hold Chief Constables to account for promoting ethical behaviour and embedding the College of Policing's Code of Ethics.
- Police and Crime Panels should produce a forward plan of work specifying, as appropriate, the information required from PCCs in order for them to carry out their work.
- PCCs and their Deputies should be subject to a national minimum code of conduct (which will provide much needed clarity in complaints system for complaints against PCCs.)

- PCCs' appointment procedures should comply with open and transparent appointment processes including:
 - a requirement for there to be an independent member on the appointment panel set up to oversee the appointments process for Chief Constables and senior Office of PCC staff; and
 - a requirement that criteria for selection be that the panel are satisfied that the candidates can meet the standards of the Seven Principles of Public Life.
 - Details of the independent panel member should be published.

29. The Committee has also produced an Ethical Checklist to be used at PCC elections starting with the forthcoming elections in April 2016. This checklist will inform the public about the ethical approach of all candidates seeking election to the post of PCC.

Ethical Checklist

1. Will your Police & Crime Plan for 2016-7 include a commitment to hold the Chief Constable explicitly to account for promoting ethical behaviour and embedding the College of Policing Code of Ethics?
2. Will you publicly commit to abide by a Code of Conduct once that has been adopted by the Association of Police and Crime Commissioners?
3. Will you require the same of any Deputy you appoint?
4. When making appointments of Chief Constable, Deputy PCC or senior staff to your office will you ensure open and transparent appointment processes and include an independent external member on the appointing panel?
5. Will you publish, in easily accessible format, details of your pay and rewards, gifts and hospitality received, your business interests and memberships?

30. We will send the ethical checklist to all current PCCs and chief executives so that they are immediately aware of its content. On 18 April 2016 the Committee will then ask the chief executives to send the Checklist to all declared candidates for the post of PCC, with a request from the Committee for each candidate to publish

their responses to the questions. At that time, the Committee will also encourage relevant media outlets to seek out and publicise such responses.

31. We will monitor the implementation of our recommendations over the coming months.

Ethical standards for providers of public services

32. Building on the conclusions in [Standards Matter](#) this report on ethical standards for providers of public services, considered the application of the Seven Principles of Public Life to all those delivering public services, whether by the public, private or charitable sector. The [report](#) proposed a high level framework to support high ethical standards and provide the necessary assurance to the public and the government that ethical standards are part of service delivery standards in the public service market. The market in public service outsourcing which, according to a recent report from the Information Services Group has doubled from £64bn to £120bn a year since 2010.

33. Our report, published in July 2014, was supported by [independent research](#) with members of the public, commissioners and providers of public services. Key findings from the research were 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, with a focus on personalisation and user - led definition of quality;
- 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.

34. We 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.

35. Using the evidence base and building on existing mechanisms the report set out a high level framework required to support these standards and provide the necessary assurance based around:

- Principled leadership and governance.
- A suitable code of conduct.
- A culture of dialogue and challenge.
- Clarity of Accountability and transparency.
- Ethical capability.

36. Our report was well received. The CBI issued a supportive statement, and following its publication the Chair was invited to give evidence to Public Accounts Committee in September 2014 as part of the evidence for

their *Transforming Contract Management* report. The Committee was invited to present the report findings at the Annual CIPFA governance summit on 16 October 2014 and Lawyers in Local Government annual governance conference on 6 November 2014 and to the Industry Forum in May 2015. We have also run two seminars with Business Services Association to discuss practical internal organisational measures for delivering high ethical standards in public services and a workshop with the Whitehall Industry Group on Building an Ethical Culture in Organisations.

37. Subsequent to the report, we have been able to read and hear about the efforts being made by a range of parties to improve the ethical standards across their employees. Due to the considerable level of interest in this report, and reflecting on the discussions we have had with interested parties since, we will be preparing a further short guidance document setting out practical examples of measures commissioners and providers can use to support high ethical standards.
38. In addition, we have continued to maintain an interest in other models of public service delivery and have corresponded with the Permanent Secretary of Department of Education regarding the governance and accountability arrangements in academies and free schools. Such schools are recipients of public money. As such, we consider the ethical risks associated with the accountability arrangements for academies and free schools should be monitored at the Departmental Board level so as to provide assurance that public money is being spent in accordance with the high ethical standards expected of all providers of public services. The Director of Academies at the Department of Education attended a Committee meeting in March 2015 to discuss those assurance arrangements. We will continue to maintain a watching brief on this specific issue and the regularity and propriety of the commissioning and delivery of public services more generally.

Ethics in Practice

39. In 2014, we also reviewed the role of ethics training in induction processes, in the light of Lord Nolan's 1995 recommendation that: "More needs to be done to promote and reinforce standards of conduct in public bodies, in particular through guidance and training, including induction training" Lord Nolan, [First Report](#), 1995.
40. The project reviewed induction programmes across the public, private and voluntary sectors, looking at their extent and their effectiveness in embedding ethical standards. We conducted desk research into the academic literature on ethics and induction processes and interviewed practitioners, leaders and academics from the public, private and voluntary sectors, before publishing the final report.

41. The final report, [*Ethics in Practice: Promoting Ethical Conduct in Public Life*](#) was published in July 2014 and noted good practice across a range of sectors, highlighted areas where standards were at risk, and identified where improvements could be made to embed ethical standards more effectively.
42. The report concluded that awareness and understanding of the Seven Principles of Public Life should not be left to chance and that all those in public life, whether employed, appointed or elected, should be aware of their ethical responsibilities and be prepared to act as ethical leaders. It argued that “induction is essential to ensure that public office holders are aware of the standards expected of them, and that ethical standards need to be included in the induction arrangements for all those public life.”
43. The report noted that the UK Parliament fell behind other organisation, both in terms of induction programmes and the role of ethics in those programmes. We considered whether the nature and practice of politics made a difference to whether and how ethical standards can be embedded, commissioning an essay by Professor Mark Philp – [*Public Ethics and Political Judgment*](#).
44. We concluded that “MPs, parties and the House Authorities should [...] develop a meaningful and credible induction and professional development programme that covers the Seven Principles of Public Life and the separate Codes of Conduct, building on lessons learned from recent or significant standards breaches, that meets the needs of MPs and Lords and the expectations of the public.”
45. As part of the Committee’s implementation of its recommendations, the Chair has delivered presentations to new members of the House of Lords as part of their formal induction programmes, to highlight the importance of observance of the Seven Principles in guiding their behaviour as leaders in public life. In the House of Commons, in preparation for the General Election, the Parties and the House Authorities worked together to put together a relevant programme of induction for new MPs which included ethical awareness. Along with IPSA, the Electoral Commission and the Parliamentary Commissioner for Standards, the Chair spoke to groups of new MPs as part of their induction programme in May 2015. The turnout for these sessions was 93% which was very positive particularly by comparison with previous attendance at previous elections. Promoting high standards of behaviour in public life starts by making sure people are alert to the principles and rules that should guide their behaviour, so the Committee welcomes this initiative.

Hansard Society Audit of Political Engagement

46. Following the cessation of the biennial [surveys](#) of public attitudes towards standards in public life from 2013, the Committee remains keen to ensure that it is aware of the public's views on standards in public life. To this end, we contributed questions on ethical standards to Hansard Society's 2015 12th Audit of Political Engagement. The Audit questioned members of the public on their levels of interest and engagement with politics, their perceptions of their elected officials and their attitudes towards issues ranging from the European Parliament elections to ethical training for MPs in the UK. The Audit also incorporated our questions relating specifically to ethical conduct, prepared by the Committee with the assistance of its Research Advisory Board and researcher Chris Prosser. The full analysis and report on the [Survey of public attitudes towards conduct in public life 2014](#) was published alongside the Audit in March.

Committee on Standards in Public Life
KEY QUESTIONS

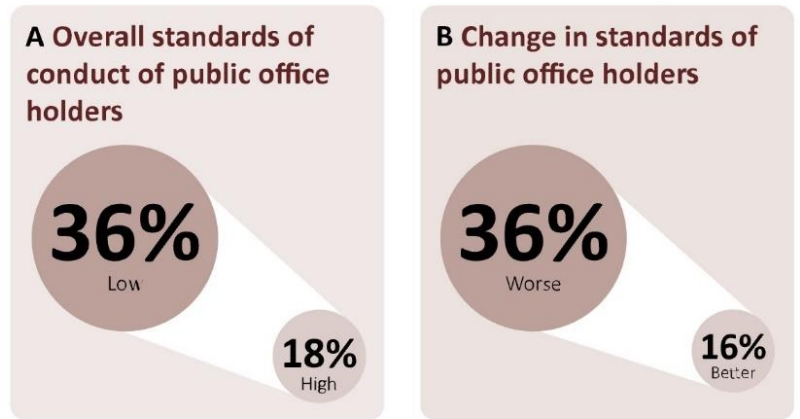
- A. Overall standards of conduct of public office holders**
 More respondents rated the standards of conduct of people in public life as low (36%) than rated them as high (18%). This is the first time in a survey commissioned by the Committee that those who said they thought standards were low outnumbered those who thought they were high.
- B. Change in standards of public office holders**
 More respondents thought the standards of conduct of public office holders had got worse (36%) than had improved (16%).
- C. Confidence that authorities are committed to upholding standards in public life**
 Most respondents (56%) were not confident that the authorities are committed to upholding standards in public life.
- D. Confidence that authorities will generally uncover wrongdoing by people in public office**
 Most respondents (61%) were not confident that the authorities will generally uncover wrongdoing by people in public office.
- E. Confidence that the media will generally uncover wrongdoing by people in public office**
 Most respondents (58%) were confident that the media will generally uncover wrongdoing by people in public office.
- F. Confidence that the authorities will punish those caught doing wrong**
 Most respondents were not confident that people in public office caught doing wrong would be punished (63%).
- G. Satisfaction with Britain's political system and public attitudes towards conduct in public life**
 A consistent pattern emerged across several variables measuring different aspects of satisfaction with Britain's political system. Those who were positive about Britain's political system also gave more positive answers about standards of conduct in public life, suggesting an association between attitudes towards the political system in general and perceptions of standards of conduct in public life.

Confident that wrongdoing by people in public office will be uncovered (2004 – 2014)

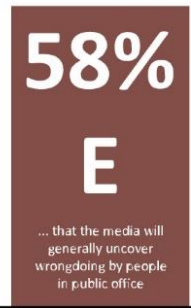
Source: Committee on Standards in Public Life surveys on public attitudes towards conduct in public life (2004 – 2012)

Committee on Standards in Public Life

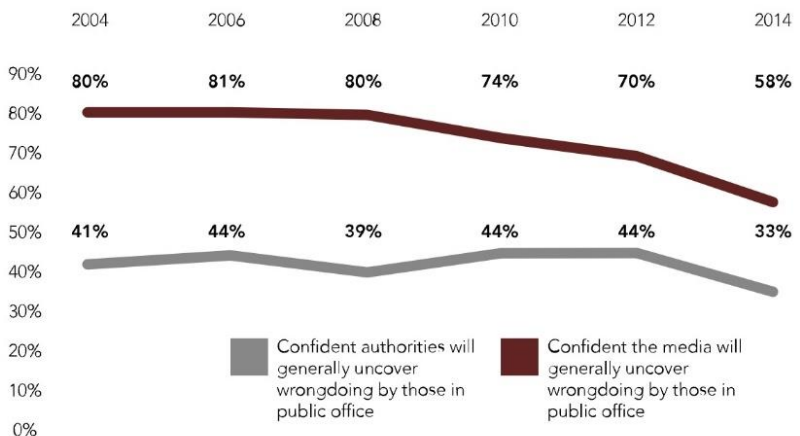
Committee on Standards in Public Life
KEY FINDINGS 2015



WE'RE CONFIDENT



WE'RE NOT CONFIDENT



48. The research shows a continuing downward trend in public attitudes towards the standards of office holders and shows that of those polled:

- *38% believed that the overall standards of conduct of public office holders are low and only 18% believed them to be high*
- *36% believed that the standards of public office holders had got worse, with only 16% believing that they had got better*
- *56% were not confident that the authorities are committed to upholding standards in public life*
- *61 were not confident that the authorities will generally uncover wrongdoing by people in public office*
- *63% were not confident that people in public office caught doing wrong would be punished*
- *58% contrastingly were confident that the media will generally uncover wrongdoing by people in public office*

49. Fewer people said that overall standards of conduct of people in public life were high and more people said that standards were low than recorded in any of the [2004-2012 biennial surveys](#). It is clear that public office holders have not been able to repair or restore public confidence in their behaviour in recent years. However, the research clearly indicates a close link between perceptions of standards of conduct by public office holders and broader attitudes about the way the current political system works in the UK - people who are dissatisfied with the way the political system works or the level of influence they have on the political process are more likely to have negative perceptions of current standards of conduct in public life.

50. Evidence from the UK and Europe, which we reported on last year, suggests British citizens' assessments of standards in public life are not unusual and they are rarely the most cynical. Indeed British citizens' experiences of corruption are consistently lower than those in most other European countries. So even if actual standards may not be getting worse, there is clearly a huge job to do to reinvigorate and restore confidence in our political system. The Committee is keen to play its part in that.

STANDARDS CHECK

51. In addition to the specific areas of inquiry outlined above, we have also maintained an interest in other standards issues during this year:

Lobbying

52. Our report [*Strengthening Transparency around Lobbying*](#) was published in November 2013. Our review ran for a period of six months during which time the Committee received written evidence and ran an evidence gathering seminar in which the then Minister (Tom Brake) participated. The lobbying industry and their representatives, charities, campaign bodies, academics and think-tanks all gave evidence to our review. With the evidence gathered we aimed to produce proportionate recommendations which would be complementary and separate to the legislation passing through Parliament on lobbying and would help restore public trust and confidence. In particular we were keen that decision makers who experience lobbying are able to clearly demonstrate probity. We concluded that a package of measures was urgently required to deliver a culture of greater 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.

53. We have welcomed amendments to the House of Lords Code of Conduct and the Guide to the Code which strengthened rules on lobbying in line with our recommendations. The House of Commons have agreed to reduce the threshold for registration of gifts, benefits and hospitality from £660 to £300, although we note is not as low as the threshold in the House of Lords of £140. We are disappointed however that the House of Commons has not yet found time to debate recommended changes to the Code proposed by the former Parliamentary Commissioner on Standards and the Committee on Standards, to impose restrictions on parliamentary lobbying by former Members by extending the lobbying rules to them for two years in respect of approaches to Ministers, other Members or public officials and to 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.

54. We received a response to our report from then Minister in September 2014. Given that the Prime Minister considered lobbying the “next big scandal waiting to happen”, we were disappointed that response did not indicate that any of the proportionate and practical steps we proposed in our report for Government have been seriously considered. We recommended, in particular:

- more timely, detailed disclosure about all significant meetings and hospitality involving external attempts to influence policy decisions and said that these arrangements should be widened to cover special advisors and senior civil servants as well as Ministers, Permanent Secretaries and

Departmental Boards

- that Departments should be required to regularly publish consistent summary information on cases they consider under the Business Appointment Rules
- that Departments and their agencies should be required to publish, on an annual basis, in an easily accessible format the number of secondments and interchanges in and out of their organisation
- the annual certification for Accounting Officers should include that they have satisfied themselves about the adequacy of their organisations arrangements for safeguarding high ethical standards including, effective management of secondment and interchange and ensuring that officials are vigilant about contact by lobbyists and in the case of Permanent Secretaries, that their Ministers and special advisers are reporting relevant contacts.

55. We met with the then Minister in December 2014 to discuss the detail of our recommendations and the reasoning behind them. We regret that 18 months after publication, we are still waiting a formal government response to the report.

56. Recent Court rulings on the publication of information from Ministers' diaries about their activities¹ and requiring publication by IPSA of invoices and receipts accompanying claims by MPs for expenses², only add weight in our view to our argument that proactive and routine disclosure is likely to prove more effective (and more efficient) as the primary instrument of transparency for public office holders.

Parliamentary Standards

57. The [Recall of MPs Act 2015](#) introduces a process by which an MP will lose their seat in the House of Commons if a petition to recall them is successful. A petition can be opened where:

- an MP is sentenced to a prison term;
- suspended from the House for at least 10 sitting days (14 calendar days, if not specified in terms of sitting days); or
- convicted of providing false or misleading information for allowances under the Parliamentary Standards Act 2009.

58. A recall petition, which if signed by 10% or more of the electorate (not electronically), will result in a by-election when the recalled MP can stand as a candidate.

¹ *Department of Health v ICO & Lewis* [2015] UKUT 159 (AAC).

² *The Independent Parliamentary Standards Authority v The Information Commissioner & Anor* [2015] EWCA Civ 388.

59. The Committee supports the principle that constituents should be able to petition for the recall of an MP whose conduct falls seriously below the standards expected of those elected to public office but which does not trigger automatic disqualification under the Representation of the People Act 2001. The Act gives the House of Commons a broader range of sanctions to use in occasional cases of serious wrongdoing, while leaving the final judgement on an MP's conduct to their constituents.
60. As it will be the House that determines whether a member should be suspended from the House, the system for self-regulation of Members' behaviour must, as a whole, command public confidence. If it does not, it risks bringing the system and Parliament more generally into disrepute, and adding to the wider loss of trust in institutions. We therefore welcomed the Committee on Standards recent sub-committee review on the standards system in the House of Commons, where one of the specific aims of the inquiry was to improve confidence in the system for regulating Members' behaviour. We submitted a detailed [response](#) and gave oral evidence to that inquiry and advised that in order for the standards system and complaints and disciplinary arrangements to be credible, we considered that such arrangements should be effective in dealing with non-compliance, act as a deterrent and be capable of influencing behaviour change. These factors must be demonstrable, apparent and credible to the public as well as with Members in order to command respect.
61. We welcome the proposal from this review for the Committee on Standards to consist of an equal number of MPs and lay members'. We think that an increase in lay membership will help demonstrate that MPs are accountable to the people they serve and will enhance public acceptance of the robustness of the process, whether in the consideration of recall, expulsion or the range of less serious sanctions available to the House.
62. Equally critical will be the role of guidance, education and training on the rules and principles of the standards regime particularly given the introduction of recall. The public is unlikely to accept ignorance of the principles or the rules as a defence in cases of alleged misconduct and MPs are unlikely to accept unclear advice on opaque rules. The Parliamentary Standards Commissioner and the Standards Committee will need to continue the work started with the House Authorities and the political parties on induction training to raise awareness and understanding of a clear and transparent standards regime amongst MPs. We are happy to contribute to this.

Local government standards

63. The Committee on Standards in Public Life has a long-standing interest in local government standards. In our last [Annual Report](#) we stated that the Committee had agreed at the time of the Localism Act to maintain a watching brief on having emphasised at the time:
- the need for a mandatory code of conduct,

- strong local leadership,
- effective independent persons and
- concern at the lack of sanctions.

64. We noted that there was some evidence to suggest that the role of the independent person is generally well received and that vexatious complaints are falling. But the effectiveness of the sanctions regime is still a concern. The Committee continues to receive correspondence both from members of the public, Councils and councillors on this issue. This correspondence includes, for example, calls for a national code of conduct, strengthened guidelines or sanctions or a power of recall. Members of the Committee participated in a roundtable event in Parliament in January with representatives from local government to test the level of ethical risk.

65. We are also aware that some local councils are taking action to strengthen their own arrangements where the behaviour of local councillors falls below a standard that voters have a right to expect. At the time of writing, Kingston–Upon-Thames Council have proposed to give local voters the opportunity to recall their local councillor if they fail to meet a set of clearly defined standards. Under the proposals, a number of scenarios could trigger a petition calling for a by-election, including:

- if a councillor’s attendance at meetings over a municipal year falls below 20 per cent
- if a councillor attends fewer than two full Council or Neighbourhood Committee meetings within a year
- if a councillor is convicted of a crime for which a prison sentence has been imposed and the appeal period has expired without the sentence having been overturned
- if a councillor moves their main residence outside of The Royal Borough of Kingston upon Thames.

66. If one or more of these criteria are met, the council’s Monitoring Officer would consider the circumstances and whether a petition should be launched on the council web site calling for the resignation of the councillor concerned. The petition would remain live for three months. If more than 33 per cent of the registered electors in the Ward sign the petition, there would be an expectation that the councillor concerned would resign thereby triggering a by-election.³

67. Lyme Regis Town Council adopted a code of conduct in 2014 which increased the range of sanctions available to the council for breach of the Code to include censure, apology, training and reprimand. In addition the revised code provided that members can now voluntarily agree to accept further sanctions outlined in the code, including restriction of access to the town council premises and council resources for a period of up to six months, partial or full suspension from the council for up to six months, or that the councillor writes a

³ http://www.kingston.gov.uk/news/article/286/kingston_council_to_introduce_powers_to_sack_bad_councillors

written apology, undertakes training specified by the council or participates in conciliation.⁴

68. The Committee promotes the Seven Principles as consistent descriptors of ethical standards which represent common standards and core values, which can then be translated into outcome focused locally based rules, codes or methods of implementation which are flexible enough to adapt to changing circumstances. We invite other Councils to consider whether their own local standards frameworks are sufficient to address standards breaches and build public trust.
69. The effectiveness of the local standards framework also raises broader questions of accountability and local leadership, some of which were also raised in the context of our local policing inquiry. As we noted in our [response](#) to the Local Government Association's consultation *Taking stock: Where next with sector led improvement* recent interventions, inquiries and reports into several local authorities, such as Rotherham, Tower Hamlets and Birmingham have questioned the effectiveness of scrutiny and challenge in those councils, lack of transparency, and culture of failing to listen and poor behaviours. These reports also recognised individual staff and achievements that were worthy of praise, and the Committee has always recognised that there is much commitment and good work done by all councils in the face of very great challenges.
70. Nevertheless these cases have attracted much local government, Parliamentary and public concern and raise serious questions for all other public authorities. For the public to have confidence requires those in positions of leadership in local government— both political and managerial – to demonstrate they have listened, learned and improved. The use of regular and credible external challenge has great potential to strengthen the behaviour and personal responsibility of individuals, but is not enough by itself. Those individuals need to be supported by the culture of the organisation of which they are a part. It is the leaders of every council who are responsible for setting an appropriate tone and promoting the right culture.
71. We continue to liaise with the relevant stakeholders on the way in which ethical standards can effectively be embedded in all parts of local government.

Electoral system

72. One of the major recommendations of the Committee's fifth report on political funding was the creation of an independent regulator, the Electoral Commission. The Commission is responsible for the registration of political parties, the monitoring and publication of donations to registered political parties and the regulation of national party spending on election campaigns. As an example of the Committee reviewing the impact and outcomes of its previous recommendations, it undertook an inquiry into the role of the Electoral Commission

⁴ <http://www.lymeregistowncouncil.gov.uk/town-council/councillors/code-of-conduct>

in 2006. The recommendations in the subsequent 12th report led to a redefinition of the Commission's responsibilities including strengthening its regulatory role to ensure that it was more effective.⁵

73. The Committee also looked at the issue of electoral fraud in the 11th report and recommended the introduction of individual voter registration in Great Britain as a means to help combat the growth of electoral fraud. Individual electoral registration was introduced this year. The Committee will be meeting with the Chair of the Electoral Commission in July 2015 to discuss lessons learnt from the General Election in respect of implementation of the new arrangements and electoral fraud more generally. The finding by the Election Commissioner in April 2015 in the [Election Court judgement](#) that the mayor of Tower Hamlets mayor Lutfur Rahman had breached election rules and was guilty of "corrupt and illegal practices" and must vacate his post immediately, demonstrates the need for constant vigilance.

Civil service and government

74. The Committee has, over the years, made a number of recommendations relating to the regulatory regime for appointments to the civil service and how best to achieve high standards of conduct and propriety by civil servants. Many of these recommendations have been adopted.⁶ In October 2014, the Committee responded to the Triennial Review of the Civil Service Commission. We argued that there is a continuing need for the Civil Service Commission, specifically as an independent body, with its remit and the regulatory arrangements for civil service appointments, as well as the Civil Service Code values of honesty, integrity, impartiality and objectivity, remaining on a statutory basis.

75. The Constitutional Reform and Governance Act 2010 requires that selection for appointment to the civil service should be made on merit on the basis of fair and open competition, and that civil servants should adhere to the Code values in performing their duties. We endorse the primacy and value of the merit principle, as set out in statute, as a means of ensuring that the best candidates are appointed to a civil service that is effective, impartial and free of patronage. Furthermore, as we said in our [Ninth Report](#) in 2003, we believe that "there is no conflict between the principle of selection on merit [...] and the need for the Civil

⁵ MPs' Expenses and Allowances: Supporting Parliament, Safeguarding the Taxpayer (Twelfth Report (Cm7724)) (November 2009)

⁶ For example, putting the civil service, the Civil Service Code and the principle of appointment on merit after a fair and open competition on a statutory basis (First Report, Sixth Report, Ninth Report); an active role for the (then) Civil Service Commissioners in scrutinising the maintenance and use of the Civil Service Code, particularly in induction and training (Ninth Report); convergence between the regulatory regime of the (then) Civil Service Commissioners and the Commissioner for Public Appointments (Tenth Report).

Service to be fit for purpose [...] the overriding principle of selection on merit should be maintained."⁷

76. The Principle of Objectivity states that: 'Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.' The means of assessing and determining merit should therefore be objective, evidence-based and transparent. The value of panels as mechanisms for determining merit is that they reduce the risks of partiality, bias and discrimination by moving the final decision away from that of an individual to a group.
77. The *Recruitment Principles* were revised in April 2015 so that, in future, Head of Department appointments will be made by the Prime Minister (or in the case of the Permanent Secretaries in the devolved administrations in Scotland and Wales, the First Minister), on merit on the basis of a choice of candidates assessed as appointable by an independent panel chaired by the First Civil Service Commissioner. The Civil Service Commission has stated that the change in the rules to allow a different process for Head of Department appointments does not threaten the long-standing principle of an impartial civil service appointed on merit and has given assurances that the merit principle will be protected under the new process. It is important the Civil Service Commission monitors the implementation and impact of this change in process. Likewise the announcement in the most recent *Civil Service Reform: Progress Report* that, by April 2015, the presumption will be that Senior Civil Service (SCS) appointments below Permanent Secretary level are open to external candidates as well as civil servants makes the role of the Commission in ensuring departmental compliance with the merit principle even more important.
78. We also supported the Civil Service Commission's role in supporting departments' promotion of the Civil Service Code. At present, although departments are audited by the Civil Service Commission on their inclusion of the Code in their induction programmes through training, in line with the Commission's best practice checklist of actions for departments to uphold and promote the Code, the audit process rests on departmental self-reporting, with no agreed standard as to what constitutes acceptable 'training' on the Code in induction. Responsibility for ensuring that civil servants are aware of, understand, and comply with the Civil Service Code should rest with departments, but the Civil Service Commission should continue to fulfil its role of independent scrutiny in this respect. We would welcome greater assurance of embedded practice in departments – possibly at Permanent Secretary level - through stronger requirements for transparency and the provision of easily auditable evidence. We also believe the inclusion of questions on Code awareness in the civil service-wide annual People Survey, should continue. The results of the People Survey provide valuable data on levels of Code awareness and understanding and serve to promote the Code and its values, compliance with which is part of every civil servant's terms and conditions of employment.

⁷ *Defining the Boundaries within the Executive: Ministers, Special Advisers and the permanent Civil Service*. Ninth Report, 2003, CM 5775, p. 38

79. The Government also announced this year a review of the Office of the Commissioner for Public Appointments, stating that this would be the first review of the Office's status and role since the role of the Commissioner for Public Appointments was created by the Public Appointments Order in Council 1995 on 23 November 1995, following a recommendation of this Committee. In fact, this Committee's [Tenth Report](#) published in 2005 looked at the strengths and weaknesses of OCPA after its first 10 years and undertook considerable research to inform the report.⁸
80. This review's purpose is to establish the continuing need for the Office, and to examine its scope of responsibilities and consider the Office's role in regulating the processes by which Ministers make appointments to the boards of certain public bodies and certain statutory offices. It is important that the public have confidence in the recruitment and selection process of such appointments. We look forward to making a contribution based on the continued relevance and application of the Seven Principles to this aspect of public life

⁸ Getting the Balance Right: Implementing Standards of Conduct in Public Life (Tenth Report (Cm6407)) (January 2005)

REPRESENTATIONS, SPEECHES AND COMMUNICATIONS

81. The Committee continues to maintain an international profile in the field of standards promotion, both in terms of its research, which contributes to the international debate on trust, bribery and corruption, and in terms of exemplifying an effective principles-based approach to standards in public life. As has been the case in previous years, the Committee has found that the UK has a high international reputation in such matters and many other countries wish to learn from our experience. The Committee will continue to host international delegations, visiting civil servants, scholars and students to explain how the standards framework operates in the UK. The Committee will also continue contributing to the research base on standards, trust and compliance, both by working with national and international institutions and scholars, and conducting in-house research.

82. 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:

- Giving evidence and highlighting findings of *Ethical standards for providers of public services* to the Public Accounts Committee for their *Transforming contract management report* in September 2014.
- A presentation about the Committee and its work to groups of Chilean and Mexican delegates and French delegates as part of a tour arranged by the Speaker's Commission for Digital Democracy in November 2014.
- A speech to the Von Hugel Institute on parliamentary and ethical standards on 8 October 2014.
- Giving a presentation entitled 'Trust in public life' at the Woolf Institute Seminar in January 2015.
- The delivery of the Annual Newsam Memorial Lecture 2015 for the College of Policing in February 2015.

83. Other Committee and Secretariat members also spoke about the work of the Committee and standards issues in a range of contexts including:

- A speech at 'The Ethics of Policing: Towards an ethical police service', a conference held jointly by Bath Spa University and Avon and Somerset Constabulary on 19 June 2014.
- A presentation entitled 'Achieving better ethics across public service provision' to the Chartered Institute of Public Finance and Accountancy in October 2014.

- A presentation about the CSPL and its work to Corruption and Governance students at the Sussex Centre for the Study of Corruption at the University of Sussex in November 2014.
- A presentation on ethical standards for providers of public services at the Lawyers in Local Government Annual Conference in November 2014.
- The keynote speech at the Annual Governance Forum of the Association of Fundraising Consultants in December 2014 on the seven principles, transparency and our lobbying report.
- A presentation to the Business Services Association on ethical standards for providers of public services in December 2014.
- A roundtable discussion on lobbying in the UK hosted by Transparency International in December 2014.
- Presenting at a Whitehall Industry Group workshop on Building an Ethical Culture in Organisations – Ethics in Practice: setting the scene in June 2015.

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

- The House of Commons Standards Committee Review of the Standards Regime in September 2014.
- IPSA’s consultation on the role of its compliance officer in December 2014.
- The Home Office’s consultation “Improving Police Integrity” in February 2015.
- The Local Government Association’s consultation “Taking Stock: Where next with sector-led improvement?” in March 2015.

85. The secretariat receives and responds regularly to public enquires and correspondence on standards issues including requests under the Freedom of Information Act 2000.

86. Between 1 September 2014 and 16 July 2015, the Committee’s corporate website on Gov.uk (<https://www.gov.uk/government/organisations/the-committee-on-standards-in-public-life>) received 35,119 visits, totalling 75,389 page views, with a 15% increase of returning visitors on last year. The Seven Principles of Public Life page (<https://www.gov.uk/government/publications/the-7-principles-of-public-life>) was viewed 39,998 times over this period.

87. In July 2014 the Committee commissioned an independent review of its communications, at no cost to the Committee, seeking to improve capability and the effectiveness of its communications output. The ensuing report made a range of recommendations, based upon which the Committee has taken the following actions:

- Launched on Gov.uk our first online consultation, in order to gather evidence for our policing inquiry.

- Employed the use of a short video on Youtube to inform stakeholders about the policing inquiry.
- Launched a new CSPL blog in December 2014. 13 articles have since been posted on the blog, with external contributors including, among others, the Chair of the College of Policing, the Business Services Association and various academics. Topics covered in the blog have ranged from ethical inductions for MPs to PCCs and public engagement and attracted a total 2,952 page views as of 16 July 2015.
- Circulated a survey to all stakeholders to further assess the effectiveness of our communications and the means by which our stakeholders prefer us to keep them updated. Based on the findings of the survey the Committee has further decided to begin to circulate a quarterly newsletter to stakeholders.

88. We will continue to ensure that we communicate our work effectively, making it visible to public office holders and others with an interest in ethical standards. Recommendations will be targeted and specific and followed up as appropriate. We will contribute to relevant policy debates where we can add an informed and distinctive voice. We will engage in constructive dialogue with key stakeholders including ethical regulators. We will ensure our website provides an effective means of communicating our views and activities.

Policy on openness

89. 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.

90. 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 GC.05
 1 Horse Guards Road
 London
 SW1A 2HQ

public@public-standards.gov.uk

FORWARD PLAN

91. In addition to following up on our recent reports which considered a series of standards issues that raised significant ethical risks which we will continue to track and monitor and where necessary intervene; and maintaining a watching brief on issues set out in Standards Check; we intend to take forward the following additional work:

Ethics for regulators

92. We will undertake a review in the second half of 2015 running into early 2016. The central focus would be to review how a selection of regulatory bodies currently manage ethical issues and the extent (if any) to which the particular characteristics of regulators demand any specifically-tailored ethical standards.

93. Regulators play a central role in public life, extending horizontally and sectorally across a very wide range of commercial and non-market activity at national regional and local levels. Within - and beyond - 22 Non-Ministerial Departments and 346 Agencies and Public Bodies, there are a substantial number of autonomous regulatory bodies in the UK. Some are very large; some very small. There has undoubtedly been an assumption that the Seven Principles of Public Life apply to regulators in the same way as to any other holder of public office. But the Committee does not appear, at any time over its 20 years, to have focused specific attention on them. It has not, for example, reviewed how, or how seriously, ethical standards are approached within regulatory bodies. Nor has it considered whether – because of their distinctive features or distinctive risks - any of the Seven Principles of Public Life should be elaborated, adapted or supplemented in any generic or specific way.

94. It is likely that the review will focus initially on a selection of approximately 15 regulatory bodies, with the aim in due course of applying conclusions and any recommendations more widely. The main elements of the review including desk research about how ethical standards are addressed and managed; a literature review; limited empirical research through a questionnaire to regulatory bodies and visits to selected regulatory bodies and workshops with regulatory bodies and others to probe deeper about approaches, attitudes and practical experiences.

Party funding

94. Party funding remains a live ethical issue of concern for the public around the confluence of money, power and influence. All main political parties have indicated that they intend to address different aspects of party finance. The Committee has now looked at this issue twice and produced comprehensive evidence-based

reports. It is clear that it is a significant issue of public concern that has not gone away and cannot be resolved without the political will to do so. The Committee's [report](#) on party funding in 2011 found the current system to be corruptible if not corrupt and put forward interim proposals ahead of the 2015 General Election which could have operated and provided a firm basis for action if there had been cross party agreement to implement them. The Committee were also explicit in their report that all of its recommendations were a carefully balanced package so as not to place any one party at a disadvantage. Any move to implement some parts of the package, whilst neglecting others would not, in our view, deliver the outcome the recommendations were trying to achieve. The Chair intends to write to party leaders after the election inviting them to re-convene discussion on party funding particularly in the light of public dissatisfaction with the political process as evidenced by the Hansard Audit.

Local government standards

95. Once new councillors have been in post for some time and any induction and training will have been completed, we will consider if there is merit in repeating the survey of local authorities undertaken for the *Ethics in Practice report* on approaches to induction and training and the profile of standards, conduct and ethical behaviour within those programmes.
96. In addition, the Committee has offered to work with the Society of Local Government Chief Executives on the development of their code of ethics for chief officers for those in senior management roles in local public services led by locally elected politicians. We welcome the coming together of professional bodies representing senior managers across local government to write a code of ethics. The code of ethics will be a central guide and reference for senior managers and professionals in support of day-to-day decisions and will be linked with standards of professional conduct. The draft code of ethics is based on the Seven Principles of Public Life provides a clear principles based statement of expectations which can be locally implemented by different professional bodies and organisations.
97. We also noted the suggestion from the previous Communities and Local Government Select Committee that the new committee may wish to examine the operation and effectiveness of local government scrutiny including specific aspects such as the independence of scrutiny from the executive resourcing, training and support provided to scrutiny councillors and how services provided by private contractors can be effectively scrutinised.
98. Any such an inquiry will need to reflect on proposals for further local devolution including metro mayors and the different approaches that will be required to regional governance and scrutiny. Given this Committee's recent work on ethical standards for providers of public services, local policing accountability and local government standards more generally, we consider this Committee would have a significant contribution to make to any such inquiry. The Chair will write to his new counterpart early in the next parliamentary session

to gauge the extent to which such an inquiry is likely and the role this Committee could play. In the meantime the Committee will continue to monitor local government standards issues.

APPENDIX 1: ABOUT THE COMMITTEE

Our remit

On 25 October 1994, the then Prime Minister, the Rt Hon John Major MP, announced the setting up of the Committee on Standards in Public Life 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.

For these purposes, public office should include: ministers, civil servants and advisers; Members of Parliament and UK Members of the European Parliament; members and senior officers of all non-departmental public bodies and of national health service bodies; non-ministerial office holders; members and other senior officers of other bodies discharging publicly-funded functions; and elected members and senior officers of local authorities.”⁹

On 12 November 1997 the terms of reference were extended by the then Prime Minister, the Rt Hon Tony Blair MP:

“To review issues in relation to the funding of political parties, and to make recommendations as to any changes in present arrangements.”¹⁰

On 5 February 2013 the terms of reference were clarified by the Government 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.”

“...the Committee’s remit to examine ‘standards of conduct of all holders of public office’ [encompasses] all those involved in the delivery of public services, not solely those appointed or elected to public office.”¹¹

Our remit does not allow us to investigate individual allegations of misconduct. That is usually the role of the relevant regulator. We do, however, seek to draw any general lessons that can be learned from individual

⁹ Hansard (HC) 25 October 1994, col. 758

¹⁰ Hansard (HC) 12 November 1997, col. 899

¹¹ Hansard (HC) 5 February 2013, col. 7WS

instances.

Our members

Until the latest appointments, Committee members were appointed for a three year term, with the possibility of reappointment. The latest four 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

Paul Bew joined Queen’s University Belfast in 1979 and was made Professor of Irish Politics in 1991. He acted as historical adviser to the Bloody Sunday Inquiry between 1998 and 2001 and 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. In 2007 he served on the Local London Authority Bill Select Committee and in 2011 served on the Joint Committee on the Defamation Bill, which addressed key issues of academic freedom. He chaired the independent review of Key Stage 2 (SATs) provision in England which reported in 2011 and was accepted by the government. He also served on the Joint Committee on Parliamentary Privilege which produced its report on in July 2013. Lord Bew continues to teach Irish History and Politics at the School of Politics, International Studies and Philosophy at Queen’s University. Among Lord Bew’s many publications is the Ireland volume of the Oxford History of Modern Europe.

Members active in 2014-2015

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 currently a Senior Research Fellow and Director of the Centre for the Resolution of Intractable Conflict at Harris Manchester College, Oxford. 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 and risk analysis company.

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 July 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.

While David's term was due to end on 31 May 2015, his membership has been extended until the end of July so that work on the Committee's local policing inquiry can be completed.

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 panel to the Secretary of State for Transport on drink and drug driving. 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 was an independent assessor for public appointments (OCPA) from 1997 to 2012 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 a member of the appointments panel of the Bar Standards Board, the Member Selection Panel of Network Rail, an independent panel member for RICS and a number of other regulatory bodies. She 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. 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 the 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 appointed in 2014 - 2015

Carolyn Fairbairn

Appointed: 1 October 2014

Term ends: 30 September 2019

Carolyn has extensive digital and online, government and regulatory experience gained across a range of sectors including media and financial services. Carolyn is a Non-Executive Director at the Lloyds Banking Group and a member of their Audit and Remuneration Committees. Non-Executive Director of Capita plc and The Vitec Group and is the Chairman of their Remuneration Committees. She is a trustee of Marie Curie and a Non-Executive Director of the Competition and Markets Authority and the UK Statistics Authority. Carolyn was a Non-Executive Director of the Financial Services Authority and chaired their Risk Committee, a Director of Group Development and Strategy at ITV plc and Director of Strategy and a member of the Executive Board at the BBC. She is a former partner of McKinsey & Co. and was a policy adviser in the Prime Minister's Policy Unit. Carolyn began her career as an Economist at the World Bank.

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 2014 – 31 March 2015)

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	11	11
Lord Alderdice	11	7
Rt Hon Margaret Beckett MP	11	9
Patricia Moberly	11	10
Richard Thomas	11	10
David Prince	11	10
Sheila Drew Smith	11	10
Angela Watkinson MP	11	9
Dame Denise Platt	3	2
Carolyn Fairbairn	6	4

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

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.

For the period April 2014 to March 2015 committee members other than the Chair claimed a total of £24,363.45 in fees and expenses.

In total, the Chair claimed £17,977.15 in fees and expenses.

Code of Practice

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>

APPENDIX 2: FINANCIAL INFORMATION

Expenditure	2013-14	2014-2015
	(£)	(£)
Staff costs and fees	214,791	254,950
Other running costs	116,084	124,000
Total net expenditure	330,875	378,950

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. Day-to-day responsibility for financial controls and budgetary mechanisms are delegated to the secretary of the Committee including responsibility for certain levels of authorisation and methods of control but creation of all new posts and the use of external resources are subject to the approval of the Cabinet Office Approvals Board.

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.

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.

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.

For the year 2014-15 the Committee's budget allocation was £400,000. There was an under spend of £21 050. The main causes of this under spend were savings generated by small forecast underspends on pay costs and press officer services. Both of the projects on the two most recent reports also ran into the current financial year.

APPENDIX 3: REPORTS AND PUBLICATIONS

The Committee has published the following reports:

- Tone from the top – leadership ethics and accountability in policing (Cm 9057) (June 2015)
- 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)
- Standards of Conduct in Local Government in England, Scotland and Wales (Third Report (Cm 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.

Annual Report 2014-15 and Business Plan 2015-16

Published electronically by the Committee on Standards in Public Life

The Committee on Standards in Public Life

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July 2015

NORTH YORKSHIRE COUNTY COUNCIL

STANDARDS COMMITTEE

21 September 2015

Dispensation Issue**1.0 PURPOSE OF REPORT**

- 1.1 To ask the Committee to consider the potential of a dispensation issue with regard to traffic regulation orders and Area Committees.

2.0 BACKGROUND

- 2.1 Area Committees from time to time will be consulted on issues relating to parking within their area with regard to traffic regulation orders.
- 2.2 For example, it is understood that a report will be considered at a future Harrogate Area Committee regarding a proposal for the introduction of on-street pay and display charges in Harrogate town centre. The outcome of consultation will be reported to the Area Committee for comments. The ultimate decision regarding the proposed traffic regulation order will potentially be taken by the Corporate Director Business and Environmental Services, in consultation with the relevant Executive Member.
- 2.3 The Standards Committee have given previous dispensations to potential conflicts of interests in another part of the County to allow members to take part in the decision making process for traffic regulation orders regarding parking as it is considered that local members with local knowledge should be allowed to contribute to the discussion on the decision making process.
- 2.4 At this stage, whilst the Committee has not received a request for a dispensation, it is considered appropriate for the Standards Committee to consider whether it wishes to formally grant a dispensation to Councillors to enable them to speak, vote and be included within the quorum at meetings of the County Area Committee when it is considering issues relating to the introduction of on-street pay and display charges in Harrogate town centre.

3.0 POWER TO GRANT DISPENSATIONS

- 3.1 The Monitoring Officer was designated by the County Council as Proper Officer to receive written dispensation requests.
- 3.2 The power to grant dispensations to Members and Co-opted Members under the ethical framework adopted under the Localism Act 2011 was delegated by the Council to this Committee, after consultation with the Independent Person for Standards.
- 3.3 Power was also delegated to the Monitoring Officer to grant dispensations (after consultation with the Independent Person) where the timescales are such that a Standards Committee meeting cannot be convened and where the Monitoring Officer has consulted every available Member of the Standards Committee, all of whom consent to the granting of the dispensation.

4.0 INTERESTS ISSUES

- 4.1 If any of the Members of an Area Committee live or work in an area affected by the proposed traffic regulation order, then they would have declared their residence or their work place as a Disclosable Pecuniary Interest (DPI). This will then potentially prevent them from taking part in a discussion at a formal meeting about the issue in question. The Council's Code of Conduct states that a Member with a DPI about the issue being discussed has to withdraw from the meeting room.
- 4.2 It should be noted that where charges are proposed to be introduced, some members, as local residents may be eligible for parking permits so will not be personally affected by any new charges, some will park on their own land and some who work in the Town Centre will have access to their own private parking. However as they have declared their home and work addresses it is considered that the Standards Committee should consider this issue in in the interests of transparency.
- 4.3 It is clear that the intention of the Council in allowing area committees to comment on Traffic Regulation Orders is to allow all Councillors the ability to discuss, comment and make a recommendation at a formal meeting of the Council so that the views of local Councillors can be taken into account. It is noted that if any Members had to leave because of their interests, their absence would mean that those they represent in their divisions would be without representation at the Area Committee meeting.
- 4.4 The Standards Committee is asked to consider whether in these circumstances it wishes to grant a dispensation to clarify that all Councillors can take part in discussions about TROs at Area Committees. Dispensations can be granted to enable a Member with a DPI to participate in the discussion and vote only if, after having had regard to all the relevant circumstances, the authority is satisfied that one or more of the criteria set out in the Act is met. Applications for a dispensation must be in writing.

5.0 DISPENSATION PROCESS

- 5.1 Under the Localism Act 2011 and delegated power from the Council, the Standards Committee has power to grant a dispensation to a Member from non-participation in relation to a disclosable pecuniary interest where the Committee concludes that:
- (a) without the dispensation the number of persons prohibited from participating in particular business would be so great a proportion that the body transacting the business as to impede the transaction of the business;
 - (b) without the dispensation the number of persons prohibited from participating in any particular business would be so great a proportion of the body transacting the business as to impede the transaction of the business;
 - (c) without the dispensation the representation of different political groups on the body transacting any particular business would be so upset as to alter the likely outcome of any vote relating to the business;
 - (d) granting the dispensation is in the interests of persons living in the authority's area;
 - (e) without the dispensation each Member of the Authority's Executive would be prohibited from participating in any particular business to be transacted by the Executive; or
 - (f) considers that it is otherwise appropriate to grant a dispensation.

- 5.2 It may be argued in the circumstances above that it is appropriate to grant a dispensation under paragraphs (d) and (f) to avoid any suggestion that local members cannot take part in the discussion on local Traffic Regulation Orders. Members must decide whether it is appropriate to grant any dispensation requests in these circumstances, after balancing the public interest in preventing a Member with a disclosable pecuniary interest from taking part in Council business, against the public interest in the relevant constituents not being disenfranchised and their views being able to be put forward on the business in question.
- 5.3 If the Standards Committee is minded to grant a dispensation, it must consider the duration of it. Dispensations may be granted for a maximum period of 4 years. Members may feel in this case that it would be appropriate to grant a dispensation until the date of the next local government elections which is consistent with end dates for other dispensations granted to other Members in the past.
- 5.4 Any dispensations granted will allow the Members concerned to fully participate in the relevant business, including speaking and voting upon it. The dispensation will be recorded in writing and kept with their interests forms in the Council's Register of Members' Interests.

6.0 RECOMMENDATIONS

- 6.1 That the Committee considers whether it wishes to grant a dispensation for Members of Area Committees to discuss traffic regulation orders when their interest simply relates to their home or working address.
- 6.2 That, should the Committee be minded to grant any dispensations, the Committee determine the duration of the dispensations.

BARRY KHAN
Monitoring Officer

Background Papers:

- The Localism Act 2011

County Hall
NORTHALLERTON

11 September 2015