

## **Triennial Review of the Committee on Standards in Public Life**

### **Summary**

1. This report advises the Committee of the outcome of a recent review of the Committee on Standards in Public Life (CSPL).

### **Background**

2. The CSPL was established in 1994 largely in response to concerns about the unethical behaviour of some Members of Parliament. It has functions of examining concerns about standards of conduct and making recommendations as to changes which may be required to ensure the highest standards of propriety. Its remit now also covers reviewing the funding of political parties.
3. As the Nolan Committee, the CSPL established the Principles of Standards in Public Life which underpinned the previous statutory Code of Conduct for Members and still underpins the present local Code.
4. As a non departmental public body the CSPL is subject to a process of triennial review which aims to provide a robust challenge of the continuing need for the body and to review its control and governance arrangements.
5. A report into the recent triennial review of the CSPL was published earlier this year and is available online at:

<https://www.gov.uk/government/publications/committee-on-standards-in-public-life-triennial-review>

The report, whose recommendations have been broadly accepted by the Government, recommends the retention of the CSPL. Some of the wider issues raised within the report will though be of interest

to Members of the Joint Standards Committee and some of the questions raised as to the role of the CSPL raise interesting questions for the Committee to consider in relation to how it might best perform its own functions.

### **Key Findings of the Review**

6. The Review found that: “the promotion and maintenance of standards in public life, the objective of the CSPL, is likely to be an endless task”. This pointed to a continuing need for an ethics monitor and reviewer. Various options were considered for alternative structures for the CSPL with the outcome being a recommendation that some version of the current CSPL remained the most plausible option. The main features of that body should be:
  - Independence
  - Permanent and self activating – able to anticipate emerging problems and free to decide on its own inquiries
  - Separate from sectoral regulators though cooperating with them informally
  - Focused on broad principles, systems and frameworks – not commenting upon specific complaints
7. The report comments on how well the CSPL has performed in respect of these factors. It is fair to say that the picture is mixed.
8. In assessing the performance of the CSPL it was noted that there had been criticism that the committee had lost its way, no longer makes much impact and scratches around for things to do. The Committee had been slow to initiate an inquiry into the M.P’s expenses and had not initiated an inquiry into lobbying. It had been criticised for not adding much to what was already known in its inquiry into party funding. The report concludes that these are all fine judgments but the net effect has been that the CSPL has had less impact than it had in earlier years.
9. The report notes that the CSPL has a long list of areas it plans to cover over the next three years including the implications of greater involvement of the private and voluntary sectors in delivering public services, the adequacy of current arrangements for detecting and preventing electoral fraud, the effectiveness of current

arrangements in respect of lobbying, ethical standards in the police and the roles of media in promoting and maintaining standards. The Committee has also indicated that it may wish to look at local government standards in the light of the abolition of the former regime. It notes that this is a heavy work programme even if some issues might better be addressed by other regulators. Given falling budgets the report suggest that there needs to be a change in working practices, greater clarity, a concentration of resources and fundamental changes in approach.

10. Amongst the changes suggested are a move away from slow moving inquiries based on gathering and considering opinions at public hearings. A move to gathering evidence through seminars and the use of the internet was welcomed. The report recommends that the CSPL should be bolder in picking topics and look ahead to emerging problems. The CSPL members are urged to be cautious about commenting on current scandals and controversies. The report suggests that the CSPL should not have as one of its objectives improving public trust and confidence in public bodes and holders of public office. It suggests that public trust depends less in regulators than on the conduct and attitudes of those being regulated.

### **Conclusion**

11. The full report runs to only sixteen pages plus annexes and makes interesting reading. While many of the issues raised are specific to the CSPL and are relevant to an exclusively strategic regulator, consideration of the report does offer a chance to reflect on the role of the Standards Committee as we move into an era of “steady state” for the new regime. In particular the challenge to look ahead and identify emerging issues might be just as relevant for the Standards Committee as for the CSPL and some of the issues already identified by the CSPL for their own work plan are clearly of relevance in a local government context.

### **Recommendations**

12. Members are recommended to:
  - 1) Note the report and consider any implications for the future work plan of the Committee

Reason: To ensure that the Committee continues to make an effective contribution to ethical standards within the City Council.

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**Report  
Approved**

**Date** 07/06/13

**Wards Affected:** *List wards or tick box to indicate all*

**All**

**For further information please contact the author of the report**

**Background Papers:**

None