

Chairman:
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**PRESS CONFERENCE
CHAIRMAN'S STATEMENT**

19 January 2005

**“GETTING THE BALANCE RIGHT: IMPLEMENTING
STANDARDS
OF CONDUCT IN PUBLIC LIFE”**

- Thank you everyone for attending this morning. I plan to make some introductory remarks and then will be happy to take a few questions. I am delighted to publish the Committee's Tenth Report this morning. We have produced what I consider to be a thoughtful, challenging and radical report. It will repay careful reading.
- This report offers a health-check on the effectiveness of some of the existing frameworks in place to enhance standards in public life. The report looks forward to how outcomes such as excellent public appointments and more effective investigation of complaints against local government councillors can be achieved.
- Our findings are clear. While some improvements have been made in recent years, there are fundamental structural and organisational weaknesses in the existing frameworks for public appointments and for handling allegations of misconduct by local councillors. Both regulatory regimes need significant changes if they are to operate in a way which wins public trust and embeds an ethical culture into our public bodies.

- Our recommendations are designed to strengthen the position of two, key, standards regulators – the Office of the Commissioner for Public Appointments and the Standards Board for England. The Commissioner regulates Ministerial public appointments and needs greater powers. The Standards Board investigates complaints made against local government councillors and needs to be radically transformed.

Public appointments.

- One key context of our recommendations for public appointments is the comprehensive survey we published in September last year, revealing low levels of public confidence in the way in which public appointments are made. It is this perception of cronyism and the issue of **trust** which needs to be addressed.
- A second key context is the arrangements in place in the devolved administrations for making public appointments. We recognise that issues of scale make comparison with England difficult, but we were nevertheless impressed with the arrangements in **Northern Ireland, Scotland and Wales** introduced since devolution.
- We recommend **for England** a package of proposals to strengthen and clarify the way in which public appointments are made.
 - (i) We propose **strengthening independent elements** in the appointments process, so that the Commissioner has reserve powers (as exist already in Scotland) to delay competitions to allow a debate in Parliament in a small number of cases where there is serious departure by Ministers from the Code of Practice;
 - (ii) We recommend **clarifying the rules around Ministerial involvement in senior appointments**, so that Ministers will play a full and audited role in the

pre-selection process in the same way they do for civil service open competitions but they will no longer have a choice between appointable candidates – a decision which should be delegated to the selection panel.

- (iii) We believe **permanent secretaries should accept explicit responsibility** for the propriety of the selection arrangements for public appointments in their departments as part of their role as Accounting Officers.

- (iv) And finally we recommend that a **Board of Public Appointments Commissioners** should be created to support the existing Commissioner. The new Commissioners would be linked to individual departments and be consulted by departments who will produce annual, published, Public Appointments Plans. These are designed to enable a lighter regulatory touch for those government departments where this is justified.

Complaints against local government councillors in England.

- The Standards Board for England is a relatively new regulator which has struggled to perform a strategic role within its existing legislative framework. It has been preoccupied with trying to handle **all** complaints made against councillors in England irrespective of the seriousness of the complaint made.

- The present system has generated a large number of apparently minor, vexatious and politically motivated complaints that have created a significant backlog of national investigations leaving many people with accusations hanging over their heads for long periods of time. This is a role imposed on the Board by legislation but, in the Committee's

view, this is not sustainable and will, if unchecked, erode confidence in the ethical framework itself

- We therefore recommend radical changes to the legislative framework:
 - (i) Firstly, a move to **locally-based arrangements** for the initial handling, investigation and determination of complaints by existing local Standards Committees for all but the most serious cases of alleged misconduct.
 - (ii) Secondly, a strengthening of the independent composition of local Standards Committees in preparation to take on their new role of complaint handling from 2007.
 - (iii) And thirdly, changes to the **Code of Conduct for councillors** to make it more accessible to councillors and the public; to remove unnecessary restrictions on councillors representing their constituents; and to make a clearer distinction between private and official conduct.
- Taken together, these proposals will enable the Standards Board to transform itself into a strategic regulator, able to establish, maintain and independently scrutinise the elements of a national framework within which local Standards Committees and councillors can manage ethical issues primarily at a local level.
- The Standards Board in 2007 should therefore look very different to how it looks today. Our proposals should enable it to make **significant savings in its current budget of £9 millions per year.**

- These problems encountered in England have, in the main, been avoided in Scotland and Wales. In Northern Ireland there is currently a lack of a statutory framework in dealing with complaints about misconduct by local councillors. We recommend that upon restoration of the Assembly in Northern Ireland, a statutory Code of Conduct for Councillors should be introduced with a locally based framework for enforcement.
- We also make some important recommendations for **further embedding the Seven Principles of Public Life into organisational culture**. These principles include objectivity, openness, accountability and integrity. Leaders of public bodies have a vital role to play in enabling legitimate internal whistle-blowing and fostering a culture that encourages the challenge of inappropriate behaviour at all levels. We recommend they follow examples of identified good practice to ensure such a healthy climate exists in their organisations.
- **Finally**, we look forward to a robust debate and speedy implementation of our proposals. We believe they should be welcomed by all those wishing to strengthen public confidence in our regulatory processes. Our aim with this report is to bolster a culture of continuous improvement in securing high standards in public life, not a culture of blame. The Committee is confident that the recommendations in our report can, if properly implemented, increase the levels of public trust in the appointment and conduct of our public servants.
- I'll now open it up to some questions. I'd be grateful if you gave your name and organisation when putting forward a question. Thank you. ”