

# *Standards in Public Life*

## **CODE OF PRACTICE FOR MEMBERS OF THE COMMITTEE ON STANDARDS IN PUBLIC LIFE**

### **Introduction**

1. The Committee's terms of reference are to review concerns about standards of conduct of public office holders and the funding of political parties and to recommend improvements where necessary. It is an advisory non-departmental public body which reports to the Prime Minister. The Prime Minister is answerable to Parliament for the policies and performance of the Committee, including the policy framework within which it operates.
2. This code of practice sets out the values and standards of behaviour expected of members of the Committee. It should be reviewed at least once during the tenure of each Chair.

### **Public Service Values**

3. The members of the Committee on Standards in Public Life must at all times:
  - observe the highest standards of impartiality, integrity and objectivity in relation to the advice they provide and the management of this public body;
  - be accountable through the Prime Minister to Parliament and to the public more generally for the activities of the Committee and for the standard of advice it provides; and
  - be as open and transparent as possible, complying fully with the Freedom of Information Act.

### **Standards of Conduct**

4. Members of the Committee must:
  - observe the Seven Principles of Public Life set out by the Committee;
  - comply with this Code of Practice and any protocols or procedures derived from it and ensure that they understand their

duties, rights and responsibilities, and that they are familiar with the function and role of the Committee;

- not misuse information gained in the course of their public service for personal gain or for political purpose, nor seek to use the opportunity of public service to promote their private interests or those of connected persons, firms, businesses or other organisations; and
- not hold any paid or high-profile unpaid office in a political party, and not engage in specific political activities on matters directly affecting the work of the Committee. The three members nominated by the main political parties are not barred from political activities, but they would be expected not to hold Ministerial or Front-bench office for their parties and not to behave in a party-political fashion in dealing with issues affecting the Committee's work, either during Committee discussions or elsewhere.

### **Role of Committee members**

5. Members of the Committee have collective responsibility for its operation. They must:
  - engage fully in collective consideration of the issues, taking account of the full range of relevant factors;
  - ensure that the provisions of the Freedom of Information Act 2000 (including prompt responses to public requests for information) are adhered to; agree an annual report; and, where practicable and appropriate, hold public meetings designed to elicit information from witnesses; and
  - ensure that information about the Committee's activities is regularly placed in the public domain.
6. Communications between the Committee and the Prime Minister will generally be through the Chair, except where the Committee has agreed that an individual member should act on its behalf. Nevertheless, any Committee member has the right to approach the Prime Minister on any matter which he or she believes raises important issues relating to his or her duties as a Committee member. In such cases the agreement of the rest of the Committee should normally be sought.
7. Individual Committee members can be removed from office by the Prime Minister if they fail to perform the duties required of them in line with the standards expected in public office.

## **The Role of the Chair**

8. The Chair has particular responsibility for providing effective leadership on the issues above. In addition, the Chair is responsible for:
  - ensuring that the Committee meets at appropriate intervals, and that the minutes of meetings and reports to the Prime Minister accurately reflect the decisions taken and, where appropriate, the views of individual Committee members;
  - representing the views of the Committee to the general public; and
  - ensuring that new Committee members are briefed on appointment and providing an assessment of their performance to the Prime Minister, on request, when members are considered for reappointment to the Committee or for appointment to the board of some other public body.

## **Handling conflicts of interests**

9. The purpose of the following provisions is to avoid any danger of Committee members being influenced, or appearing to be influenced, by their private interests in the exercise of their public duties.

### *Registration of interests*

10. All Committee members should register in the Committee's Register of Interests any private interest which might influence their judgement or which could be perceived (by a reasonable member of the public) to do so.
11. Committee members should register:
  - relevant personal direct and indirect pecuniary interests;
  - relevant direct and indirect pecuniary interests of close family members of which Committee members could reasonably be expected to be aware; and
  - relevant personal non-pecuniary interests, including those which arise from membership of clubs and other organisations.
12. In this paragraph "relevant" interest, whether pecuniary or non-pecuniary and whether direct or indirect, means any such interest which might influence the judgement of a Committee member or which could be perceived (by a reasonable member of the public) to influence his or her judgement in the exercise of his or her public duties; "indirect pecuniary interest" means an interest which arises from connection with bodies which have a direct pecuniary interest or from being a business partner of, or employed by, a person with such an interest.

13. The Register of Interests should be kept up to date and be open to public inspection.

*Oral declaration of interests*

14. An oral declaration of any relevant interest, as defined in paragraph 11 above, should be made at any Committee meeting if it relates specifically to a particular issue under consideration and should be recorded.

*Withdrawal from meetings*

15. If the outcome of any discussion at a Committee meeting could have a direct pecuniary effect on a Committee member, that member should not participate in the discussion or determination of matters in which he or she has such an interest and should withdraw from the meeting (even if held in public).

*Gifts and Hospitality*

16. Members should exercise the utmost care in accepting hospitality or gifts where there could be a real or perceived conflict with their membership of the Committee. They should declare in a register all such gifts or hospitality (whether accepted or not).

### **Personal liability of Committee members**

17. Legal proceedings by a third party against individual Committee members of advisory bodies are very exceptional. A Committee member may be personally liable if he or she makes a fraudulent or negligent statement which results in a loss to a third party; or may commit a breach of confidence under common law or a criminal offence under insider dealing legislation, if he or she misuses information gained through their position. However, the Government has indicated that individual Committee members who have acted honestly, reasonably, in good faith and without negligence will not have to meet out of their own personal resources any personal civil liability which is incurred in execution or purported execution of their Committee functions. This includes the costs of defending proceedings. Committee members who need further advice should consult the Secretary in the first instance.

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