

GOVERNANCE PROJECT



6

Upholding Standards and Professional Development for those in Public Life

- R.6.1. The maintenance of appropriate standards of governance, conduct and support for core constitutional principles (such as the rule of law and the need for checks and balances) is vital for public trust and the continuing health of our democracy. However, there is widespread concern that those standards have fallen over recent years and that there is an insufficient understanding of principles and their importance.
- R.6.2. Though many sectors of public life already deliver their own forms of induction and professional development, these often focus on ‘practical’ or ‘commercial’ skills, rather than the constitutional roles and responsibilities of those holding office. Such training as there is, in these areas, is also often not effectively mandatory. It is important that those holding public office are properly informed and educated about what their responsibilities are, and why upholding these standards matters for the proper functioning of the UK Constitution and the health of our democracy.

We recommend that:

Holders of public office should have an explicit duty to maintain appropriate standards of governance and conduct in office

- R.6.3. Holders of public office should have a duty to maintain appropriate standards of governance and conduct in office. This encompasses: MPs, Peers, Ministers (in the requirements of that role) and senior officials, including directly appointed senior individuals (sometimes known as ‘Tsars’). By extension, the duty could progressively be imposed for wider groups of individuals, including more junior officials and such others as those in local Government, senior police officers, and those (including some private organizations) with the authorisation to spend public money or discharge public functions, as felt appropriate.
- R.6.4. These standards include the Nolan Principles and their detailed application in public life.
- R.6.5. The duty to maintain these standards would not be statutory but would be reflected in the Ministerial, SpAd and Civil Service Codes and Parliamentary Standards guidance (and similar provisions if the process is progressively introduced) which would provide that they should be interpreted and applied in the light of the Nolan Principles.

Professional development on standards should be mandatory

- R.6.6. Professional development, detailing the standards expected of those in public life, how those standards are enforced, and their importance, should be mandatory for MPs, Peers, Ministers and senior Officials (and, by extension, other groups, if the approach is rolled out further). Such development sessions would include both:
- a. information about general standards in public life; and
 - b. a specific focus on the role, responsibilities and applicable principles for the position concerned.
- R.6.7. The requirement to undertake such professional development should be included in the Parliamentary Code of Conduct for both the House of Commons and for the House of Lords and the Ministerial, SpAd and Civil Service Codes.
- R.6.8. The exact form of these development sessions should be left to those responsible for regulating conduct for the role concerned to design and deliver. They should, however, ensure that sessions are effective and form an ongoing programme rather than being a one-off event.

- R.6.9. Attendance at such sessions would not be statutory but should be contractually embedded so far as possible. Civil servants should be incentivised to demonstrate that they are upholding standards through their employment; including in relation to promotion and reward and performance reviews should include compliance with both training and the substantive principles.
- R.6.10. Where practicable, sanctions should be imposed if individuals fail to participate in this professional development.

Authoritative guidance should be provided

- R.6.11. A definitive guide setting out the standards that apply to those in public life (including, but not limited to, the Nolan Principles); which public bodies are subject to them; and a database of the training, sanctions, rules, and regulations governing the application of these standards across bodies, should be commissioned from the Committee on Standards in Public Life.
- R.6.12. That guide should be made publicly available from a single, authoritative source. It should be easily accessible and available digitally.

Certain additional, background material Recommendation is available on the website for the Commission (<https://www.ukgovernanceproject.co.uk>).