

Committee on Standards in Public Life

Code of Practice

Introduction

1. The Committee was set up 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

In 1997, the TOR were extended to review issues in relation to the funding of political parties, and to make recommendations as to any changes in present arrangements.

In 2013, the Committee's terms of reference were amended to specify that "...in future the Committee should not inquire into matters relating to the devolved legislatures and governments except with the agreement of those bodies

2. CSPL 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.
3. This code of practice sets out the values and standards of behaviour expected of members of the Committee.

Expected Behaviour

4. 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

5. 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 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

6. 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.
7. 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.
8. 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

9. 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 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 appointment to the board of some other public body.

Handling media relations

10. The Secretariat's Press Officer has the main responsibility for fielding media inquiries and issuing press releases. Media interviews will normally be conducted by the Chair in liaison with the Committee's Press Officer other than when Committee members are leading on particular reports or issues. Committee members should liaise with the Press Officer or, in her absence, with the Secretariat over any request for interviews or lines to take.
11. Likewise, members should consult the Secretariat before commenting on Committee matters using social media. The conduct expected within a digital medium is no different to the conduct members should employ in other methods of communication, such as face-to-face meetings and written correspondence (even when using a personal account).

Handling conflicts of interests

12. 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

13. 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. Please seek advice from the Secretariat if at all unsure about any possible real or perceived conflict of interest.
14. 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.

15. "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.
16. The Register of Interests should be kept up to date and published monthly on the Committee's website..

Oral declaration of interests

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

Consensus agreement

18. The Committee aims for consensus decision-making. It is not usually necessary to put matters to a vote. Should it not be possible for members of the Committee to reach a consensus, members may record a dissenting view.

Withdrawal from meetings

19. 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

20. 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) which is published on the Committee website.

Quorum

21. Committee members are expected to attend monthly Committee meetings in order to ensure timely discussion of relevant issues.¹ The Committee's membership comprises 8 members - five independent members and 3 political members.
22. The Committee has a quorum of 3 which should comprise 2 independent members and one political member. Should a quorum not be possible, the Chair may decide to postpone a meeting or, if urgent business requires it, consider and take decisions by e-mail or video- conferencing.

Personal liability of Committee members

¹ No meetings are held in August.

23. 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.

CSPL Secretariat
October 2022