



# Annual Report of the Committee on Standards in Public Life

**Chair:** Sir Nigel Wicks GCB, CVO, CBE (from March 2001)

**Chairman:** Lord Neill of Bladen QC (November 1997 to February 2001)

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The Committee on Standards in Public Life



**Back Row** (l-r): Sir Anthony Cleaver, Rita Donaghy OBE, Professor Alice Brown

**Middle Row** (l-r): Lord Goodhart QC, Rt Hon Lord MacGregor of Pulham Market OBE, Ann Abraham, Rabbi Julia Neuberger

**Front Row** (l-r): Frances Heaton, Sir Nigel Wicks (Chair), Rt Hon The Lord Shore of Stepney

# Foreword

by **Lord Neill of Bladen QC**

*Chairman of the Committee (10 November 1997 to 28 February 2001)*

This is my third and last annual report as Chairman of the Committee on Standards in Public Life and it is therefore appropriate that I say a little about my overall period in office. Before doing so, however, I will outline the events and results of the past year.

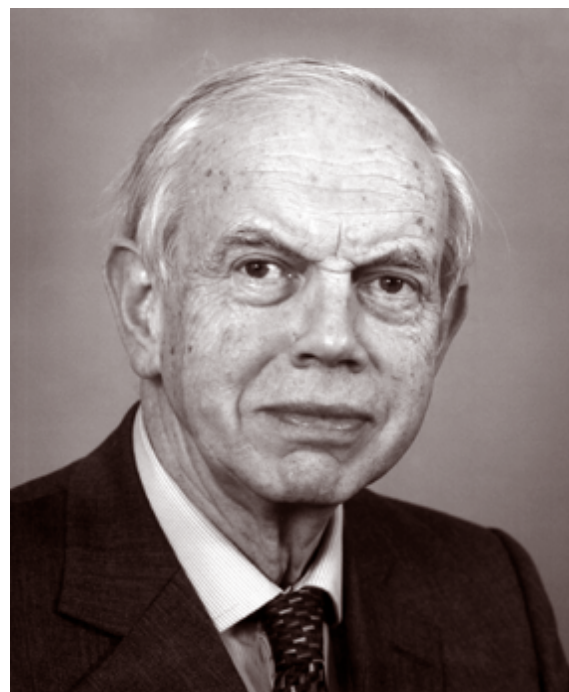
Our principal activity in 2000 was the publication of our Seventh Report. This concerned standards of conduct in the House of Lords. The report contained 23 recommendations relating to a code of conduct, the declaration and registration of interests, lobbying and compliance. We made it clear that it was for the House to decide how it wished to take this matter forward.

The year also saw two major pieces of legislation resulting from the Committee's earlier reports. In July 2000, the Local Government Act 2000 received Royal Assent. This Act contains provisions for a new ethical framework for local councillors and local government officers which stemmed from recommendations contained in the Committee's Third Report, published in July 1997. In November 2000, the Political Parties, Elections and Referendums Act received Royal Assent. Many of the provisions in the Act followed the recommendations in our Fifth Report on the funding of political parties. We are pleased to note that virtually all the recommendations contained in these two reports have now been implemented.

The report of a quinquennial review of the Committee by the Cabinet Office was published in January 2001. It concluded that the Committee had addressed many of the major ethical problem areas in public life and that there had been significant developments in standards. But it recognised that there was a continuing need for the Committee to monitor events and to respond to issues of concern that may arise.

This leads me on to say something about my three years in office. In that period, the Committee produced a major report on the funding of political parties, a substantial review of the Committee's First Report and a report on the standards of conduct in the House of Lords. While many of the public office holders identified in our terms of reference have now been studied, I have been struck by the constant emergence of new issues. This is inevitable given the pace of social and political developments. The challenge for the Committee is to identify how those developments affect the nature of public life and to be ready with recommendations to safeguard its quality. I have no doubt that more remains to be done and I wish my successor, Sir Nigel Wicks, every success in carrying through this work.

Finally, on behalf of the Committee I should like to thank most warmly our small Secretariat who have served us with great judgement and professionalism.



# Forward Look

by **Sir Nigel Wicks**

*Chair of the Committee (from 1 March 2001)*

First I would like to pay tribute to the great contribution of Lord Neill who, as Chairman of the Committee, built on the clear foundations laid down by his predecessor, Lord Nolan, for maintaining the highest standards of propriety in public life.

This report covers 11 months of Lord Neill's stewardship and only four months of mine. Nevertheless, this period has given me the opportunity to plan with the Committee a work programme which will take us to the end of 2001 and beyond. As Lord Neill has recognised, there is still much work ahead for the Committee in ensuring "the highest standards of propriety in public life" which are called for in the Committee's terms of reference.



## **A stock-take**

The Committee plans to undertake a systematic review of the action taken in the Committee's first seven reports. This will help us determine whether the outcome of action taken meets the objectives which the Committee had in mind when it made its recommendations, whether we need to bring up to date old recommendations, whether we have to reiterate existing recommendations when they have not been implemented, and whether there are gaps and areas where new work needs to be done. The stock-take of recommendations will be published early in the autumn of 2001 and will provide a firm foundation for our work generally for the next year or so.

## **Important outstanding recommendations**

Prior to the general election in June 2001, I wrote to Sir Richard Wilson, the Cabinet Secretary, to reiterate the still outstanding recommendations of the Committee which are relevant to the Ministerial Code - including the main recommendation which sought a clearer statement of the role of the Prime Minister in enforcing the Code.

Immediately after the election, I wrote to the newly appointed Leader of the House of Commons to reaffirm the Committee's view that the House should take measures to ensure that a substantial proportion of the members of the Standards and Privileges Select Committee are senior MPs and to exempt the Committee from the convention that its Chairman is drawn from the Government benches.

## **A systematic rolling assessment of current concerns**

While the Committee attaches importance to following up its past recommendations, we recognise that new issues are arising all the time.

The Committee has therefore decided to commission a systematic assessment of public concerns by establishing some research into public attitudes about standards of conduct in public life. We believe that this will provide a rolling assessment of public opinion which will enable us to identify key issues of concern and whether public attitudes, or the attitudes of public office holders, to standards of conduct are changing. We hope that our research programme will have begun by the end of 2001.

I attach great importance to hearing the views of groups and individuals who have a particular interest in

ethics in the public sector. I have also agreed to speak at a wide range of events and conferences.

I look forward to the coming year confident that my Committee will carry forward the important work begun by my predecessors.

# Introduction and Background

## Terms of reference

The Committee on Standards in Public Life was established, under the chairmanship of the Rt Hon The Lord Nolan, by the then Prime Minister, the Rt Hon John Major, in October 1994, 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."*

The term "public life" includes: Ministers, civil servants and advisers; Members of Parliament and UK Members of the European Parliament; members and senior officers of all NDPBs and of NHS bodies; non-Ministerial office holders; members and other senior officers of other bodies discharging publicly-funded functions; and elected members and senior officers of local authorities.

On 12 November 1997 the Prime Minister announced additional terms of reference:

*"To review issues in relation to the funding of political parties, and to make recommendations as to any changes in present arrangements."*

The Committee is an independent advisory Non-Departmental Public Body (NDPB). Its members are appointed by the Prime Minister for renewable periods of up to three years.

**The Committee has no powers to investigate individual allegations of misconduct.**

## Method of working

The Committee has developed a structured approach to its studies:

- publishing a consultation paper setting out the issues and questions it believes are of specific importance;
- inviting written submissions based on the issues and questions paper;
- informal meetings with practitioners and experts;
- formal hearings, open to the public and the media, at which the issues are explored in detail;
- publication of a report, the second volume of which contains transcripts of oral evidence and a CD-Rom containing written evidence.

When it began its work, the Committee agreed that its public hearings should be open to radio and television as well as the written media. Agreement was reached with the broadcasters to enable them to have a presence at the hearings in a way that kept disturbance to witnesses to a minimum.

Written evidence received for our first four reports has been deposited in the Public Records Offices of England, Scotland, Wales and Northern Ireland; for subsequent reports written evidence is published on a CD-ROM as part of the second volume of the report.







# Review: 1 April 2000 to 30 June 2001

Between April 2000 and June 2001, the Committee met formally on 13 occasions, in addition to convening for public hearings and press conferences.

## **The Seventh Report on Standards of Conduct in the House of Lords (April to November 2000)**

Following publication in January 2000 of the Committee's Sixth Report, which included a review of the operation of the Commons' disciplinary procedures, the Committee turned its attention to the arrangements in the House of Lords relating to conduct, registration of interests and related matters. The House of Lords was one of the remaining public bodies under the Committee's formal Terms of Reference, which had not been examined. The Committee concluded that an enquiry into the House of Lords would be timely and appropriate, having regard in particular to the changes in the membership of the House and its possibly higher public profile following those changes.

Between 26 June and 17 July 2000 the Committee took evidence in London at six days of public hearings and heard from 47 witnesses.

The Committee published its report (Cm 4903) on 16 November 2000. The report made 23 recommendations for consideration by the House of Lords. In framing its recommendations in relation to the House of Lords, the Committee relied extensively on the Seven Principles. It also had regard to the importance of 'proportionality': that is, that a recommended course of action should be proportionate to the problem or deficiency which it seeks to remedy. The Committee's main conclusions are briefly summarised below:

## **A Code of Conduct**

- a short Code of Conduct, incorporating the Seven Principles of Public Life, the guiding principles already adopted by the House of Lords, and the basic rules on registration of interests.

## **Declaration and registration of interests**

- mandatory registration of all peers' relevant interests.

## **Lobbying and the ban on paid advocacy**

- a tightening up of the present guidance to ensure public confidence in its propriety.
- peers who have an agreement registerable under category (1) should deposit a copy of the agreement with the Registrar of Lords' Interests.
- agreements and details as to the remuneration derived from parliamentary services under category (1) should be made available for public inspection.

## **Compliance**

- the House of Lords should review its present induction arrangements with a view to providing more detailed guidance about the operation and scope of the conduct rules.
- the general advice given on registration matters by the Sub-Committee of Lords' Interests should be reported, through the Committee for Privileges, to the House.
- in cases involving a serious allegation of misconduct, the complexity or sensitivity of which would involve a detailed investigation into the underlying facts, the Sub-Committee on Lords' Interests should be able to call upon the assistance of an ad hoc investigator. The Sub-Committee

should remain responsible for the (first instance) adjudication of complaints.

- the minimum requirements of fairness should be accorded to an 'accused' member in a serious case.
- an 'accused' member should have a right of appeal to the Committee for Privileges.

On 17 January 2001, the Leader of the House of Lords announced the setting up of a working group to assist the House in deciding how to proceed with the recommendations contained in the Report. The Group produced its report on 1 May 2001 (HL paper 68). The Working Group's Report was fundamentally in agreement with the Committee's Seventh Report and accepted unanimously the recommendations for a Code of Conduct and a mandatory register of interests.

On 2 July 2001, the House voted in favour of a new Code of Conduct. The Code will come into force after 31 March 2002.

#### **House of Commons Select Committee on Public Administration (June 2000)**

On 7 June 2000, Lord Neill, gave evidence before the Public Administration Select Committee as part of its inquiry into the Government's proposals designed to make government work more effectively. In April 2001, the Select Committee published its Seventh Report Making Government Work: the Emerging Issues: Report and Proceedings of the Committee (HC 94).

#### **Local Government Act 2000 (July 2000)**

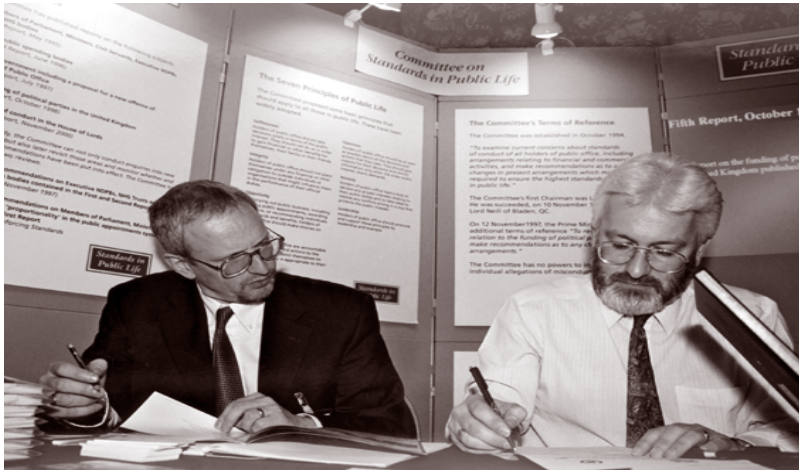
In July 1997, the Committee, under the chairmanship of Lord Nolan, published a report on standards of conduct in local government in England, Scotland and Wales (Cm 3702). The report proposed a radical change in the ethical framework within which local government operated, and proposed a new statutory offence of misuse of public office. The Government's White Paper "Local leadership, local choice" (Cm 4298), included a draft Local Government (Organisation and Standards) Bill which set out the legislative proposals giving effect to the Committee's recommendations. This became the Local Government Act which received Royal Assent on 28 July 2000.

The Act establishes a new ethical framework which will provide clearer rules for councillors and officers and put in place a rigorous, impartial mechanism for tackling any infringements. The key features are:

- Councils have a lead responsibility for their own standards of conduct and will have to establish their own Standards Committees.
- All councils have to adopt a Code of Conduct, based on a national model, which every councillor must sign up to. The new code will introduce consistent standards set by the Government and endorsed by Parliament.
- Parish councils are included in the framework, although all parish councillors will be required to sign up to a national parish code of conduct rather than a locally adopted one.
- A new independent body, the Standards Board, has been set up to investigate written allegations of a councillor failing to observe their council's code.
- If an investigation concludes there is a case to answer, a separate tribunal will be convened to decide whether the councillor concerned has breached the code or not. It will be able to impose penalties ranging from public censure to disqualification as a councillor for up to five years.
- As with the code for Councillors, an Employees' Code will be put in place for council staff and will be included in their terms and conditions of employment.



- Provisions for the repeal of surcharge that enables auditors to seek recovery of unlawful expenditure.



### **Political Parties, Elections and Referendums Act 2000 (November 2000)**

The Committee, under the chairmanship of Lord Neill, published in October 1998 a report (Cm 4057) on the funding of political parties.

We proposed the establishment of an independent Electoral Commission to supervise the recommended restrictions on spending by and donations to political parties in the United Kingdom. The Government's response to the Committee's report set out in a White Paper published in July 1999 (Cm 4413) accepted that

recommendation. The White Paper included a draft Political Parties, Elections and Referendums Bill which set out legislative proposals for giving effect to the Committee's recommendations. These were enacted in the Political Parties, Elections and Referendums Act, which received Royal Assent on 30 November 2000. The Electoral Commission came into existence on that date. The majority of the Act came into force on 16 February 2001.

### **Quinquennial Review of the Committee's Activities (January 2001)**

In July 1999, the Government announced that the Cabinet Office, as sponsoring department, would be undertaking a review of the operation and role of the Committee. The review was completed in 2000. In January 2001, the then Lord Privy Seal (Baroness Jay of Paddington) announced the publication of the report of the Quinquennial Review. The report recommended that the Committee should continue in its present form for the time being. It noted that there may not always be a need for the Committee to be continuously involved in a full-time inquiry but that in the future less active periods of monitoring may be called for. It recommended that the Committee should react flexibly to requirements and developments in the field of standards in public life.

### **Researching attitudes towards standards of conduct**

The Committee has been considering how best to identify new and emerging issues of concern about standards of conduct, and plans to commission a long-term rolling programme of research to identify what kind of behaviour the public thinks is acceptable or unacceptable from public office-holders, and what their key concerns are.

As food for thought, and to inform these plans, members of the Committee and the Secretariat attended a workshop on 18 May 2001 hosted by the Department of Politics and International Relations at the University of Oxford, and funded by the Economic and Social Research Council. The workshop considered the issues and methodology involved in researching the attitudes both of the public, and of holders of public office, towards the Seven Principles of Public Life. The day generated lively and valuable debate about the complexity of the issues, and the best ways to deliver relevant, valid and credible data.

### **Briefings**

During the period covered by this report, members of the Committee received oral presentations from: Dame Rennie Fritchie, Commissioner for Public Appointments and Ms Elizabeth Filkin, Parliamentary Commissioner for Standards. In November 2000 and June 2001, the second and third in the series of seminars, attended by Clerks from Standards Committees in the Westminster Parliament, Scottish

Parliament, Northern Ireland Assembly and Welsh Assembly, on standards issues in relation to the devolved bodies took place in Edinburgh and Cardiff.

### Overseas visits and speeches

The Chairman, members of the Committee and senior members of the Secretariat have spoken about the work of the Committee and public sector ethics more generally both at home and overseas. They have also received visitors from around the world.

The following tables summarise our other work in this area:

Date and location	Organisation	Subject Matter	Attended by
24-28 Sept 2000, Ottawa, Canada	International Institute for Public Ethics	Year 2000 Conference "Ethics in the New Millennium"	Lord Neill and Sarah Tyerman
12-14 October 2000, Florence, Italy	Organisation for Economic Co-operation and Development (OECD)	Prohibiting Bribery of Foreign Officials under the OECD convention	Lord Neill
2-3 November 2000, Istanbul, Turkey	British Council and Bilgi University	Rule of Law and the Accountability of Public Officials	Christine Salmon
3-6 December 2000, Tampa, Florida, United States	Council on Government Ethics and Law (COGEL)	2000 Annual Conference	Philip Aylett
19-20 March 2001, Moscow, Russia	Russian State Duma Deputies and the Higher School of Economics in Moscow	Maintaining Standards in Public Life	Sir Nigel Wicks and Sarah Tyerman
28-31 May 2001, The Hague, Netherlands	Global Forum on Fighting Corruption and Safeguarding Integrity	Workshop on Integrity and Democracy	Sarah Tyerman

The following tables summaries our other work in this area:

### Overseas visitors received by the Chairman and Secretariat

Date	Visiting Party	Hosted By
19 April 2000	Carlos Alvarez, Vice-President of Argentina	Lord Neill and Sarah Tyerman
19 May 2000	His Excellency Mr Woredewold, Minister of Justice, Republic of Ethiopia and Delegation	Philip Aylett
26 May 2000	Delegation of Danish Special Advisers	Philip Aylett
13 June 2000	Delegation of Civil Service Commissioners, Albania	Sarah Tyerman
5 July 2000	Dutch Speaker Mrs Van Nieuwenhoven and Mrs Biesheuvel-Vermeijden from the Second Chamber of the States General, Dutch Parliament	Lord Neill and Sarah Tyerman
26 July 2000	Mr John Price MP, Chairman, Legislative Assembly Standing Ethics Committee and Deputy Speaker of the Legislative Assembly, Dr Elizabeth Kernohan MP, Leading Opposition member on the Standards Ethics Committee and Ms Ronda Miller, Clerk of the Committee, New South Wales Legislative Assembly, Australia	Christine Salmon
8 September 2000	Professor Kurczewski, Sociologist of Law at the University of Warsaw, Poland	Sarah Tyerman
22 September 2000	Justice Aaron Gitonga Ringera, Director and Chief Executive; Mrs Hannah Magondi Okwengu, Assistant Director (Prosecutions); Mr Swaleh Slim Khalil, Assistant Director (Investigations) from the Kenya Anti-Corruption Authority.	Christine Salmon
23 October 2000	Participants on the Public Administration International Study Programme 'Transition to Democracy' in Indonesia	Philip Aylett
24 January 2000	Mr Arturas Paulauskas, Chairman of the Seimas, Vilnius, Republic of Lithuania	Sarah Tyerman
15 February 2001	Mr Ervin Demeter, Minister without Portfolio and Mr Gabor Doborkay, Director General of National Security Office, Hungary	Philip Aylett
5 March 2001	Professor Carolyn Warner, Jean Monnet Fellow, European University Institute, Paris	Sarah Tyerman
13 March 2001	Public Accountability Delegation, Shenzhen Municipal Government, China	Philip Aylett and Vivien Brighton
16 March 2001	Mrs Filloreta Kodra, Director of the Department of Public Administration, Albania	Philip Aylett and Vivien Brighton
29 March 2001	Mr M'Hamed El Khalifa, Minister for Civil Service and Administrative Reform, Morocco	Philip Aylett

### Conferences, Meetings and Speeches

Date	Organisation	Subject Matter	Attended by
6 June 2000	Speaker of the House of Commons	Meeting with Betty Boothroyd MP	Lord Neill (and Christine Salmon)
7 June 2000	House of Commons Public Administration Select Committee	Standards in Public Life	Lord Neill
14 June 2000	Constitution Unit, School of Public Policy, University College London	Seminar on the work of the Neill Committee	Members of the Committee and Secretariat
6 July 2000	Charity and Fundraising Appointments	Meeting to talk about the work of the Committee	Sir William Utting CB
14 September 2000	The New Ethical Framework Conference, London	Local Government Act 2000	Christine Salmon
15 September 2000	Department of Health	Induction Course for Senior Civil Servants – talk on Standards in Public Life	Sir William Utting CB
18 September 2000	Northern Ireland Assembly Standards and Privileges Committee	Evidence on Standards in Public Life	Sir Clifford Boulton GCB and Philip Aylett
12 October 2000	Ministry of Agriculture, Fisheries and Food Lawyers	Talk to Government Legal Service on work of the Committee	Christine Salmon
17 November 2000	Scottish Parliament, Edinburgh	Seminar for Clerks of Standards Committees	Philip Aylett and Andrew Brewster
20 November 2000	Office of the Commissioner for Public Appointments	Public Service Week	Philip Aylett and Andrew Brewster
15 May 2001	Public Conference on Accountability and Ethics	Presentation on the driving force behind public sector ethics	Sarah Tyerman
18 May 2001	Department of Politics and International Relations, University of Oxford	Workshop on Research Issues	Members of the Committee on Standards in Public Life
18 June 2001	Scottish Local Government Information Unit, Stirling	The Ethical Standards Act: Implications and Implementation	Professor Alice Brown
22 June 2001	Welsh Assembly, Cardiff	Seminar for Clerks of Standards Committees	Sir Nigel Wicks and members of the Secretariat

# Financial Review

## Budgetary Information

As an advisory Non-Departmental Public Body (NDPB), the Committee receives its delegated budget from the Cabinet Office. Although the Cabinet Office Accounting Officer has a personal responsibility for the regularity and propriety of the Cabinet Office Vote, the responsibility for certain levels of authorisation, methods of control and day-to-day mechanisms has been delegated downwards, effectively to the Secretary to the Committee. She is free to manage the allocation as she thinks best to deliver the activities and targets published in the Cabinet Office Departmental Report (Cm 5119, *The Government's Expenditure Plans 2001-02 to 2003-04, and Main Estimates 2001-02*).



As well as recording the Committee's budget in a conventional way, to be helpful and in line with the spirit of openness, we estimate the gross expenditure involved in each report when it is published. The Seventh Report on Standards of Conduct in the House of Lords was estimated to have cost £378,231. This includes staff and administrative costs, the cost of printing and distributing copies of a consultation paper setting out the key issues and questions the Committee would cover in each report, costs associated with public hearings, and estimated costs of printing, publishing and distributing each report.

## Payment Performance

The Committee aims to comply with HM Treasury's guidance on measuring and targeting of performance in the paying of invoices. The Committee's policy is to pay bills in accordance with contractual conditions, or within 30 days of receipt of goods and services or the presentation of a valid invoice. The Committee settled 100% of all suppliers' invoices in 2000-01 within either the agreed contractual provisions or 30 days of the date of presentation of a valid invoice.

The 30 days are measured from the date at which the invoice **was received into the office**

**Table 1: Expenditure and Cash Plans 1990-00 to 2003-04**

	1999-00	2000-01	2001-02	2002-03 <sup>1</sup>	2003-04 <sup>1</sup>
Total Allocation	535,000	535,000	524,000	524,000	524,000
Staff costs	249,905	237,765	280,000	280,000	280,000
Other running costs	208,333	203,798	269,000	269,000	269,000
Total running cost	458,238	441,563	549,000	549,000	549,000
Capital	0	0	0	0	0
Total Gross Expenditure	458,238	441,563	549,000	549,000	549,000
Receipts	-11,006	-21,574	-25,000	-25,000	-25,000
Total Net Expenditure	447,232	419,989	524,000	524,000	524,000
Outturn +/-	-87,768	-115,011	0	0	0



<sup>1</sup> Proposed allocation for future years

**Table 2: Prompt Payment Statistics Annual Performance**

	Total number of invoices	Total not paid on time	Total number of invoices paid on time	% paid on on time
2000-01	239	0	239	100%
1999-00	226	1	225	99.56%
1998-99	266	9	257	96.62%

# Services to the Public



## Public Enquiries

As well as responses to the consultation paper on the Seventh Report on standards of conduct in the House of Lords, the Committee receives correspondence on a range of issues from Members of Parliament, Peers, academics, other organisations, as well as the general public. Correspondence is taken to mean letters, faxes and e-mails. We are publicly committed to a target of 15 working days for replying to correspondence. The target is timed from arrival in the Secretariat to despatch to the correspondent. In 2000-01, the Committee adopted the Cabinet Office compliance rate for replies to Ministerial correspondence of 97% (this increased to 98% in 2001-02).

Performance for 2000-01 was 95%, a small shortfall against target. As a result, new measures have been put in place within the Secretariat for monitoring progress and replies to correspondence and performance is already showing an improvement.

We aim to provide an efficient and effective service for our correspondents. Most of the queries we receive can be dealt with promptly, either by sending one of our publications, a simple letter or perhaps through a telephone call. Occasionally the issues raised require more detailed consideration. Whatever the reason for your contacting us we will respond in accordance with the commitments set out below:

- to respond in a helpful manner;
- to reply to general correspondence within 15 working days of receipt.

The Committee also maintains a 24-hour telephone number (Freefone: 0800 692 1516) for ordering copies of its free publications.

	Total number of letters received	Total requiring substantive reply	Total replied to within 15 day deadline	Replied to in more than 15 day deadline	% replied to within 15 days
2000-01 <sup>1</sup>	223	118	112	6	95%
2001-02 <sup>2</sup>	102	42	42	0	100%

<sup>1</sup> For the period September 2000 to March 2001 when formal records were kept.

<sup>2</sup> From April to June 2001.

## World Wide Web

The Committee has maintained a presence on the world wide web since 1996. As part of the Committee's

commitment to the Modernising Government programme, and initiatives on open government and freedom of information, the website plays a key role in making information and publications available to the public. Publishing material on the Internet has several advantages for the Committee, including:

- more enquiries can be satisfied by access to the website;
- there is less need to spend time locating and posting publications, now that Internet use is widespread especially in business, government, and education.

The site contains up-to-date information about the Committee, press releases, links to its reports, and to other ethics and standards related sites. Some improvements have been made to the site and these will continue during the course of the coming year. The Committee would welcome any comments about the website, its design and management. The site can be found at **[www.public-standards.gov.uk](http://www.public-standards.gov.uk)**

### **Putting things right**

A complaint is any written or spoken expression of dissatisfaction with the service we provide. We aim to ensure that we:

- treat complaints seriously and deal with them properly;
- resolve complaints promptly and informally whenever possible; and
- learn from complaints and take action to improve our service.

### **What to do if you have a complaint**

Formal complaints about the working of the Committee or Secretariat should be addressed in the first instance in writing to: *The Secretary, Committee on Standards in Public Life, 35 Great Smith Street, London SW1P 3BQ.*

### **What happens next**

If you complain, we will try to respond promptly, and in any case within 15 days. If this is not possible, we will explain why and give a new deadline.

If you remain unhappy with the Committee's actions, you may ask a Member of Parliament to request that Mr Michael Buckley, the independent Parliamentary Commissioner for Administration (the Ombudsman), investigates your complaint and how it has been handled. If the Ombudsman is satisfied that your complaint has been dealt with fairly, he will close your case.

Details of how to do this may be obtained from:

The Office of the Parliamentary Commissioner for Administration  
Millbank Tower  
Millbank, London SW1P 4PU  
Helpline: 020 7217 4163  
Fax: 020 7217 4160  
E-mail: [opca-enqu@ombudsman.org.uk](mailto:opca-enqu@ombudsman.org.uk)  
Website: [www.ombudsman.org.uk/](http://www.ombudsman.org.uk/)

The Committee complies with the provisions of the Government's Code of Practice on Access to Information.

# Appendix 1

## ABOUT THE COMMITTEE

The Chairman and members of the Committee are appointed by the Prime Minister for renewable periods of up to three years. Each of the three main political parties may nominate one person to serve on the Committee.

*The current members are:*

### **Sir Nigel Wicks GCB CVO CBE (Chair)**

*Appointed 1 March 2001*

*Term Ends 29 February 2004*

Having worked for British Petroleum Ltd from 1958, and studied business administration at Portsmouth College of Technology, Sir Nigel read history at Jesus College, Cambridge from 1963 to 1966, before returning to British Petroleum for a further two years. In 1968, he joined HM Treasury, holding various positions until 1975, when he became Private Secretary to two successive Prime Ministers first Harold Wilson, then James (now Lord) Callaghan.

Returning to the Treasury in 1978, Sir Nigel spent five years as head of the Energy Division. From 1980 to 1982, he served on the Board of the British National Oil Corporation. Between 1983 and 1985, he was Economic Minister at the British Embassy in Washington, also serving as the UK Executive Director at the World Bank and International Monetary Fund.

In 1985, Sir Nigel was appointed Principal Private Secretary to the Prime Minister, Margaret (now Baroness) Thatcher, a position he held until 1988. He was the Prime Minister's Personal Representative for the Economic Summits of the Group of Seven Industrialised Nations between 1988 and 1991. From 1989 to 2000, Sir Nigel was Second Permanent Secretary and Director of International Finance at the Treasury.

Among many senior international positions, Sir Nigel was Chairman of the European Community Monetary Committee between 1993 and 1998, and, between July 2000 and February 2001, a member of the EU Committee of "Wise Men" on European Securities Regulation. In May 2001, Sir Nigel was appointed non-executive Chairman of CRESTCo.

### **Ann Abraham**

*Appointed 1 January 2000*

*Term Ends 31 December 2002*

Ann Abraham was appointed Legal Services Ombudsman for England and Wales in 1997. She graduated from the University of London in 1974. She worked in local government from 1975 to 1980. She held a variety of posts in the Housing Corporation including Regional Director and Operations Director. From 1991 to 1997 she was Chief Executive of the National Association of Citizens Advice Bureaux and from 1997 to 2001 was a non-executive Director of the Benefits Agency. In May 2001 she was elected to the Executive Committee of the British and Irish Ombudsman Association.

### **Professor Alice Brown**

*Appointed 1 November 1998*

*Term Ends 31 October 2001*

Alice Brown graduated from the University of Edinburgh in 1983 with a degree in Economics and Politics before completing a PhD on the Advisory Conciliation and Arbitration Service. She has held various lecturing posts and is currently Professor of Politics and a Vice-Principal at the University of Edinburgh. Professor Brown was a member of the Scottish Constitutional Commission and the Scottish cross-party Consultative Steering Group which proposed Standing Orders and Procedures for the Scottish Parliament. She is Chair of the Community Planning Taskforce in Scotland, a member of Scottish Higher Education Funding Council (SHEFC), and on the Research Grants Board of the Economic and Social Research Council (ESRC).

### **Sir Anthony Cleaver**

*Appointed 1 January 1998*

*Re-appointed 1 January 2001*

*Term Ends 31 December 2003*

After graduating from Oxford in Literae Humaniores, Sir Anthony joined IBM UK in 1962 and, over the following 30 years, held a range of positions, both in the UK and abroad, culminating as Chairman and CEO of IBM UK. He then became Chairman of the UK Atomic Energy Authority and led the privatisation and subsequent flotation of AEA Technology plc. Sir Anthony has also chaired a number of Government committees and became Chairman of the Medical Research Council in 1998.

### **Rita Donaghy OBE**

*Appointed 1 March 2001*

*Term Ends 29 February 2004*

Chair of ACAS (Advisory, Conciliation and Arbitration Service) since October 2000. Formerly President of the TUC (Trades Union Congress) 1999-2000; Member of Low Pay Commission 1997-2000; Advisory Committee on Employment of People with Disabilities 1995-1997; Chair of the TUC Women's Committee 1997-2000; Member of European TUC Executive 1992-2000; Member of TUC General Council 1987-2000; Member of NALGO/UNISON National Executive Council 1973-2000; President of NALGO 1989-1990; Assistant Registrar, then Permanent Secretary of the Students' Union, Institute of Education, University of London 1968-2000. Graduated from Durham University.

### **The Lord Goodhart QC**

*Appointed 1 November 1997*

*Re-appointed 1 November 2000*

*Term Ends 31 October 2003*

William Goodhart started practice as a barrister in 1960 after obtaining degrees from Cambridge and Harvard. He became a QC in 1979. He has held senior positions in national and international human rights organisations. He was a founder member of the SDP and the Liberal Democrats and fought four parliamentary elections. He was a member of the Liberal Democrat Policy Committee from 1988 to 1997. He was knighted in 1989 and appointed a life peer in 1997. He is currently a member of the House of Lords Select Committees on Delegated Powers and Regulatory Reform and on the Procedure of the House.

### **Frances Heaton**

*Appointed 1 January 1998*

*Re-appointed 1 January 2001*

*Term Ends 31 December 2003*

Frances Heaton is Deputy Chairman of WS Atkins and a non-executive Director of Legal & General Group plc. She was educated at Trinity College, Dublin and qualified as a barrister before entering the Civil Service in 1967, where she worked, principally in the Treasury. In 1980 she joined Lazard Brothers and was a Director from 1987 to 2001. She was seconded as Director-General of the Takeover Panel from

1992 to 1994 and was a non-executive Director of the Bank of England from 1993 to 2001.

### **The Rt Hon Lord MacGregor of Pulham Market OBE**

*Appointed 1 November 1997*

*Re-appointed 1 November 2000*

*Term Ends 31 October 2003*

Lord MacGregor was Member of Parliament for South Norfolk from February 1974 to May 2001. He was a member of the Government 1979 to 1994, including five Cabinet posts over nine years: Chief Secretary to the Treasury, Minister of Agriculture, Fisheries and Food, Secretary of State for Education and Science, Lord President of the Council and Leader of the House of Commons, and Secretary of State for Transport. Prior to entering Parliament he worked for two Prime Ministers, was a journalist and an Investment Banking Director. Currently he is non-executive Director of four public companies and a member of the European Supervisory Board of another, and serves on various charitable and voluntary organisations. He was created a Life Peer in the 2001 dissolution honours list.

### **Rabbi Julia Neuberger**

*Appointed 1 March 2001*

*Terms Ends 29 February 2004*

Julia Neuberger is Chief Executive of the King's Fund, an independent health care charity. She was educated at Newnham College, Cambridge and Leo Baeck College, London. She became a rabbi in 1977, and served the South London Liberal Synagogue for twelve years, before going to the King's Fund Institute as a Visiting Fellow, to work on research ethics committees in the United Kingdom. Rabbi Neuberger then became a fellow at Harvard Medical School in 1991-1992, having gone to the United States on a Harkness Fellowship. She was Chairman of Camden & Islington Community Health Services NHS Trust from April 1993 until November 1997. She is a member of the General Medical Council and a trustee of the Imperial War Museum. She was formerly a trustee of the Runnymede Trust and a member of the Board of Visitors of Memorial Church, Harvard University. She holds honorary doctorates from nine universities, is an honorary fellow of Mansfield College, Oxford and was Chancellor of the University of Ulster from 1994-2000. She is also the author of several books on Judaism, women, healthcare ethics and on caring for dying people.

### **The Rt Hon The Lord Shore of Stepney**

*Appointed 1 November 1994*

*Re-appointed 1 November 1997 and 1 November 2000*

*Term Ends 31 October 2001*

Lord Shore was educated at Quarry Bank Grammar School (Liverpool) and King's College (Cambridge), taking a degree in history. He joined the Labour Party in 1948 and from 1959-64 was the Head of its Research Department. Lord Shore represented Stepney and adjacent parts of the Borough of Tower Hamlets for 33 years and served as a Labour Cabinet Minister from 1967-70 and again in 1974-79. He was made a Life Peer in 1997.

*The following members' term of appointment ended in February 2001:*

### **Lord Neill of Bladen QC (Former Chairman)**

*Appointed 10 November 1997*

*Term ended 28 February 2001*

Lord Neill is a former Warden of All Souls College, Oxford, Vice-Chancellor of Oxford University and a former Judge of the Jersey and Guernsey Courts of Appeal. He was called to the Bar by Gray's Inn in 1951 and served as a member of the Bar Council from 1967 to 1971 and as its Chairman from 1974 to 1975,

when he was also Chairman of the Senate of the Inns of Court and the Bar. He was appointed a Recorder of the Crown Court in 1975.

Lord Neill has chaired a number of high-level committees and enquiries, including the Press Council from 1978 to 1983 and the Department of Trade and Industry Committee of Enquiry into Regulatory Arrangements at Lloyds (1986-1987) and was an Independent National Director of Times Newspaper Holdings.

**Sir Clifford Boulton GCB**

*Appointed 1 November 1994*

*Re-appointed 1 November 1997*

*Term ended 28 February 2001*

Sir Clifford (MA (Oxon), Hon LLD (Keele)) lives in Rutland and is a Deputy Lieutenant of the County. He is now retired having been an Officer of the House of Commons from 1953 and Clerk of the House from 1987-94. He is a member of the Standards Committee on Rutland County Council.

**Sir William Utting CB**

*Appointed 1 November 1994*

*Re-appointed 1 November 1997*

*Term ended 28 February 2001*

Bill Utting was a social worker who has held senior positions in the probation service, local government and the civil service. He retired from the Department of Health in 1991 as the first Chief Inspector of Social Services. He holds a number of appointments in charities and contributes to working groups concerned with voluntary and public service. He completed in 1997 a review for the Government of the safeguards for children living away from home, published as 'People Like Us'.

**Remuneration**

Those Committee members who do not already receive a salary from public funds may claim £180 for each day they work on Committee business. Ann Abraham is paid from public funds and is not eligible to claim a fee. Until May 2001, Lord MacGregor was paid from public funds and was not therefore able to claim a fee. Lord Neill when Chairman was able to claim £500 per day. Sir Nigel Wicks may claim £380 a day spent on Committee business. All members are reimbursed for actual expenses incurred.

**Code of Practice and Register of Interests**

In accordance with the best practice recommended in its first report, and in line with the Government's proposal that all advisory NDPBs should adopt a board members' code<sup>3</sup>, members of the Committee formally adopted a code of practice in March 1999. The code was readopted in June 2001. Members also provide details of their interests that might impinge on the work of the Committee.

This is contained in the Committee's Register of Interests which is available from the Committee or via the website. The code of practice is at Appendix 2.

**Members of the Secretariat**

The Committee is served by a Secretariat of up to eight civil servants seconded or on loan from the Cabinet Office and other Government departments.

Sarah Tyerman (Secretary), Vivien Brighton (Assistant Secretary from 29 January 2001), Christine Salmon (Assistant Secretary until 22 December 2000), Andrew Brewster, Steve Pares (from 11 June 2001), Martin Ling (from 6 November 2000 to 1 June 2001), Harsha Pitrola (until 24 October 2000), Neil Simpson (until

27 October 2000), Rani Dhamu, Ann-Marie Lugay (until 14 September 2000), Fiona Dick (Press Secretary from 21 June 2001), Philip Aylett (Press Secretary until 1 June 2001).

#### **Other assistance to the Committee**

Following the Committee's decision to hold formal hearings open to the public and the press, the Committee contracted the services of Radio Technical Services Ltd (RTS Ltd) for the provision of public address system, sound feeds and sound recording as well as providing press conference services; and Palantype Services Ltd for the provision of transcription services. Following a re-tendering process undertaken in early 2001, RTS Ltd and Smith Bernal Ltd were appointed to provide these services until 2004.

<sup>3</sup> Para 57 of *Quangos Opening the Doors*, published by the Cabinet Office, June 1998.



# Appendix 2

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

### Public Service Values

1. 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 in accordance with Government policy on openness, comply fully with the Code of Practice on Access to Government Information.

2. The Prime Minister is answerable to Parliament for the policies and performance of the Committee, including the policy framework within which it operates.

### Standards in Public Life

3. All Committee members must:

- follow the Seven Principles of Public Life set out by the Committee;
- comply with this Code of Practice, and ensure that they understand their duties, rights and responsibilities, and that they are familiar with the function and role of the Committee and any relevant statements of Government policy. New Committee members should be fully briefed on these issues by the Secretary;
- 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. When engaging in other political activities, Committee members should be conscious of their public role and exercise proper discretion. (These restrictions do not apply to those members of the Committee who are nominated by the political parties.)

### Role of Committee members

4. 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, including any guidance issued by the Prime Minister or a Government Department;
- ensure that the Code of Practice on Access to Government Information (including prompt responses to public requests for information) is adhered to; agree an Annual Report; and, where practicable and appropriate, hold in public meetings designed to elicit information from witnesses;
- regularly place in the public domain information about the Committee's activities;
- respond appropriately to complaints;
- ensure that the Committee does not exceed its powers or functions; and
- obtain value for money in deploying the Committee's budget.

5. Communications between the Committee and the Prime Minister will generally be through the

Chairman, 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.

6. 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**

7. 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 record 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 re-appointment to the Committee or for appointment to the board of some other public body.

#### **Handling conflicts of interests**

8. The purpose of these 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**

9. 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.

10. In particular, 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.

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.

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

#### **Oral declaration of interests**

12. An oral declaration of any relevant interest, as defined in paragraph 10 above, should be made at any Committee meeting if it relates specifically to a particular issue under consideration and should be recorded in the minutes of the meeting.

#### **Withdrawal from meetings**

13. 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).

**Personal liability of Committee members**

14. 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.

**June 2001**

# Appendix 3

## REPORTS AND PUBLICATIONS

Title	ISBN	Command Paper No	Price
<b>First Report of the Committee on Standards in Public Life, May 1995</b>			
Volume 1: Report	0-10-1265027	Cm 2850-I	£11.80
Volume 2: Transcripts of Oral Evidence	0-10-1285035	Cm 2850-II	£38.00
Summary of the Committee's First Report			Free of charge
<b>Second Report of the Committee on Standards in Public Life, May 1996: Local public spending bodies</b>			
Volume 1: Report	0-10-1327021	Cm 3270-I	£14.00
Volume 2: Transcripts of Oral Evidence	0-10-132703X	Cm 3270-II	£34.00
Summary of the Committee's Second Report			Free of charge
<b>Third Report of the Committee on Standards in Public Life, July 1997: Standards of conduct in Local Government in England, Scotland and Wales</b>			
Volume 1: Report	0-10-137022-9	Cm 3702-I	£12.80
Volume 2: Transcripts of Oral Evidence	0-10-137023-7	Cm 3702-II	£34.00
Summary of the Committee's Third Report			Free of charge
<b>Fourth Report of the Committee on Standards in Public Life, November 1997: Review of standards of conduct in executive NDPB's, NHS Trusts and local public spending bodies</b>			
			Free of charge
<b>Personal Liability in Public Service Organisations: A legal research study, June 1998</b>			
	0-11-4301050-6		£19.90
<b>Fifth Report of the Committee on Standards in Public Life, October 1998: The Funding of Political Parties in the United Kingdom</b>			
Volume 1: Report	0-10-140572-3	Cm 4057-I	£19.70
Volume 2: Evidence (including CD-ROM)	0-10-140573-1	Cm 4057-II	£68.00
Summary of the Committee's Fifth Report			Free of charge
<b>Annual Reports 1994-98</b>			
			Free of charge
<b>Sixth Report of the Committee on Standards in Public Life, January 2000: Reinforcing Standards</b>			
Volume 1: Report	0-10-145572-0	Cm 4557-I	£17.00
Volume 2: Evidence (including CD-ROM)	0-10-145573-9	Cm 4557-II	£46.00
Summary of the Committee's Sixth Report			Free of charge
<b>Annual Report 1999-2000</b>			
			Free of charge
<b>Seventh Report of the Committee on Standards in Public Life, November 2000: Standards of Conduct in the House of Lords</b>			
Volume 1: Report	0-10-149032-1	Cm 4903-I	£11.00
Volume 2: Evidence (including CD-ROM)	0-10-149033-X	Cm 4903-II	£30.00
Summary of the Committee's Seventh Report			Free of charge



**Obtaining  
Committee  
publications**

Information about the Committee and summaries of most publications are available on the Internet at:

**[www.public-standards.gov.uk](http://www.public-standards.gov.uk)**

Free copies of summaries of the Committee's reports and other documents are also available by telephoning Freefone: 0800 692 1516. Copies are sent to main public libraries.

Other publications may be ordered from The Stationery Office, PO Box 29, Norwich NR3 1GN; Tel: 0870 600 5522; Fax: 0870 600 5533; order through the Parliamentary Hotline Lo-call 0845 7 023474 or Email: [clicktso.com](mailto:clicktso.com)

#### **Contacting the Committee**

The Committee may be contacted by one of the following means:

In writing to: 35 Great Smith Street SW1P 3BQ

By telephone to: +44 (0)207 276 2595

By fax to: +44 (0)207 276 2594

By email to: [nigel.wicks@gtnet.gov.uk](mailto:nigel.wicks@gtnet.gov.uk)

Our website may be found at:

[www.public-standards.gov.uk](http://www.public-standards.gov.uk)

