

RESPONSE FROM THE COMMITTEE ON STANDARDS IN PUBLIC LIFE TO THE COLLEGE OF POLICING CONSULTATION ON THE DRAFT CODE OF ETHICS

Background on the Committee

1. The Committee on Standards in Public Life (CSPL) is an independent, non-departmental public body that advises the Prime Minister on the arrangements for upholding standards of conduct across public life in England. The Committee does not have investigative powers or consider individual cases. Please see Annex A for the Committee's remit.
2. The Committee articulated the Seven Principles of Public Life – commonly referred to as the Nolan Principles – in its first report in 1995: honesty; objectivity; openness; selflessness; integrity; accountability; and leadership. These principles apply to all public office holders, including those who are elected or appointed, and to private providers of public services.

Consultation response

3. CSPL welcomes the opportunity to respond to this consultation on the new draft police Code of Ethics.
4. The British model of policing is based on the Peelian Principles of policing by consent. The respect and trust of the public are therefore central to effective policing, yet a range of survey evidence suggests that public confidence in and satisfaction with the police has fallen over recent years.¹ Declining public confidence and trust was a central theme of Baroness Casey's powerful report on the Metropolitan Police Service.²
5. A clear framework to support ethical and professional policing services is critical for effective policing, but its impact on public trust and confidence will depend on the degree to which it is internalised and embedded within each police force. This will require the active attention and ongoing commitment of leaders working across policing and the clear personal and collective commitment by everyone in policing to the standards of behaviour expected.
6. Lord Nolan, the inaugural chair of the Committee on Standards in Public Life, argued in CSPL's first report that codes of conduct are the cornerstone of any public standards regime. Codes translate high-level principles into specific expectations for how public office-holders should behave in the context of their roles.
7. The Committee gave guidance on how such codes should be formed in our 2013 report, [Standards Matter](#). In order to be effective, codes need to be:
 - seen as relevant every day and not exceptional;

¹ [Performance Tracker 2022/23: Spring update - Police | Institute for Government](#)

² [Baroness Casey Review: Final Report - an independent review into the standards of behaviour and internal culture of the Metropolitan Police Service. March 2023](#)

- proportionate;
 - adapted to the needs and context of each organisation, and supported by training, monitoring and reinforcement;
 - clear about the consequences of not complying with the code, both for the individual and others;
 - wherever possible, framed positively;
 - personalised.
8. We note that the nine policing principles in the 2014 Code of Ethics, which originally included the Principles of Public Life (the Nolan Principles), have been replaced in the new draft Code with three 'ethical policing principles', specific to the policing context. We support the inclusion of a table to show how the Nolan Principles are incorporated into the policing principles. This illustrates how the policing principles are embedded in and informed by a wider understanding of the expectations of public service which the Nolan Principles articulate.
 9. The draft Code is explicit that the Nolan Principles apply to all public servants. However, this statement appears under the 'supplementary information' heading at section 2.5. We think it would be preferable for this statement to be made at the beginning of the document.
 10. We welcome the onus in the draft Code of Ethics on 'everyone in policing' to deliver ethical and professional policing services. We note that, in contrast to the 2014 Code, which contains only a brief descriptor for each policing principle, there is an explanation of what each ethical policing principle means and how it is exhibited in practice. The ethical policing principles are accompanied by guidance for ethical and professional behaviour in policing, which helps put the ethical policing principles into day-to-day practice and outline the expectations of how policing professionals should behave.
 11. We welcome the inclusion of guidance within the Code of Ethics that provides specific examples of the positive action that is required in a range of situations and helps create shared expectations of what good policing looks like. We support the aspiration to make the Code more accessible to the public by removing jargon and technical language.
 12. The Committee's recent report, [*Leading in Practice*](#), looked at how organisations can create an environment that facilitates high ethical standards and the critical role of senior leaders in setting the tone. We welcome a statutory Code of Practice for ethical policing that will apply to chief officers. Setting out specific actions that chief officers should take to support staff to use the ethical policing principles and to recognise and respond to misconduct and corruption, places an obligation on chief officers to prioritise these areas. It makes clear to all in policing and to the public that they should expect chief officers to take action to ensure ethical and professional behaviour within their force. However leadership on these issues is not the responsibility of chief officers alone. It is vital that everyone involved in policing at all levels recognise they are under an obligation to protect and promote the highest ethical standards in the police service.

Committee on Standards in Public Life

The Committee on Standards in Public Life is an independent, advisory Non-Departmental Public Body (NDPB). The Committee was established in October 1994, by the then Prime Minister, 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 Principles of Selflessness, Objectivity, Integrity, Accountability, Openness, Honesty and Leadership remain the basis of the ethical standards expected of public office holders and continue as key criteria for assessing the quality of public life.

The remit of the Committee excludes investigation of individual allegations of misconduct.

On 12 November 1997, the terms of reference were extended by the then Prime Minister:

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

The Committee's terms of reference were further clarified following the Triennial Review of the Committee in 2013. The then Minister of the Cabinet Office confirmed that the Committee:

Should not inquire into matters relating to the devolved legislatures and Governments except with the agreement of those bodies. Secondly the Government understands the Committee's remit to examine "standards of conduct of all holders of public office" as encompassing all those involved in the delivery of public services, not solely, those appointed or elected to public office.

Committee membership:

- Lord Evans of Weardale KCB DL, Chair
- The Rt Hon Lady Mary Arden of Heswall DBE
- The Rt Hon Dame Margaret Beckett DBE MP
- Ewen Fergusson
- Baroness Simone Finn
- Professor Gillian Peele

The Committee's work is supported by a Research Advisory Board, chaired by Professor Mark Philp.