

The Committee on Standards in Public Life has proven itself ineffective in safeguarding ethical standards across local government

By Democratic Audit

*The government had made significant changes to the way ethical standards are monitored, especially in local government. In this post, **Alan Doig** argues that the weakening of monitoring regimes is in part a failure of the Committee on Standards in Public Life to ensure its strategic objectives are implemented across the public sector.*

Back in the good old days everyone in public life was expected to know how to be honest without lots of codes, training or reminders, an approach once described by a Cabinet Secretary at an overseas conference on ethics as an 'organic' process.

Periodic scandals tend to tarnish such wishful thinking but subsequent inquiries usually reaffirmed generally high standards while recognising some backsliding resulting from specific circumstances. Thus it was the Committee on Standards of Conduct in Public Life that in 1976 warned after the [Poulson bribery scandal](#), patronisingly, of the involvement of local councillors in 'matters on a financial scale quite beyond their experience in private life' and, more realistically, the private sector's pursuit of profitable planning decisions and contracts which gave rise to 'obvious temptations' on both sides.

Its answer at that time lay as much in, if not more so, maintaining existing management standards and an *esprit de corps* as it did in applying more regulation and scrutiny. Unfortunately many of its recommendations went into the usual governmental black hole; when asked what the government was going to do about them, the Conservative Deputy Leader, Willy Whitelaw responded by claiming that the government was going to set a good example to others.

Nearly 20 years later that example was finally laid to rest in the sleaze of the Major government in the 1990s, triggering off another bout of post-scandal soul-searching by another committee – that of the current [Committee on Standards in Public Life](#). This again reaffirmed generally high standards but expressed concern over a decline of a public service culture, uncertainty over what is right and what is wrong, and a culture of moral vagueness. This time temptation was laid at the door of decentralisation, contracting-out and a greater influence of private sector values and cultures within the public sector.

To counteract this, and to re-assert what it called a public service culture, the Committee proposed – like a nostalgia for re-introducing National Service – a return to the good old days brought about by a dose of 'austerity, of respect for the traditions of upright behaviour in British public life'. Failure to do so, as it and the previous committee unsurprisingly deduced, would open the way for corruption and malpractice becoming part of the way of life.

In identifying three common threads to weave standards back into public life, the Committee was not only keen on promoting standards through *codes*, and through *guidance and education* but also, thirdly, including an element of *independent scrutiny and monitoring* as 'an important additional safeguard in maintaining public confidence'.

In 2013, again nearly 20 years later, the same Committee was still emphasising, echoing the words of the 1976 committee, that there were no grounds for complacency. It was also still voicing concerns about the necessity of a public service culture in that, despite 'a basic infrastructure' being in place, the internalisation of standards and values was not as effective as it should have been. On the other hand, the Committee was now less enamoured of the effectiveness of the first two threads on their own, arguing that 'those in leadership positions in the organisations concerned have yet to internalise the principles of public life fully or, that if they have, they are unwilling to demonstrate them in their own behaviour when it is inconvenient or not expedient to do so'.

This raises two issues. First, generally, what has or hasn't changed about people's behaviour that continues to be a matter of concern or make that behaviour immune to nearly 40 years' worth of codes, guidance and education? Second, given it sees one of its two roles as promoting high ethical standards across the UK public sector, one must wonder how effective is the Committee on Standards in Public Life if what it has been promoting for so long now appears not to have worked as it expected? It also takes us to a third issue and the third thread.

The Committee argued for an element of independent monitoring and scrutiny. It also claims that its other role is that of advising government on ethical issues. So, where does the Committee on Standards in Public Life stand in relation to the abolition of the [Standards Board for England](#) and the [Audit Commission](#)?

First, the Committee clearly didn't like the Standards Board very much – it found it too central, prescriptive and heavy-handed – but it was keen that the Board took on a strategic role and work with the Audit Commission whose Ethical Governance Audit tool it fully endorsed. This was to be the basis of the Committee's vision of 'ownership and involvement of ethical organisational culture being properly addressed at local level within an overall proportionate and strategic regulatory framework'. Now that framework has been thoroughly dismantled.

Second, one can presume the Committee's advice role is not two-way since it did not appear to have been consulted about the government's impending demolition job. Indeed, the government didn't appear to be too interested in consulting as to whether the alternative arrangements in the Localism Act were likely to satisfy the Committee's perceptions of local level ownership and involvement. It certainly doesn't look as though the government spent much time thinking these issues through, given the inadequately-worded legislation and procedures (for instance, since when is an offence, in this case relating to disclosable interests, avoidable on grounds of a 'reasonable excuse'), and nor do the pre-emptive assumption about a reliance on citizen journalists, microbloggers and armchair auditors, or the 10-point anti-fraud plan (No. 2: 'more aggressively pursue a preventative strategy') appear to offer much by way of a strategic approach.

Of course the Committee had had an opportunity to get to grips with any local government agenda in 2009 but dumped it in favour of the far more topical and sexier subject of MPs' expenses. The fact it has been retrospectively objecting – describing the abolition of the Board as 'stripping back of the current structure to virtually nothing' and the abolition of both bodies as 'the biggest regulatory gap is in relation to local government', while expressing significant concerns about the 'inherent robustness of the new arrangements' – is somewhat diluted by the absence of local government from the Committee's recently-announced [2014-2015 workplan](#).

Leaving aside the first two issues for future posts – has conduct changed and what is the value of the Committee continuing in its present form – it is worth thinking first about the likely effects on local government of the changes, with or without the Committee's protestations, within a context where its capacity to tackle fraud and corruption is also being eroded. This topic will be discussed in further depth on Democratic Audit in the coming weeks.

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Note: This post represents the views of the author and does not give the position of Democratic Audit or the LSE. Please read our [comments policy](#) before commenting. Shortlink for this post: buff.ly/NqZljG

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Alan Doig is Hon. Senior Research Fellow at the International Development Department, University of Birmingham; Visiting Professor, Newcastle Business School, Northumbria University and Board member, Management Board, North-east Fraud Forum.

