

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Civic Affairs Committee

14<sup>th</sup> March 2013

**AUTHOR/S:** Monitoring Officer

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### REVISED NOLAN PRINCIPLES

#### Purpose

1. The Committee on Standards in Public Life has revised the descriptions of the Principles of public life as part of its 14<sup>th</sup> report on standards, "Standards matter – a review of best practice in promoting good behaviour in public life" which was published and presented to Parliament in January 2013. The changes affect the wording that follows each principle and a new preamble to the Principles has also been added. The Council's code of conduct and constitution will need to be updated to reflect the new wording, as will parish council codes.

#### RECOMMENDATIONS:

2. That the Civic Affairs Committee:
  - a) **Recommend to Full Council that the council adopts the revised wording of the principles and appends the revised principles to the council's Code of Conduct for members as part of the constitution as per Appendix F**
  - b) **Recommend to Full Council that the council appends the revised principles to the Council's Officers' Code of Conduct as per Appendix G**
  - c) **Recommend to Full Council that the council appends the revised principles in its standard contract documentation**

#### Reasons for Recommendations

3. To update the Constitution to bring it in line with the revised Principles, which the Council's Code of Conduct must be "consistent with" according to the Localism Act 2011.

#### Background

4. In its latest report the Committee on Standards in Public Life, chaired by Sir Christopher Kelly, set out to review what had been achieved since the publication of its first report in 1995 about how to improve ethical standards in public life and also consider what still needs to be done.
5. The Committee concluded that the current need was for existing arrangements to be more consistently and actively implemented so that expected standards are embedded within an organisation and its processes, with everyone taking ownership of high standards alongside regular monitoring of whether they are being met.
6. With regard to local government, the Committee expressed concerns about the impact of the regime introduced by the Localism Act 2011 and considers this area to be a current risk. The Committee considers that "the new slimmed down arrangements have yet to prove themselves sufficient for their purpose" and that "we

have considerable doubt that will succeed in doing so.” The extracts from the report which focus on local government Standards is attached as Appendix D & E.

7. The Committee’s reasons for revising the wording of the principles are set out in Chapter 3 of the report, which is attached as Appendix C. The aim of the revised wording to avoid ambiguity and to update what the wording means in practice.

### **Considerations**

8. The new wording is attached as Appendix A with the former wording attached as Appendix B for comparison. The revised wording changes include the following:

<b>‘Selflessness’</b>	The wording has been much abbreviated
<b>‘Integrity’</b>	The wording has been expanded to include the interests element
<b>‘Objectivity’</b>	The wording has been widened to apply to all decisions (leaving out the specific references to contracts and appointments) and now includes reference to discrimination and bias.
<b>‘Accountability’</b>	The wording has been strengthened to acknowledge the necessity of scrutiny as a feature of public governance.
<b>‘Openness’</b>	The wording has been made more robust so that only ‘clear and lawful’ reasons for withholding information will be acceptable.
<b>‘Honesty’</b>	The wording has been changed completely to remove the reference to interests and focus on the duty to tell the truth.
<b>‘Leadership’</b>	The wording has been made more robust description with the requirement for members to exhibit the Principles ‘in their own behaviour’, actively promote them and challenge poor behaviour..

9. Under the former descriptions there was only one ‘must’ word used (accountability), the rest of the descriptions being worded as ‘should’. In the new descriptions the ‘must’ word is included 4 times (Integrity, Objectivity and Accountability). It is assumed this is intentional and the significance of the imperative word as opposed to the advisory word will be relevant to the interpretation of the council’s code of conduct, which needs to be interpreted by reference to the Principles.
10. The Council’s Code of Conduct has been amended to reflect the changes to the Principles and to make clear that the code is to be interpreted with reference to the Principles.
11. According to the new preamble, the Principles are more clearly applied to employees in local government and it would be logical for the Council’s Officers’ Code of Conduct to also make reference to and append the principles. An amended code is attached as Appendix G. The preamble also now makes it clear that the Principles ‘have application to all those in other sectors delivering public services’. It would therefore also be logical for contract documentation to include the Principles. Recommendations B & C reflect this.

**BACKGROUND PAPERS:**

["Standards Matter – a Review of best practice in promoting good behaviour in public life "  
Committee on Standards in Public Life – January 2013](#)

**Contact Officer:** Fiona McMillan  
Monitoring Officer/Legal & Democratic Services Manager  
Telephone: (01954) 713027