

Seven steps to restore trust in government ethics

Trust in politics in the UK, and in the people and institutions of public life, is at an all-time low.¹ Recent reports from the Institute for Government, Constitution Unit and UK Governance Project have identified important, practical reforms to the current system for setting out, monitoring and enforcing standards in public life.²

A new parliament offers the opportunity for a renewal of the standards which protect our democracy. This document sets out key priorities, all of which can be easily implemented straightaway.

As soon as possible after the general election, to demonstrate clearly that a page has been turned, the Prime Minister should make a statement to parliament setting out his priorities for ethics and integrity in public life, including committing to:

1. Publish, promote and provide independent enforcement of a new **Ministerial Code** designed to guide the ethical conduct of ministers.
2. Enable ministers, senior public officials and special advisers to identify, manage and report **conflicts of interest**, by establishing a fair and robust new system.
3. Ensure **lobbying** of ministers, senior public officials and special advisers is transparent, by building a new clear, coherent and consistent system.
4. Regulate the **post-government employment and appointments** of ministers, civil servants and special advisers with a more rigorously enforced, fair and transparent system.
5. Reform the appointments process to ensure that **appointments to the House of Lords are made on merit**, with the purpose of enhancing the work of parliament.
6. Ensure **public appointments** are rigorous, delivered through an independent, transparent and timely process.
7. Enhance the standing of the **honours system** by strengthening its independence and ending the practice of prime ministerial personal patronage.

These commitments are within the Prime Minister's existing powers, including simply through issuing new instructions to the regulators. But in order to underpin the independence of the public ethics and integrity system for the long term, provide the powers necessary for it to effectively operate, and protect it from arbitrary change by a future government, the Prime Minister should introduce a short bill in the first session of parliament to give statutory backing to the existence of a Ministerial Code and to the key ethics watchdogs.

Time and space would remain later in the parliament to consult on and develop any longer-term detailed reforms to the ethics and integrity landscape.

¹ Alan Renwick, Ben Lauderdale and Meg Russell, *The future of Democracy in the UK* Constitution Unit, November 2023

² Tim Durrant, *Rebuilding trust in public life*, Institute for Government, February 2024; Robert Hazell and Peter Riddell, *Trust in Public Life*, Constitution Unit, March 2024; UK Governance Project, *Governance Project Report*, January 2024.

Appendix: Details of steps

1. Publish, promote and provide independent enforcement of a new Ministerial Code designed to guide the ethical conduct of ministers.

The current Ministerial Code has over time been added to and tweaked, but not properly revised. It also combines administrative aspects with guidance on core ethical and behavioural conduct for ministers, resulting in a somewhat sprawling and muddled document. [IFG](#) and [UKGP](#) have recommended that the Prime Minister issue a new simplified and focused version of the Ministerial Code, with a clearer distinction between ethical responsibilities and everyday processes, which ministers should publicly commit to abide by.

Alongside the new Ministerial Code, there needs to be a strong independent office to advise, monitor and enforce compliance. In a letter to the Independent Adviser on Ministers' Interests, the Prime Minister should set out that the Adviser will have the ability to initiate investigations as well as to consider those matters referred to them, with full investigatory powers, and the power to publish their findings and advice on severity of breach. The Prime Minister should also make clear that in future the Independent Adviser will be appointed through a fair and open selection process. See the detailed recommendations by [IFG](#), [CU](#), [UKGP](#)

2. Enable ministers, senior public officials and special advisers to identify, manage and report conflicts of interest, by establishing a robust and fair new system.

It is inevitable that there will be occasions when conflicts of interest will arise; what is essential in a good governance system is for these to be properly and effectively managed. The [UKGP](#) has made detailed recommendations as to how the Prime Minister should establish a fair, coherent and consistent system for ministers, senior public officials and SPADs to declare potential conflicts of interest and for these to be appropriately monitored, managed and, where necessary, made public.

3. Ensure lobbying of ministers, senior public officials and special advisers is transparent, by building a new clear, coherent and consistent system.

While revision of the Lobbying act 2014 may be needed down the line, there is much that can and should be done first by the Prime Minister in regard to transparency. The Prime Minister should immediately commit to improving the transparency declarations that departments provide on ministers', senior public officials' and SPADs' meetings, hospitality and lobbying, so that any contact that could be considered lobbying is open to scrutiny. The Prime Minister should instruct Cabinet Office officials to create and maintain a single transparent platform for the whole of government, accompanied by a public-facing data dashboard, that would record a far wider range of contacts than is currently required by legislation or ministerial commitments. See [IFG](#) and [CU](#) recommendations.

4. Regulate the post-government employment and appointments of ministers, civil servants and special advisers with a more rigorously enforced, fair and transparent system.

The regulatory system for post Whitehall employment of ministers and civil servants is cumbersome, ineffectual and toothless. In line with [CU](#) recommendations, the Prime Minister should immediately ask the Cabinet Office to streamline the Business Appointment Rules, making them simpler, stronger, and fairer. Streamlined rules would enable the Advisory

Committee on Business Appointments (ACOBA) to focus on the more difficult cases, and ensure the rules are being properly interpreted by departments.

Legislation will be required to give ACOBA effective enforcement powers including a legal requirement for ministers, senior public officials to comply with the BAR, and financial penalties and injunctions, should they fail to do so. See the detailed recommendations of [IFG](#), [CU](#) and [UKGP](#)

5. Reform the appointments process to ensure that House of Lords appointments are made on merit, with the purpose of enhancing the work of parliament

The current appointment process for the House of Lords urgently needs to be reformed and strengthened and the Prime Minister has the power to do this immediately simply by issuing new instructions to the House of Lords Appointments Commission (HOLAC). The Prime Minister should also commit to only putting forward appointments to the King if HOLAC has given its approval.

In a letter to the chair of HOLAC the Prime Minister then should:

- task HOLAC with considering the suitability of candidates in addition to propriety;
- require it to ask nominating parties for statements setting out the reasons for each nomination, and candidates to provide statements setting out what they would bring to the House, plus a commitment to contribute to the work of the House; and
- ask HOLAC to provide a citation for each approved nomination, explaining its reasons, to be published if the person's name is put forward by the Prime Minister to the King.

6. Ensure public appointments are rigorous, delivered through an independent, transparent and timely process.

Recent controversies have highlighted that the application of the current system for public appointments is flawed. In order to strengthen the public appointments system, the [IFG](#) and [CU](#) have recommended that the Prime Minister should immediately commit to running timely appointment campaigns.

In a letter to the Commissioner for Public Appointments the Prime Minister then should:

- extend the Commissioner's remit to departmental non-executive and one off-appointments lasting for over a year;
- provide clear guidance that the Commissioner should be involved in choosing Senior Independent Panel Members;
- ensure that better data on public appointments processes is being provided.

7. Enhance the standing of the honours system by strengthening its independence and ending the practice of prime ministerial personal patronage.

The UK honours system should be a point of pride, rewarding those in politics and beyond for service to our country. In areas outside politics it works reasonably well. However, the current system for awarding political honours has by contrast been the centre of controversy, with perceptions of partiality and cronyism undermining the credibility of the whole system and the value of the awards to recipients. The [UKGP](#) has called on the Prime Minister to end the practice of making direct personal recommendations for honours, (prime ministerial personal patronage). All recommendations for honours should come through the independent committee system.

The importance of introducing a short bill in the first session of parliament to give statutory backing to the existence of a Ministerial Code and to the key ethics watchdogs

Much of the current ethics system regulating government and the conduct of ministers is done through the royal prerogative, as exercised by the Prime Minister. Putting the ethics watchdogs into statute would provide these bodies with a firmer, more permanent legal footing, define their roles more clearly, and provide necessary powers. It would also ensure that the recommendations made above cannot simply be unilaterally undone by a future Prime Minister or government without proper consideration by parliament. All that is needed is a simple and limited statute, to be pursued in the first session of parliament. Future parliamentary sessions may then address larger issues or even restructure the ethics landscape, but this first session bill would provide the basis from which any such further reforms can be carefully considered and implemented.

Introducing this bill early in the new parliament would offer an opportunity for new and returning MPs to set a new standard for the conduct of government, based on transparency, openness and integrity, in order to build foundations for renewed trust in the people and institutions of public life.