

Integrity, Honesty, Impartiality and Objectivity

The Civil Service Code summarises the constitutional framework within which all civil servants work. It is such an important document that it is worth reproducing its key elements here:

The constitutional and practical role of the Civil Service is, with integrity, honesty, impartiality and objectivity, to assist the duly constituted Government whatever its political complexion, in formulating their policies, carrying out decisions and in administering public services for which they are responsible.

Civil servants should conduct themselves with integrity, impartiality and honesty. They should give honest and impartial advice to the Minister without fear or favour, and make all information relevant to a decision available to them. They should not deceive or knowingly mislead Ministers, Parliament, or the public.

Civil servants should endeavour to deal with the affairs of the public sympathetically, efficiently, promptly and without bias or maladministration.

Civil servants should endeavour to ensure the proper, effective and efficient use of public money.

Civil servants should not misuse their official position or information acquired in the course of their official duties to further their private interests or those of others. They should not receive benefits of any kind from a third party which might reasonably be seen to compromise their personal judgement or integrity.

Civil servants should conduct themselves in such a way as to deserve and retain the confidence of Ministers or Assembly Secretaries and the National Assembly as a body, and to be able to establish the same relationship with those whom they may be required to serve in some future Administration. They should comply with restrictions on their political activities.

Civil servants should not without authority disclose official information which has been communicated in confidence within the Administration, or received in confidence from others. They should not seek to frustrate or influence the policies, decisions or actions of Ministers, Assembly Secretaries or the National Assembly as a body by the unauthorised, improper or premature disclosure outside the Administration of any information to which they have had access as civil servants.

The rest of this chapter examines the practical implications of these rules. It also looks at other aspects of our professional environment, such as judicial review, human rights, freedom of information, and devolution.

Political Impartiality

The civil service is required to be politically impartial, and able loyally and with equal commitment to serve Governments of all political persuasions. This means that:

- ü you may not publicly defend the decisions and views of your Ministers (as distinct from explaining them), including by writing to newspapers,
- ü you must even avoid saying or writing anything which could be quoted as demonstrating that you personally (or your colleagues) either agree or disagree with Ministers' decisions,
- ü you may not disclose the advice that you have given to Ministers,
but on the other hand
- ü you must explain and implement your Minister's policies with real commitment, whatever your personal views.

It can be very hard to follow the above advice, especially when a Minister or Special Adviser does not share your view of the borderline between 'explaining' a policy and 'defending' it. It is even more difficult if you strongly support – or strongly object to – decisions that have been made, or might be made, by Ministers. It is not always possible to hide those views from colleagues, and it is sometimes difficult to hide them from those outside the Government with whom you come into frequent contact. But it is absolutely essential that you give no sign that you oppose the principles and underlying thrust of the Government's policies, nor must you suggest that you do not respect your Minister.

It can be even more difficult to follow the above advice where minor decisions are concerned. ('Of course I will try to get him to open your conference. It's an important occasion'). But you will learn from bitter experience that the advice is sensible, for it is embarrassing all round when the Minister refuses to do what you suggest. There is, I am afraid, no alternative to sounding rather pathetic and merely promising that the case will be put to the Minister, adding that you cannot predict the result. Quite simply, it should never be possible for anyone to be able to criticise Ministers for failing to take your advice. And it is even more important that incoming Ministers should be unaware of the extent or otherwise of your personal support for their predecessors' policies.

Equally, you may not be asked to engage in activities which call into question your political impartiality, or which give rise to criticism that people paid from public funds are being used for party political purposes. You may not, of course, engage in political activities. And you may not help draft 'Dear Colleague' letters unless they are to be sent to all MPs. You are, however, allowed to provide Ministers with facts which might be used in political speeches etc., and you are allowed to check Ministers' political speeches for factual accuracy. You are

also allowed to comment on the analysis, costings and proposals contained in documents produced by political organisations, including the Opposition, but you must not draft Ministers' responses to such documents.

You may not brief an MP (including from the Government party) or agree that an MP may visit a Government office etc. without Ministerial approval. Ministers will usually agree to factual or uncontroversial briefings and visits, but they sometimes want to get involved themselves, in which case any meeting or visit has to be arranged at a time convenient for both the Minister and the MP.

Equality of Treatment

The public expect both Ministers and their officials to deal equally with everyone, and with every organisation, without prejudice, favour or disfavour. This simple but vital concept has a number of useful consequences.

First, it enables you to ask appropriate questions, however grand the person or organisation with which you are dealing. For instance, an enquiry into the financial standing of a multinational can often be less rigorous than a similar enquiry of a small firm. But large firms can go bust, so you should never take anything for granted. Ask a carefully targeted question and then decide whether further questions are necessary. Take particular care if you have heard a critical rumour or comment. There can be smoke without fire, but the two are usually closely associated.

Second, it is your defence against the senior or public figure who might otherwise expect you to give them priority, or rubber stamp some sort of application. You must never allow queue-jumping, nor must you ever refrain from asking a pertinent question, whoever you are dealing with. (It is of course perfectly reasonable to 'fast track' some work for a senior person who has a genuine need for it to be done quickly. But you must be sure that you would do the same for anyone else with a similar need, and that they are not jumping ahead of someone whose needs are just as great, but who is less well connected.)

Incidentally, the vast majority of senior/public figures understand perfectly well that they have to receive the same treatment as everyone else. If they get stroppy then (a) they believe that everyone should be receiving better treatment (if they are right then you should improve the service to everyone), or (b) they are trying to hide something (never allow yourself to be bullied into dropping a potentially important line of questioning), or (c) they are simply pompous (in which case don't favour them, but don't set out to punish them either).

Third, it is your defence against anyone, including journalists, who might ask you to give them advice and information that you have not given to others. If possible, of course, you should be free with information. But there are no circumstances in which you should give information or advice to one person that you would not give to anyone else that asked a similar question.