

Committee on Standards in Public Life
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**Committee on
Standards in
Public Life**

Ms Caroline Anderson
Ethical Standards Commissioner for Scotland
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Sent by email: info@ethicalstandards.org.uk

20 October 2020

Dear Caroline,

I would like to thank you for inviting the Committee on Standards in Public Life to contribute to your consultation on revisions to the Code of Practice for Ministerial Appointments in Scotland. Following the triennial review of the Committee in 2013, the Committee's remit no longer extends to the standards institutions of the devolved assemblies. We do, however, welcome any opportunity to work with our counterparts in the devolved regions when invited to do so.

The Committee's recommendations are the product of experience and evidence, and are usually formed through our annual reviews. The Committee has not examined public appointments in detail for some time, although we closely monitored the changes made following the review by Gerry Grimstone in 2016 and the subsequent adoption of the new Governance Code for public appointments in England and Wales. Although we cannot comment substantively on the questions posed in the consultation, there are two points of principle contained within the consultation that the Committee does take a view on, and we have done so publicly, most recently when submitting to the Grimstone Review.

The first concerns the issue of diversity, and the question of whether appointment procedures should include specific measures to promote diversity. The Committee would welcome such a move. A commitment to diversity can only complement the Seven Principles of Public Life, and the principle of objectivity itself mandates public office holders to act against discrimination. In our submission to the Grimstone Review, the Committee said that "Diversity amongst public appointments might be increased by thinking more creatively about the recruitment process and using greater variety of selection and assessment techniques." Given the important role of arms length public bodies in all aspects of national life, we believe it is important that they reflect the public they serve.

The second point of principle concerns the question of whether personal "values" should be specified as attributes sought in candidates, in addition to the existing criteria of skills, knowledge, and experience. The definition of values is important here. We would welcome an articulation of 'values' that ensures candidates exemplify the Nolan Principles, are of good personal standing and share the appointing organisation's ethical values - as in the case of NHS boards. But, any inclusion of 'values' must not undermine the principle of appointment on merit. Concerns about political interference in appointments processes are neither new nor going away, and any definition of "values" that could be interpreted as political or partisan risks undermining the integrity of the public appointments process.

I would like to thank you again for inviting us to contribute to your consultation, and please do feel free to contact me if you have any further questions.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Lord Evans".

Lord Evans of Weardale KCB DL
Chair, Committee on Standards in Public Life