

LAUNCH OF THE REVISED NICS CODE OF ETHICS

10 November 2006

PRESENTATION BY BRENDA MCLAUGHLIN

Ladies and Gentlemen

- You see before you a specimen of that lesser known species – the Northern Ireland Civil Service Commissioner. In fact, since I am accompanied by several of my fellow Commissioners this morning, you have in your midst a positive flock of Commissioners.
- Our rarity value was confirmed by a NISRA report, commissioned for the Permanent Secretary Group, to investigate staff awareness of the Code of Ethics. In February this year it reported that the vast majority of staff in the AA and AO groups had never heard of the Civil Service Commissioners; of the other grades, only about half had heard of us and not too many were clear what we are for. It made for depressing reading if you happen to be a Commissioner.
- So while I am here today to speak about the Code of Ethics, I thought this might also be a good opportunity to say a few words about the Commissioners themselves.
- NI Civil Service Commissioners have been around since 1923. Until fairly recently, they consisted of Permanent Secretaries wearing a different mantle, but with the increasing emphasis on transparency and open-ness in public life, this was seen as a less than perfect way of regulating the system of appointments to the Civil Service. So since 2002, they have consisted entirely of external people selected by a public appointment process.

- Commissioners uphold the principle that selection for appointment to the NI Civil Service is on merit, on the basis of fair and open competition. We do this by means of a Recruitment Code in which we set out how we believe appointments should be made.
- Compliance with our Code is mandatory and independent consultants conduct audits on our behalf each year to check that it is being followed by departments and agencies. Our written approval is required before any appointment is made to the Senior Civil Service through open competition and, since April 2005, we have also chaired all senior competitions.
- That is a very brief summary of our primary function but if you are really anxious for more information you can always visit our website where, at the very least, you could check out the photo parade and get to know us better!

Now I come to the Code of Ethics and the role that the Civil Service Commissioners have to play in upholding it.

- There is absolutely no doubt in the minds of Commissioners that a civil service which is appointed on merit, in a spirit of fairness and openness, should itself be expected to display values and behaviours of equal merit. The values which we apply in our work, and the attitudes that we and our colleagues display, can have an enormous impact, both positive and negative, on how effective we are as individuals and as organisations.

- In the distinctive role of the civil servant, it is absolutely vital that we harness the positive influences and use them to good effect. And as senior managers, you will each be expected to lead the way in demonstrating the attributes and values which are set out in the new Code.

- As John (Hunter) has pointed out, the Civil Service of today operates in a rapidly changing environment, very different from the world in which the Service was established, when its Core Values were originally set down. Government has embarked on a programme of reform in response to changing demands and the challenges of the 21st century, but at a time of rapid change there is an even greater need to ensure that the core values of the Civil Service are not eroded.

- The NICS now recruits more people from outside to senior positions, in a drive to make the Service more like the private sector, with a focus on professionalism and a different kind of leadership. It is essential not only to make sure that the Civil Service benefits from their skills, and different ways of doing things, but also that they understand the core values which underpin the work of the service. I believe that these values remain compatible with and central to the process of change.

- Civil Servants exercise discretionary power in their everyday work in several ways: in their stewardship of public resources; at the interface with the general public; and in the context of their policy-making responsibilities. The core values of integrity, honesty,

impartiality, objectivity and appointment on merit remain vitally important checks and balances against the arbitrary use of public power. They are essential factors in creating and maintaining confidence in government and its institutions.

- They are also too important to be taken for granted and we all have a responsibility to protect them in the face of the new and changing culture of today's world.
- The role of the Civil Service Commissioners, in relation to protecting the Code, is largely confined to dealing with any complaints that may be brought forward.
- Under the previous Code, Commissioners became involved at the final stage of the complaint process, when the internal processes had been exhausted and the complainant was not satisfied with the outcome. This was usually very late in the day, often when the trail was cold and the individuals concerned were feeling worn out.
- The Commissioners therefore very much welcome the new aspect of the Code which now allows us to be approached directly and asked to consider a complaint where core values are allegedly being abused.
- For any Civil Servant, the prospect of having to exhaust internal complaints procedures before coming to the Commissioners, is a daunting one. Making a complaint can be a long and stressful process and the perceived 'risks' can be off-putting.

- The new Code provides an independent mechanism to raise concerns when a civil servant feels that they are being asked to act in a way which conflicts with the Code.
- The Commissioners are committed to accepting this new role responsibly and I can assure you that all complaints we decide to take will be investigated robustly and with complete objectivity. The Commissioners report annually on the number and nature of complaints received by them and in fact there have been very few over the years. It will be interesting to see if this new option changes the trend and we find the numbers beginning to rise.
- Of course, internal procedures are there for good reason. I would like to think that the reason we have received so few appeals over the years is because, having raised the issue internally, the complainant has been satisfied with the departmental investigation and explanation.
- One thing I should make clear is that the Commissioners' appeal remit is only in respect of conduct which conflicts with the standards set out in the Code of Ethics. We are not a substitute for an internal civil service procedure to resolve grievances and we can play no part in that, either in investigation or appeal.
- Finally, on behalf of my fellow Commissioners, can I say how delighted we are that Nigel (Hamilton) has included us in the launch of the NICS' Code of Ethics.

- As Commissioners, we believe the new Code should become part of the life blood of the NICS and have fresh meaning for every civil servant. It needs to capture the hearts and minds of all our staff and become a living document, not something to be filed away in desk drawers or on office shelves.
- Today's launch should be the start of that process. Every civil servant has a role in promoting the new Code – and living up to the values set out in it: integrity; honesty; objectivity; and impartiality. As one of my colleagues regularly reminds us, 'People get hired for their qualifications or abilities, and get fired for their behaviours'. Live by the Code, and it shouldn't happen to you.
- Promotion of the Code of Ethics will be the key and, as I have already said, a lot will depend on you as senior managers. Your personal leadership and enthusiasm in living out its values, are critical in influencing other staff and your enthusiasm also has to be disseminated through departmental communication networks. As Nigel said, it should now become an integral part of induction, management training and performance appraisal.
- The Commissioners welcome the new Code and their own new responsibilities under it, which all staff now need to be made aware of. We will certainly do our very best to help the NICS spread the message.

Thank you.