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## ACUTE PERSPECTIVE

## David Oliver: What price the Nolan principles for public office holders?

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In 1995 the UK government's Committee on Standards in Public Life published seven principles for public office holders, commonly referred to as the Nolan principles,<sup>1</sup> after the committee's chair. These standards for ethical conduct were adopted and are still officially endorsed by the government. We still have a public standards committee. But events during the covid-19 pandemic make me question whether this is any more than paper talk—whether government ministers, their special advisers, and some public officials even pay lip service to the principles any longer.

In November 2020 the committee's current chair, Jonathan Evans, delivered the Hugh Kay lecture, "Are we in a post-Nolan age?"<sup>2</sup> He argued, "These principles are not a rulebook. They are a guide to institutional administration and personal conduct and are given a hard edge when they inform law, policy, procedure, and codes of conduct.

"We expect office holders to use public funds for the common good, and not to enrich themselves or their families. We expect elected representatives to work for their vision of the common good, rather than acting for their own personal advantage. And we take for granted that there should be fairness in the decision making processes—in areas such as policy, planning, and procurement—that will shape our future."

But has this applied during the pandemic? Both the National Audit Office and the Public Accounts Committee have publicly criticised the government for a lack of transparency and integrity in awarding large public contracts to provide personal protective equipment (PPE), Test and Trace, and consultancy.<sup>3,4</sup> Many contracts or roles have gone to party donors or to politicians' friends, former colleagues, or spouses.

Even now—in the face of a clear evidence trail—the health secretary, Matt Hancock, and other ministers deny any significant problems with PPE supply, after hundreds of healthcare workers died from covid-19 and many more became sick at work.<sup>5</sup> My own recent investigation for *The BMJ* found trust leaders, NHS England, the Department of Health and Social Care, and even the independent Health and Safety Executive in "deny everything" mode, even as hundreds of frontline staff in health and social care were describing failures to provide adequate PPE.<sup>6</sup>

In February the High Court found that Hancock had acted illegally by failing to disclose details of several procurement contracts, awarded without competition, within the required 30 days.<sup>7</sup> Yet in subsequent media interviews he brushed off this ruling as a mere technicality, excused by the pressing exigencies of the pandemic. It took the threat of legal action by

Moosa Qureshi, a frontline NHS doctor, to force the government to release even partial details of the previous pandemic planning exercise, Operation Cygnus.<sup>8</sup>

Government ministers have been caught making misleading statements about guidance issued for care homes or about actions taken. For example, Hancock claimed that we'd "thrown a protective ring around care homes,"<sup>9</sup> when around a third of all covid deaths had occurred in care homes and staff couldn't get hold of the right tests or equipment.<sup>10</sup>

Earlier in the pandemic, the government had to be pushed repeatedly to release the names of members of its Scientific Advisory Group for Emergencies (Sage) or the minutes of Sage meetings.<sup>11</sup> It also had to be pressed to post data on covid deaths outside hospital settings at its daily Downing Street briefings.<sup>12</sup>

The chief nursing officer, Ruth May, said on the record that she'd been dropped from a press conference for saying that she'd be critical of the government's defence of its chief adviser, Dominic Cummings, after his alleged breach of covid travel restrictions.<sup>13</sup> Cummings was defended relentlessly by cabinet ministers—yet research from University College London has shown a loss of public trust in behavioural restrictions and a change in behaviour.<sup>14</sup> He admitted "no regret" and didn't resign over it.<sup>15</sup>

My list could be a lot longer, but you get the point.

In his lecture, Evans concluded that the Nolan principles remained "the standards and tools we need to map a clear route through"—but only after he himself had cited various examples where public figures had been casually ignoring them.

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