

Adoption: 9 June 2023
Publication: 25 August 2023

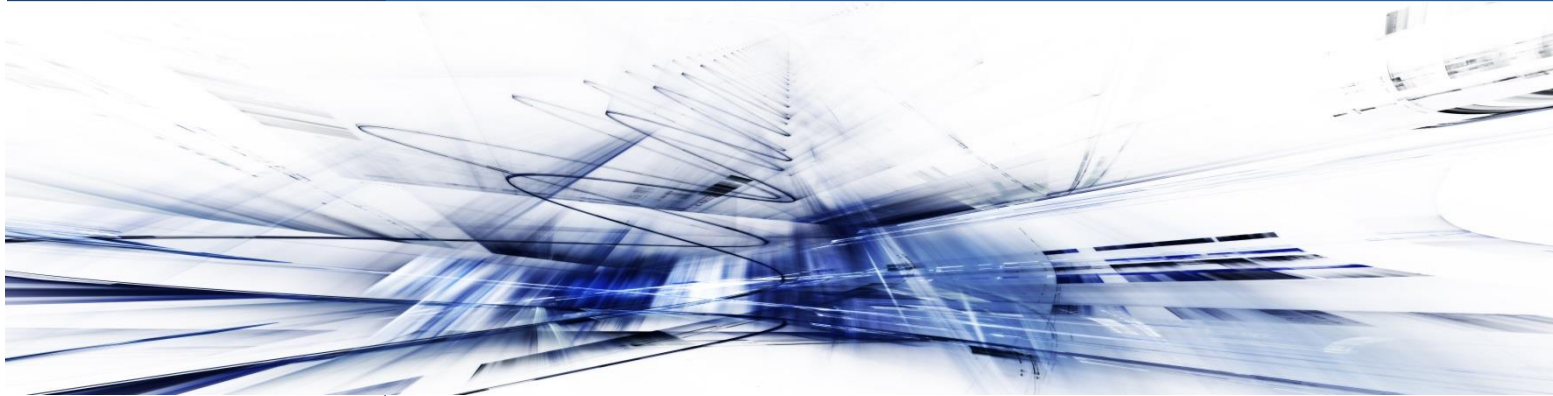
Public
GrecoRC5(2023)5

FIFTH EVALUATION ROUND

Preventing corruption and promoting integrity in
central governments (top executive functions) and
law enforcement agencies

SECOND COMPLIANCE REPORT

UNITED KINGDOM



Adopted by GRECO
at its 94th Plenary Meeting (Strasbourg, 5-9 June 2023)



Group of States against Corruption
Groupe d'États contre la corruption

COUNCIL OF EUROPE



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I. INTRODUCTION

1. GRECO's Fifth Evaluation Round deals with "Preventing corruption and promoting integrity in central governments (top executive functions, PTEF) and law enforcement agencies (LEA)."

2. This Second Compliance Report assesses the measures taken by the authorities of the United Kingdom to implement the recommendations issued in the Fifth Round Evaluation Report on the United Kingdom which was adopted at GRECO's 78th Plenary Meeting (8 December 2017) and made public on 17 May 2018, following authorisation by the United Kingdom ([GrecoEval5Rep\(2017\)1](#)). The corresponding Compliance report was adopted by GRECO at its 87th Plenary Meeting (22-25 March 2021) and made public on 28 May 2021 ([GrecoRC5\(2020\)4](#)).

3. As required by GRECO's Rules of Procedure¹, the authorities of the United Kingdom submitted a Situation Report on measures taken to implement the recommendations contained in the Evaluation Report. This report was received on 31 December 2022 and, together with an update received on 5 May 2023, served as a basis for this Second Compliance Report.

4. GRECO selected Ireland (with respect to top executive functions in central governments) and Germany (with respect to law enforcement agencies) to appoint Rapporteurs for the compliance procedure. The Rapporteurs appointed were Ms Kate OLIVER, on behalf of Ireland, and Ms Silvia SPÄTH, on behalf of Germany. They were assisted by GRECO's Secretariat in drawing up the Compliance Report.

II. ANALYSIS

5. GRECO addressed 12 recommendations to the United Kingdom in its Evaluation Report. In the Compliance Report, GRECO concluded that recommendations v, vii, viii, ix and xii have been implemented satisfactorily, recommendations i, ii, iii and xi have been partly implemented and recommendations iv, vi and x have not been implemented. Compliance with the outstanding recommendations is examined below.

Corruption prevention and promotion of integrity in respect of central governments (top executive functions)

Recommendation i

6. *GRECO recommended establishing a centralised mechanism for analysing and mitigating risk areas of conflicting interests and corruption in respect of individuals with top executive functions at central government level.*

7. It is recalled that this recommendation was partly implemented in the Compliance Report. While welcoming the increased resources of the Propriety and Ethics Team and its work regarding ministers' and special advisers' interests, GRECO had underlined that the risk analysis should not be limited to conflicting interests only, but should also cover corruption

¹ The Compliance procedure of GRECO's Fifth Evaluation Round is governed by its Rules of Procedure, as amended: Rule 31 revised bis and Rule 32 revised bis.

prevention regarding PTEFs (ministers, special advisers, senior government officials), so as to inform future preventive measures and policies.

8. The UK authorities describe, once again, the existing centralised risk management mechanism as regards ministers for analysing possible conflicting interests². In the Annual Reports for 2021 and 2022, the previous Independent Adviser on Ministers' Interests formally reviewed the work undertaken, the process followed, and the advice given. Further, in May 2022, the Terms of Reference of the Independent Adviser on Ministers Interests were revised³ to enable this office to initiate investigations autonomously, "*where the Independent Adviser believes that an alleged breach of the Code warrants further investigation*", and the Ministerial Code⁴ has been updated. Following the resignation of the previous Independent Adviser (June 2022), a new Independent Adviser, Sir Laurie Magnus CBE⁵, has been appointed by the Prime Minister on 22 December 2022. The most recent List of Ministers' Interests published in April 2023 displays the relevant interests of all ministers in the government as of 26 March 2023, appointed since the current Prime Minister's tenure on 25 October 2022, except for ministers no longer in office.

9. Regarding special advisers, the authorities once again refer to the cross-government declaration of interests' policy, in place since August 2020, consolidating the central oversight of potential risks arising from conflicts of interest, considered as proportionate to special advisers' role in the Government. The authorities recall that a Model Contract for special advisers stipulates that making a declaration is a mandatory contractual obligation.

10. As for civil servants, to increase transparency and ensure a consistent understanding of an actual or perceived conflict of interest, model policy guidance on the Declaration and Management of Outside Interests (updated on 25 April 2023) has been issued to departments and is being implemented. Departments must now publish details of any outside employment, work, or appointment (paid or otherwise remunerated) held by a member of the Senior Civil Service, agreed through the process for the declaration and management of outside interests. Senior Civil Servants will now need to confirm annually that their declarations of interest are up to date. The Cabinet Office is providing training on application of the new guidance.

² The Ministerial Code sets the standards expected of ministers in the handling of their private interests (Chapter 7). The overriding principle is that "*ministers must ensure that no conflict arises, or could reasonably be perceived to arise, between their public duties and their private interests, financial or otherwise*" (paragraph 7.1). The Code also specifies that "*it is the personal responsibility of each minister to decide whether and what action is needed to avoid a conflict or the perception of a conflict, taking account of advice received from their Permanent Secretary and the Independent Adviser on Ministers' interests.*" Each minister is to complete a declaration of interests form, analysed by the respective department or ministry's Permanent Secretary, the Cabinet Office, and the Independent Adviser on Ministers' Interests. Thereafter, the List of Ministers' Interests, along with annual reports, is placed on the website of the Independent Adviser, accessible via the following link: <https://www.gov.uk/government/publications/list-of-ministers-interests>.

³ Government efficiency, transparency, accountability: Terms of reference for the Independent Adviser on Ministers Interests: GOV.UK [Terms of Reference for the Independent Adviser on Ministers' Interests - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/terms-of-reference-for-the-independent-adviser-on-ministers-interests)

⁴ Government efficiency, transparency, accountability: Ministerial Code, GOV.UK <https://www.gov.uk/government/publications/ministerial-code>

⁵ Sir Laurie Magnus Appointed as Prime Minister's Independent Adviser on Minister's Interests, GOV.UK [Sir Laurie Magnus appointed as the Prime Minister's Independent Adviser on Ministers' Interests - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/sir-laurie-magnus-appointed-as-prime-minister-s-independent-adviser-on-minister-s-interests)

11. Finally, with regards to permanent secretaries, the authorities once again submit that they are unable to take executive decisions of their own, as permanent secretaries are responsible to Ministers and the Cabinet Secretary, and their role is to support the Government in developing and implementing policies to be duly considered by ministers. In addition, permanent secretaries are to be politically impartial and have no executive authority.

12. GRECO takes note of the information provided by the authorities. It notes, in particular, the updating of the guidance to departments aiming at regular declarations of interests by public servants of relevant departments. However, the measures set out in the guidance, as well as the oversight carried out in respect of special advisers, continue to mainly focus on conflicting interests and do not offer a broader anti-corruption risk assessment. This falls short of “*a more holistic approach when defining risk areas of conflict of interest and corruption at central government level*” (paragraph 44 of the Evaluation Report) and therefore does not fully meet the requirements of the present recommendation⁶. In addition, the authorities continue to maintain their position regarding permanent secretaries – a position that has not been shared by GRECO in the Evaluation Report and the previous Compliance Report⁷. While recognising steps already taken, GRECO calls upon the UK authorities to take additional steps towards the full implementation of this recommendation.

13. GRECO concludes that recommendation i remains partly implemented.

Recommendation ii

14. *GRECO recommended making more information available regarding meetings held by ministers, special advisers and senior civil servants with third parties, including lobbyists, and that such entries contain a sufficient amount of detail on matters discussed, to identify the specific subject matter(s) of the discussion and the specific purpose or intended outcome of the discussion.*

15. GRECO recalls that this recommendation was partly implemented in the Compliance Report. GRECO had welcomed the setting up of a Transparency Data team in the Cabinet Office to improve transparency of relevant government data, making more information available on the content of meetings. However, in respect of special advisers, only meetings with senior media figures are made public, which was insufficient (the Evaluation Report required more information on meetings with all influential third parties in view of special advisers’ pivotal role in influencing decision making by ministers). It was recalled that the recommendation also covers meetings with third parties by senior civil servants (other than permanent secretaries), which were not within the scope of the transparency measures taken by the authorities at the time.

⁶ In its previous Compliance Report, GRECO recalled that “*the ultimate aim of the recommendation is that an analysis of risks not only of conflicting interests but more generally corruption relating to PTEFs (ministers, special advisers, senior government officials) be carried out centrally to inform prevention policies, including the Ministerial Code*”, referring also to paragraph 43 of the Evaluation Report.

⁷ In this regard, GRECO underlined in the previous Compliance Report that “*there is a duty on permanent secretaries as well as other civil servants to declare potential conflict of interests. It reiterates that senior government officials face specific risks linked to their functions at top executive level that need to be identified and analysed in order to improve prevention.*”

16. The UK authorities now report that, following its establishment, the Transparency Data Team has undertaken substantive measures to support departments in realising Government's commitment to open data. In addition to existing detailed Guidance, this includes standardised templates, supported by comprehensive training, including 1-2-1 sessions and detailed feedback on consistency of quarterly data. In addition, following the COVID-19 emergency, the Cabinet Office issued guidance on remote formal meetings to capture meetings with external organisations and individuals in the transition to virtual working. More information is now available regarding meetings held by ministers, special advisers, and senior civil servants with third parties. Official ministerial and permanent secretary meetings with external organisations and individuals now also include a summary of the purpose of meeting. In addition, Ministers, Permanent Secretaries and Special Advisers should disclose details of all engagement, including social and political, with senior media figures. Finally, the Government has announced a substantial revision of the existing guidance to departments to improve the timeliness, coherence and quality of ministers,' special advisers,' and senior civil servants' transparency data, and ensure that quarterly transparency is as useful as possible to the media and Parliament. It is intended to publish the revised guidance in a user-friendly format for the general public in the course of the summer 2023⁸. Further, the Cabinet Office are engaging with senior and middle management civil servants across government departments ("Transparency Champions") to explore commonalities between departmental publications. In addition, the Cabinet Office has also engaged with several civil society organisations, notably Transparency International and the Institute for Government, on several issues including transparency. Finally, in the last six months, additional support has been offered to teams across government in need of assistance to meet transparency targets or to ensure quality in reporting.

17. GRECO takes note of the information provided by the authorities. It would appear that further work to enhance transparency is under way, and the authorities are determined to broaden the scope of information to be published regarding meetings with third parties and lobbyists. The UK Government has announced a substantial revision of the existing Guidance to departments to ensure quarterly transparency is as useful as possible to the media and Parliament. Until these measures have been accomplished, GRECO cannot consider this recommendation as implemented satisfactorily.

18. GRECO concludes that recommendation ii remains partly implemented.

Recommendation iii

19. *GRECO recommended that the scope of the registry of consultant lobbyists be reconsidered, with a view to i) extending the existing registry of consultant lobbyists (to include third parties operating with "in-house lobbyists") and ii) including the lobbying of special advisors and senior civil servants involved in policy making.*

20. It is recalled that this recommendation was partly implemented in the Compliance Report. GRECO had reiterated the findings of the Evaluation Report, stating that the register of consultant lobbyists gives a very partial view of the total number of lobbyists actively engaging with the government to influence decision making, as most big firms and

⁸ In October 2022, the Leader of the House of Commons, Penny Mordaunt MP, made a promise in the House that revised guidance would be published. Moreover, the Cabinet Office have indicated their intention to publish the revised guidance by summer 2023.

organisations employ in-house lobbyists, who are not required to register as consultant lobbyists. That said, GRECO had welcomed the post-legislative scrutiny of the Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014, initiated by the Government in 2020. At the time of writing, this scrutiny was underway, and it was too soon to conclude whether the concerns of this recommendation had been fully met.

21. The UK authorities refer once again to the post-legislative scrutiny of the Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014, which is still on-going. They reiterate that meetings of ministers with stakeholders, including industry and civil society representatives, took place in 2020 to seek their views on the scope and effectiveness of the legislation. According to the authorities, the outcome of the scrutiny will also take into account the relevant findings of the Boardman review into supply chain finance, published in July 2021⁹. Further, the authorities note that as of 23 July 2022, the Parliamentary Committee on Public Administration and Constitutional Affairs is conducting an inquiry on the current statutory framework, comprising a call for written evidence and taking oral evidence in the course of November-December 2022. The Committee will be assessing the interaction of the Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act with other parliamentary frameworks related to the registration of interests and the relationship between external groups, elected office holders and parliamentarians.

22. GRECO takes note of the information provided by the authorities. It would appear that the post-legislative scrutiny, initiated in 2020, has not yet been completed, and therefore its outcomes are still not known. Even though the Boardman review was much narrower in scope than the present recommendation¹⁰, GRECO believes that some of the questions raised in the Boardman review, in particular the need to establish “*whether the current rules relating to the “lobbying” of government are adequate and, if not, how they should be strengthened*” may be relevant to transparency in lobbying in general. At present, as no final outcome has emerged from the government scrutiny of the Transparency of Lobbying Act, and no relevant policy or legislative steps have been taken to comprehensively address this recommendation, GRECO cannot consider it as implemented more than partly.

23. GRECO concludes that recommendation iii remains partly implemented.

Recommendation iv

24. *GRECO recommended i) that the status, remit and powers of the body advising on business appointments of former ministers and senior civil servants (ACoBA) be strengthened, with accompanying resources to carry out effectively its functions; ii) that individuals with top executive functions are not only required to apply for advice before taking up employment in the private or other sectors upon leaving office but also that breaches of rules on post-employment restrictions are subject to adequate sanctions.*

⁹ A publication entitled “Review into the development and use of supply chain finance (and associated schemes) by Nigel Boardman was published on 21 July 2021 and is accessible via the following link: <https://www.gov.uk/government/publications/findings-of-a-review-into-the-development-and-use-of-supply-chain-finance-in-government>

¹⁰ In particular, the Boardman review “does not look at government engagement (or ‘lobbying’) by individuals on behalf of any company other than Greensill Capital and its affiliated company, “Earnd”.”

25. GRECO recalls that this recommendation was not implemented in the Compliance Report. GRECO welcomed the prominence given to the duties of PTEFs to comply with the Business Appointment Rules through the dissemination of more information to PTEFs. However, the system as such was no different from that assessed at the time of the Evaluation Report. GRECO had noted that the status, remit and powers of the Advisory Committee on Business Appointments (ACoBA) remained unchanged, and the system was still reliant mostly on self-regulation, integrity and reputation. Further, while noting the efforts made to achieve greater transparency around ACoBA's advisory work, the reputational damage of failing to comply with advice remained the only sanction, which did not have a sufficient deterrent effect, warranting the need for some form of sanctions in case of breach of post-employment rules.

26. The UK authorities now report that the remit of ACoBA has still not been changed. However, they submit that the staff of ACoBA has been increased to enable it to carry out its functions more effectively. The Cabinet Office is undertaking work to enhance the operation and strengthen the rules of ACoBA. This includes publishing revised information on GOV.UK to facilitate awareness and understanding among all applicants of their respective obligations and the process to follow. The advice published at department or ministry level is now accessible from a single page, allowing prospective employers and others to freely consult decisions made for departing Senior Civil Servants below ACoBA level. Training is available to Human Resources practitioners to improve consistency of judgements and advice, and the application of business appointment rules to inward secondees is now set out clearly as part of the onboarding processes.

27. Further, the authorities affirm that the existing post-employment rules are appropriate for the domestic system and aim to implement the present recommendation through the ongoing business appointment rules policy work. The authorities recall that the most senior individuals are already required to apply for advice before taking up any employment after leaving office. Sanctions have been strengthened for breaches of the Rules to be taken into account in the award of honours (such as knighthoods) and nominations for the House of Lords. In addition, the Cabinet Office is considering other potential sanctions, such as consequences for prospective employers and for individuals who do not meet their contractual obligations.

28. GRECO takes note of the information provided by the authorities. It welcomes additional efforts to facilitate access to information regarding obligations of public officials as regards post-employment rules and procedures to follow. It is also encouraging to learn that the Cabinet Office is considering additional sanctions for not respecting contractual obligations, even though the nature of such sanctions, as well as the breaches that would trigger them, have not been articulated. That said, no tangible steps have been reported to address either part of this recommendation. ACoBA has still not been transformed into a statutory body, its remit and powers have not been broadened, and no adequate sanctions have been introduced for breaches of post-employment rules by PTEFs. In this regard, GRECO refers to the most recent report of ACoBA¹¹, whereby the Chair points to *"a general unease about people moving between the public and private sectors, with the House of Commons Public Administration and Constitutional Affairs Committee (PACAC) expressing concern about*

¹¹ The Twentieth Annual Report of the Advisory Committee on Business Appointments, covering the period of 2018-2020 is accessible via the following link: <https://www.gov.uk/government/publications/advisory-committee-on-business-appointments-annual-report-2018-2019-2019-2020>

the lack of a statutory system with enforcement powers.” In view of the above, GRECO cannot consider this recommendation as implemented, even partly.

29. GRECO concludes that recommendation iv remains not implemented.

Recommendation vi

30. *GRECO recommended reviewing the status, role and remit of the Independent Adviser on Ministers’ Interests to include the interests of ministers, special advisers and permanent secretaries and to strengthen his/her independence/autonomy, to investigate, where s/he considers it appropriate to do so, on his/her own initiative, into ethical conduct or conflicts of interest.*

31. It is recalled that this recommendation was not implemented in the Compliance Report. GRECO noted that the system remained as described in the Evaluation Report and reiterated that the Independent Adviser, appointed by the PM, was still not able to investigate into possible integrity breaches on his/her own initiative, but only at the PM’s request, reporting to the PM, and was only able to suggest sanctions to be enforced at the PM’s sole discretion¹². GRECO considered that this recommendation remained entirely relevant for ministers and noted that the main issue at stake, i.e., reviewing the status, role and remit of the Independent Adviser on Ministers’ Interests, had not led to any form of progress. As regards senior civil servants and special advisers, GRECO acknowledged that in light of new information presented at the time, there was a sufficiently developed system to process integrity breaches involving senior government officials and special advisers as civil servants.

32. The UK authorities report that the role of the Independent Adviser on Ministers’ Interests has evolved through revised Terms of Reference¹³ and an updated Ministerial Code¹⁴ of May 2022, now allowing the Independent Adviser to initiate investigations, having consulted the Prime Minister. The Independent Adviser has also been provided with a dedicated secretariat and separate online presence, consisting of a new GOV.UK website for publishing regular transparency and other reports¹⁵. Following the resignation of the previous Independent Adviser in June 2022, the Prime Minister has now appointed a new Independent Adviser, Sir Laurie Magnus CBE¹⁶. The authorities recall that as regards special advisers and permanent secretaries, GRECO had acknowledged in the previous Compliance Report the presence of separate systems and processes to ensure investigations into potential unethical conduct, supervise interest declarations, and manage outside interests.

¹² GRECO also referred to a previous investigation by the Independent Adviser in March 2020, suggesting a breach of the Ministerial Code by a minister, which the PM decided not to sanction.

¹³ Government efficiency, transparency, accountability: Terms of reference for the Independent Adviser on Ministers Interests, GOV.UK [Terms of Reference for the Independent Adviser on Ministers’ Interests - GOV.UK \(www.gov.uk\)](https://www.gov.uk/terms-of-reference-for-the-independent-adviser-on-ministers-interests)

¹⁴ Government efficiency, transparency, accountability: Ministerial Code, GOV.UK <https://www.gov.uk/government/publications/ministerial-code>

¹⁵ Independent Adviser on Ministers’ Interests: About, GOV.UK <https://www.gov.uk/government/organisations/independent-adviser-on-ministers-interests>

¹⁶ Sir Laurie Magnus Appointed as Prime Minister’s Independent Adviser on Ministers’ Interests, GOV.UK [Sir Laurie Magnus appointed as the Prime Minister’s Independent Adviser on Ministers’ Interests - GOV.UK \(www.gov.uk\)](https://www.gov.uk/sir-laurie-magnus-appointed-as-the-prime-minister-s-independent-adviser-on-ministers-interests)

33. GRECO takes note of the information provided by the authorities. It welcomes the introduction of a possibility for the Independent Adviser on Ministers' interests to initiate investigations upon his/her own initiative, after having consulted the Prime Minister, who will normally give consent (Article 2.2 of the Terms of Reference and Article 1.4.b of the Ministerial Code). Even though consent of the Prime Minister is still required for an investigation by the Independent Adviser, it can be initiated by the latter upon his/her initiative, which strengthens this function considerably. It is also worth noting that in case such consent is not given, the reasons for an investigation not proceeding should be made public, unless they undermine the grounds for non-initiation of an investigation. Further, the Terms of Reference also stipulate that advice given by the Independent Adviser to the Prime Minister on the outcome of an investigation is to be published in a timely manner. GRECO points to the observation of the previous Independent Adviser, suggesting that *"the test for the credibility of these new arrangements is whether they are sufficient to command public trust in the independence of the Independent Adviser"* and encourages the authorities to take consistent steps towards strengthening public trust in this office. At this stage, GRECO is satisfied that the requirements of the present recommendation have been met.

34. GRECO concludes that recommendation vi has been dealt with in a satisfactory manner.

Corruption prevention and promotion of integrity in respect of law enforcement agencies

Recommendation x

35. *GRECO recommended considering the possibility of imposing post-employment restrictions on all police officers and staff leaving the Metropolitan Police Service (MPS).*

36. GRECO recalls that this recommendation was not implemented in the Compliance Report. The post-employment measures put in place at the time regarding Chief Officers had already been planned at the time of the Evaluation Report and this procedure had not been expanded to cover all police officers. Other information provided by the authorities did not respond to the purpose of this recommendation, as it had focused on preventing officers from re-joining the police force after being dismissed.

37. The UK authorities now report that in February 2023, following the inter-ministerial correspondence between the Ministry of Justice and the Home Office, it was decided to give this matter full consideration with a view to presenting a formal recommendation to the responsible ministers. In considering the introduction of post-employment restrictions for all police officers in the MPS, noting the importance of consistent national policy on police integrity and the need for legislation to introduce a new framework in this regard, the Home Office consulted a number of major law enforcement stakeholders including the National Police Chiefs' Council, the Association of Police and Crime Commissioners, the College of Policing, the Metropolitan Police Service and relevant police staff associations for both police officers and civilian staff. In total five responses were received, all raising significant concerns about the potential negative impact of post-employment restrictions on all police officers and staff leaving the police, and consequently none of the responses supported such restrictions. The concerns identified included (a) the absence of an evidence base demonstrating that such a scheme would have a positive impact on policing standards or public confidence, or that there is a current substantial risk associated with post-service employment; (b) the

disproportionality of introducing such a scheme, as it could detract from police forces' focus on areas of arguably greater and more immediate risk – including vetting – given that it would likely be the same teams reviewing any post-service restrictions; (c) the potential for introduction of such a measure to prove unworkable without a substantial increase in resourcing.

38. Based on the formal advice given following the stakeholder consultation, the Minister of State for Crime, Policing and Fire decided not to introduce post-employment restrictions for all police officers and staff at this time. The authorities underline that, while the outcome of the consultations did not lead to any changes regarding post-employment restrictions in the MPS, the issue has now been given full consideration.

39. GRECO takes note of the information provided by the authorities. It appreciates a multi-stakeholder consultation to examine the matter, carried out by the relevant ministries. Even though a more evidence-based review of this issue would have been appreciated, GRECO takes note that the outcome of the consultation has been not to extend the post-employment restrictions to all police officers and staff of the MPS. GRECO is now satisfied that the issue has been given appropriate consideration.

40. GRECO concludes that recommendation x has been dealt with in a satisfactory manner.

Recommendation xi

41. *GRECO recommended that the UK authorities pursue their efforts to improve the oversight of police misconduct, including regarding the Metropolitan Police Service (MPS) and the National Crime Agency (NCA), by simplifying the referral and appeals procedures and by keeping under close review the implementation and adequate resourcing of the ongoing reform of the oversight system.*

42. It is recalled that this recommendation was partly implemented in the Compliance Report. GRECO noted the replacement of the former independent complaint body (IPCC) with a new authority (IOPC) with further powers and capacities (covering all police forces). Measures had also been taken to improve timeliness of disciplinary proceedings. Further, GRECO noted the NCA policy of returning low-level matters to local management to be dealt with through advice and performance improvement plans, but the statutes needed for the above-mentioned reform to apply to its officers and staff had not been adopted at the time.

43. The UK authorities now report that in July 2022, the NCA was subject to an Inspection by His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS). It is anticipated that a number of recommendations will be made to enhance the NCA response to allegations of corruption and/or misconduct¹⁷. Further, the authorities submit that in January 2023, the Government launched a review into the process of police officer dismissals, with the aim of ensuring fairness and effectiveness of the system at removing officers falling far short of the expected standards, and also assessing the available appeal mechanisms for Chief Officers, as well as the effectiveness of dismissal arrangements for officers having failed to pass the vetting. In addition, a working group comprised of senior NCA officers, lawyers, and officials at the Home Office has been established to further align the NCA Misconduct

¹⁷ The NCA has now published its [2013 Code of Ethics](#) and GRECO understands that work is underway to clarify NCA policy on the Standards of Professional Behaviour to mirror the current changes in policing.

Regulations with those in policing¹⁸. Consultation with trade unions and staff groups will commence in May 2023 and a proposal to the NCA Board is to be tabled for consideration in June 2023. The authorities anticipate that a full draft legislative proposal will be debated in Parliament after the summer recess.

44. The Metropolitan Police Service (MPS) has increased the size of the Directorate of Professional Standards (DPS) by 150 additional staff to meet the rise in demand from higher reporting of wrong-doing and ensure recommendations from the HMICFRS and Independent Office for Police Conduct (IOPC) are met. The authorities indicate that this increase ensured sufficient resources to investigate all reports. From January 2023, the DPS began a programme of peer review by other police forces of their processes to enhance standards and performance and learn from others. In addition, the MPS has launched an internal integrity line and external reporting system through which to report conduct matters against officers and staff in the MPS. This system is hosted by the charity “Crimestoppers” and allows for anonymous reporting¹⁹ to encourage those who wish to report possible officer wrongdoing.

45. Finally, in October 2022, the UK Government announced an internal review of the process of police officer dismissals within the territorial forces of England and Wales²⁰, aiming to assess the effectiveness of the existing system to remove those who fall seriously short of the expected standards.

46. GRECO takes note of the information provided by the authorities. Some of these have already been welcomed as positive steps in the previous Compliance Report. GRECO notes with satisfaction that reforms continue to strengthen complaints procedures, enhance the efficiency of proceedings in different police services, and encourage reporting of alleged police wrongdoings. It also notes the increase of staff in the MPS Directorate of Professional Standards, and the peer review programme in the Police Force. While these developments go in the right direction, GRECO notes that the National Crime Agency is yet to adopt the necessary statutes. The ongoing work on amendments to relevant NCA regulations could be an opportunity to streamline and simplify complaints procedures within the NCA. Until these amendments are adopted and GRECO is given an opportunity to assess their coherence with the present recommendation, GRECO is not in a position to consider this recommendation as implemented more than partly.

47. GRECO concludes that recommendation xi remains partly implemented.

III. CONCLUSIONS

48. **In view of the foregoing, GRECO concludes that the United Kingdom has now implemented satisfactorily or dealt satisfactorily with seven of the twelve recommendations contained in the Fifth Round Evaluation Report.** Of the remaining recommendations, four remain partly implemented and one has not been implemented.

¹⁸ The authorities recall that the NCA is subject to a different misconduct regime to that in policing in that its gross misconduct/misconduct panels are governed by employment law and follow the Advisory, Conciliation and Arbitration Service (ACAS) principles in line with the rest of the Civil Service. Any change to that would require a wholesale change to NCA officers’ contracts of employment.

¹⁹ The Police Integrity Line: Crimestoppers [The Police Integrity Line | Crimestoppers \(theilne.co.uk\)](https://theilne.co.uk)

²⁰ Government: Policing, GOV.UK [Police dismissals to be reviewed - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/police-dismissals-to-be-reviewed)

49. More specifically, recommendations v, vi, vii, viii, ix, x and xii have been implemented satisfactorily, or dealt with in a satisfactory manner, recommendations i, ii, iii and xi have been partly implemented and recommendation iv has not been implemented.

50. As regards PTEFs, most importantly, the Independent Adviser on Ministers' Interests has been given the authority, through revised Terms of Reference and Ministerial Code, to autonomously initiate investigations into alleged breaches of the Code. This is a welcome development which has a potential to strengthen the Independent Adviser's function and enhance public trust in it. Some further steps have been taken in the area of corruption prevention, such as updating the guidance to departments on declarations of interests by public servants. However, a more holistic risk-assessment approach is still lacking, as the focus of the current disclosure system is mainly placed on conflicting interests. Some measures are underway to enhance transparency of lobbying, but so far without a tangible outcome. In particular, the revised transparency guidance which would lead to disclosure by special advisers and permanent secretaries of their contacts with lobbyists and third parties has not been published, and the government scrutiny of the Transparency of Lobbying Act has still not been completed. Additional efforts are being made to facilitate access to information regarding post-employment rules and procedures which should be followed, and the Cabinet Office is considering additional sanctions for breaches of these rules. Regrettably, the remit and powers of the Advisory Committee on Business Appointments have not been enhanced, even though its staff and budget has been increasing.

51. As to LEAs, some progress has been made in implementing the outstanding recommendations during the reporting period. In particular, due consideration has been given to expanding the post-employment restrictions to cover all police officers leaving their function to take up employment elsewhere, although it has been decided not to introduce such restrictions at this time. Previously reported positive reforms to improve oversight of police misconduct have continued. The increase of staff of the Directorate of Professional Standards in the Metropolitan Police Service, and the setting up of internal and external reporting systems, which allow anonymous reporting of police misconduct, are to be welcomed. However, the National Crime Agency is yet to complete its reforms to enhance its response to corruption and/or misconduct, including in light of the findings of the Inspection by His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS), carried out in July 2022. The authorities also report new developments relating to recommendations already assessed by GRECO as implemented satisfactorily in the previous Compliance Report. In particular, a broad review of the 2014 Code of Ethics has been announced by the College of Policing in January 2022 to strengthen and improve practical ethical framework. Further, the MPS has increased its vetting capacity to enhance management of on-going vetting and/or re-vetting. In November 2022, the HMICFRS published its report into police vetting, misconduct and misogyny, commissioned by the then Home Secretary. Finally, the authorities informed GRECO of several measures taken in response to the murder of Sarah Everard by a then serving police officer, including the Home Secretary establishing the Angiolini Inquiry. The finalising of Part 1 of the review has been delayed due to related misconduct and criminal cases. However, the Terms of Reference for Part 2 of the Inquiry were published recently. This part of the Inquiry will cover an examination of vetting and recruitment practices and police culture and standards – including whistleblowing.

52. In view of the above, GRECO concludes that the United Kingdom is not in sufficient compliance with the recommendations contained in the Fifth Round Evaluation Report within

the meaning of Rule 31 revised bis, paragraph 10 of the Rules of Procedure. GRECO therefore decides to apply Rule 32 revised, paragraph 2 (i) and asks the Head of delegation of the United Kingdom to provide a report on the progress in implementing the outstanding recommendations (i.e., recommendations i, ii, iii, iv, and xi) as soon as possible and by 30 June 2024 at the latest.

53. Finally, GRECO invites the UK authorities to authorise, as soon as possible, the publication of the report.