

# CONSTITUTIONAL REFORM AND GOVERNANCE ACT 2010

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## EXPLANATORY NOTES

### BACKGROUND

#### Part 1 Background - The civil service

29. The basis of the civil service as we know it today dates back to the Northcote-Trevelyan Report of 1854. The report set out the enduring core values and key principles that underpin the role and governance of the civil service – integrity, honesty, impartiality and objectivity. The report also recommended that these values and principles should be enshrined in legislation. However, no Government ever took forward this recommendation. Instead, over the last 150 years or so, Ministers have exercised powers in relation to the civil service under the Royal prerogative.
30. In recent years, the merits of civil service legislation have been the subject of considerable debate, and there have been growing calls to implement the Northcote-Trevelyan recommendations and bring forward legislation relating to the civil service. In 2003, the House of Commons Public Administration Select Committee published a draft Civil Service Bill and, building on this, the Government launched a consultation *A draft Civil Service Bill – A Consultation Document* (Cm 6373, November 2004). This document can be found at:  
  
[www.cabinetoffice.gov.uk/media/cabinetoffice/propriety\\_and\\_ethics/assets/consultation\\_bill\\_cm\\_6373.pdf](http://www.cabinetoffice.gov.uk/media/cabinetoffice/propriety_and_ethics/assets/consultation_bill_cm_6373.pdf)
31. A detailed analysis of the consultation responses can be found in *The Governance of Britain – Analysis of Consultations* (Cm 7342-3).
32. These consultation processes and other public debates revealed a considerable body of opinion in favour of civil service legislation. Therefore, the Government announced in July 2007, in its Green Paper, *The Governance of Britain* (Cm 7170), that it intended to bring forward legislation which would “include measures which will enshrine the core principles and values of the civil service in law”. The Joint Committee on the draft Constitutional Renewal Bill concluded that the civil service provisions received “overwhelming support” (paragraph 240, Report of the Joint Committee on the draft Constitutional Renewal Bill. HL Paper 166-I and HC Paper 551-I).