



Lord True CBE
Minister of State
Cabinet Office 70 Whitehall London SW1A 2AS

The Rt Hon. Lord Pickles
Chair, Advisory Committee on Business
Appointments
Advisory Committee on Business
Appointments
1 Horse Guards Road
London
SW1A 2HQ

sent via email acoba@acoba.gov.uk

8th June 2022

Dear Lord Pickles,

I am writing to update you on the Government's work to reform and improve the Business Appointment Rules. We are both keen to see progress in this area to maintain the integrity of public service, ensuring that the system is able to work effectively and with public confidence, while also not preventing legitimate interchange between the public and private sector.

I am grateful to you and your Committee for the work that you do, including bringing greater attention to cases where the rules have not been adhered to. However, as we discussed, improvements to the way the rules can be enforced are also important. Mechanisms are now in place for breaches of the Rules to be taken into account in the award of honours. The Government is in discussion with the independent House of Lords Appointment Commission to implement a similar process, with their agreement. We are also currently considering how to implement the same approach in relation to public appointments. In addition to these elements there is more that we need to look at in relation to consequences for prospective employers and for individuals who do not meet their contractual obligations.

Clarity over the rules and requirements is also an important aspect of making the system work. The Government has today published revised information on GOV.UK, with the ease of making sure that all applicants, of all grades, understand the obligations upon them and the process they should follow. At departmental level, advice that is published is now accessible from a single page, allowing prospective employers and others to transparently see decisions made for departing Senior Civil Servants below ACoBA level. Further work to

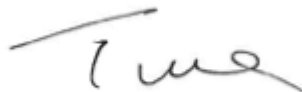
move this to a searchable database will be undertaken and we are working with your secretariat to look at integrating this with ACoBA's advice so there is a single source of information.

This year Annual Reports and Accounts from departments will also include more information about how they have applied the Business Appointment Rules within their departments. This focus on more junior grades is necessary given the greater porosity and movement between the civil service and the private sector. The Government encourages such movement as an important part of bringing wider skills and expertise into the civil service and recognising different career paths that span the public and private sector. Training is now available to HR 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.

The Government remains committed to an employment law based system, rather than a bespoke legislative solution that would single out public servants. We are considering carefully the recommendations of Nigel Boardman's review into the use of Supply Chain Finance and of the Committee on Standards in Public Life to consider longer-term reform on a contractual based approach (equivalent to what would be applied in a private sector employment context). Further information will be set out to Parliament in due course.

I hope that this letter reassures you of both the Government's wider aim to improve the Business Appointment Rules, and my commitment to continuing to work with you on these matters. I am convinced that by delivering the work outlined above, and focussing on the work to come, we can make a visible and meaningful difference to the application of the Rules.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'True', with a long horizontal stroke above the first few letters.

Lord True CBE