



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

Rt Hon Lord Pickles
Office of the Advisory Committee on
Business Appointment Rules
G/08 Ground Floor
1 Horseguards Road
SW1A 2HQ

Our reference: MC2022/12467

acoba@acoba.gov.uk

2 September 2022

Dear Lord Pickles,

Thank you for your letter of July 2021 to the previous Chancellor of the Duchy of Lancaster (CDL), relating to Dominic Cummings' business activities after leaving Crown employment. The Cabinet Office has noted the advice received from the Advisory Committee on Business Appointments and I am replying as the Minister with policy responsibility for the Business Appointment Rules.

I apologise for the length of time it has taken to reply to you on this issue. The delay was caused - in part - by the manner in which the issues outlined in your letter served to highlight some of the challenges inherent in administering the Business Appointment Rules effectively. We have therefore considered this matter in the context of wider reform to the Rules which we had hoped to be in a position to announce prior to now. My assessment is that Mr Cummings, in this and other matters, did not follow the rules correctly. However, this case has also highlighted that once ACOBA has decided not to rule on an application, there is no mechanism for an individual to seek to remedy that breach in good faith. In that light, I agree with you that the review of business appointment rules needs to be accelerated and completed.

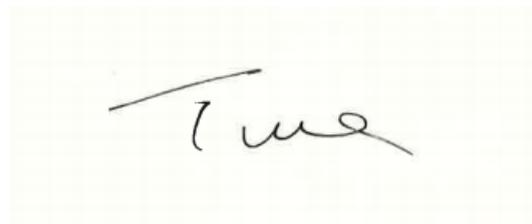
As you know, the Business Appointment Rules apply to all Ministers and civil servants, including special advisers. Former officials are responsible for following the correct process for seeking advice about any appointments or employment they wish to take up within two years of leaving office, and it is vital to the integrity of government that they fulfil these responsibilities in good faith. While the vast

majority of former Crown servants do so and abide by any conditions imposed, where such intentions are lacking, the current system offers too few avenues to achieve effective redress.

I know that you are understandably keen to see progress on strengthening the Rules, and I share your ambition. Mechanisms are now in place for breaches of the Rules to be taken into account in the award of honours and we are seeking to develop the same system with the independent House of Lords Appointment Commission. We are also currently considering how to implement the same approach in relation to public appointments. Taking into account steers from the new Prime Minister, we will continue to work to improve the transparency of information relating to the Rules, and new training has been piloted that will assist departments in their decision making.

I remain grateful to you and your colleagues for your work in this area, and I am keen that we continue to work together to strengthen the system both in the short and long-term.

Yours sincerely,

A handwritten signature in black ink on a light yellow background. The signature is written in a cursive style and appears to read 'True'.

Lord True CBE