



**OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS**

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May 2025

**BUSINESS APPOINTMENT APPLICATION: Simon Case CVO, former Cabinet Secretary and Head of the Civil Service. Unpaid appointment with the Patchwork Foundation.**

1. Mr Case sought advice from the Advisory Committee on Business Appointments (the Committee) under the government's Business Appointment Rules for Former Crown Servants (the Rules) on an unpaid role he wishes to take up with the Patchwork Foundation, as a Patron.
2. The purpose of the Rules is to protect the integrity of the government. The Committee has considered the risks associated with the actions and decisions made during Mr Case's time in office, alongside the information and influence he may offer the Patchwork Foundation. The material information taken into consideration by the Committee is set out in the annex.
3. The Committee's advice is not an endorsement of the appointment – it imposes a number of conditions to mitigate the potential risks to the government associated with the appointment under the Rules.
4. The Rules<sup>1</sup> set out that Crown servants must abide by the Committee's advice. It is an applicant's personal responsibility to manage the propriety of any appointment. Former Crown servants are expected to uphold the highest standards of propriety and act in accordance with the 7 Principles of Public Life.

The Committee's consideration of the risks presented

5. When considering this application, the Committee<sup>2</sup> took into account that this

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<sup>1</sup> Which apply by virtue of the Civil Service Management Code, The Code of Conduct for Special Advisers, The King's Regulations and the Diplomatic Service Code.

<sup>2</sup> This application for advice was considered by Andrew Cumpsty; Isabel Doverty; Hedley Finn OBE; Sarah de Gay; Dawid Konotey-Ahulu CBE DL; Michael Prescott; The Baroness Thornton; and Mike Weir.

appointment is unpaid<sup>3</sup>. Generally, the Committee's experience is that the risks related to unpaid roles are limited. The purpose of the Rules is to protect the integrity of the government by considering the real and perceived risks associated with former Crown servants joining outside organisations. Those risks include using privileged access to contacts and information to the benefit of themselves or those they represent. The Rules also seek to mitigate the risks that individuals may make decisions, or take action in office, in expectation of rewards on leaving government. These risks are significantly limited in unpaid cases due to the lack of financial gain to the individual.

6. There is no direct overlap between his former responsibilities and this proposed role with the Patchwork Foundation as a Patron. There remain inherent risks associated with any former Crown servant's access to information, network of contacts and influence in government. In this unpaid role, these risks are limited.

#### The Committee's advice

7. The Committee did not consider this unpaid appointment to raise any particular concerns under the government's Business Appointment Rules. The standard conditions below sufficiently mitigate the inherent risks. These seek to prevent Mr Case from making improper use of privileged information, contacts and influence to the unfair advantage of the organisation.
8. In accordance with the government's Business Appointment Rules, the Committee advises that this appointment with the **Patchwork Foundation** be subject to the following conditions:
  - Mr Case should not draw on (disclose or use for the benefit of himself or the persons or organisations to which this advice refers) any privileged information available to him from his time in Crown service;
  - for two years from his last day in Crown service, he should not become personally involved in lobbying the UK government or its arm's length bodies on behalf of the Patchwork Foundation (including parent companies, subsidiaries, partners and clients); nor should he make use, directly or indirectly, of his contacts in the government and/or Crown service to influence policy, secure business/funding or otherwise unfairly advantage the Patchwork Foundation (including parent companies, subsidiaries, partners and clients); and
  - for two years from his last day in Crown service, he should not undertake any work with the Patchwork Foundation (including parent companies, subsidiaries, partners and clients) that involves providing advice on the

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<sup>3</sup> By unpaid the Committee means that no remuneration of any kind is received for the role. Applicants must declare where it is agreed or anticipated they may receive remuneration or some other compensation at some stage in the future.

terms of, or with regard to the subject matter of, a bid with, or contract, relating directly to the work of the UK government or its arm's length bodies.

9. The advice and the conditions under the government's Business Appointment Rules relate to his previous role in government only; they are separate from rules administered by other bodies such as the Office of the Registrar of Consultant Lobbyists, the Parliamentary Commissioner for Standards and the Registrar of Lords' Interests<sup>4</sup>. It is an applicant's personal responsibility to understand any other rules and regulations they may be subject to in parallel with this Committee's advice.
10. By 'privileged information' we mean official information to which a minister or Crown servant has had access as a consequence of his or her office or employment and which has not been made publicly available. Applicants are also reminded that they may be subject to other duties of confidentiality, whether under the Official Secrets Act, the Ministerial Code/Civil Service Code or otherwise.
11. The Business Appointment Rules explain that the restriction on lobbying means that the former Crown servant 'should not engage in communication with government (ministers, civil servants, including special advisers, and other relevant officials/public office holders) – wherever it takes place – with a view to influencing a government decision, policy or contract award/grant in relation to their own interests or the interests of the organisation by which they are employed, or to whom they are contracted or with which they hold office.'
12. Mr Case must inform us as soon as he takes up employment with this organisation, or if it is announced that he will do so, and we will publish this letter on our website. He must inform us if he proposes to extend or otherwise change the nature of his role as, depending on the circumstances, it may be necessary for him to make a fresh application.

Yours sincerely,

Murray Hemley  
**Committee Secretariat**

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<sup>4</sup> All Peers and Members of Parliament are prevented from paid lobbying under the House of Commons Code of Conduct and the Code of Conduct for Members of the House of Lords. Advice on obligations under the Code can be sought from the Parliamentary Commissioners for Standards, in the case of MPs, or the Registrar of Lords' Interests, in the case of peers.

## **Annex – Material Information**

### The role

1. Founded in 2012 by Harris Bokhari OBE, the Patchwork Foundation is a charity that aims to increase participation of underrepresented, disadvantaged and minority communities in public service.
2. Mr Case wishes to take up a part-time, unpaid role as a Patron. He told the Committee that his role would involve supporting the charity by giving masterclasses and talks to the young people who are participants in the charity's programmes. Mr Case also noted that the role would not involve any contact with government.

### Dealings in office

3. Mr Case said that he did not make any policy, regulatory or commercial decisions specific to the Patchwork Foundation, and that he did not have any access to information that could grant the charity an unfair advantage. He also noted that there was no particular relationship between the Patchwork Foundation and the Cabinet Office.

### Departmental assessment

4. The Cabinet Office confirmed that he did not make any policy, regulatory or commercial decisions specific to the Patchwork Foundation, and that there was no relationship between the Patchwork Foundation and the Cabinet Office.
5. The Cabinet Office noted that Mr Case may have had a wide range of access to information that may be seen as relevant or valuable to the Patchwork Foundation. Given the nature of the unpaid role, and the fact that the organisation is a charity, the Cabinet Office considered the risks limited, subject to the standard conditions.
6. The Cabinet Office recommended the standard conditions.