

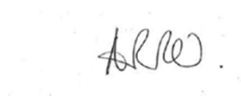
# Framework Document between Migration Advisory Committee (MAC) and the Home Office

This framework document has been jointly approved by the Migration Advisory Committee (MAC) and the Home Office. It describes how the two organisations will work together.

This document sets out the broad framework within which the MAC will operate. MAC members are always expected to comply with the Framework Document. The document does not convey any legal powers or responsibilities. It is signed and dated by the Home Office Permanent Secretary and the MAC Chair. A copy of the document is made available to members of the public on the MAC website.

This document must be reviewed and agreed no later than three years after the date it was signed. An earlier review should take place within two months of:

- A new Chair appointment;
- A change in the relevant Home Office personnel;
- A significant change in Government policy relating to the business of the MAC;
- If the Senior Sponsor and the Chair of the MAC agree a review is required.




Signed: Antonia Romeo

Date: 16 December 2025

Permanent Secretary and Principal Accounting Officer, Home Office

(On behalf of the Home Office)



Signed: Professor Brian Bell

Date: 16 December 2025

Chair of the MAC

(On behalf of the MAC)

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# Introduction and background

## 1. Purpose of document

- 1.1. This framework document (the “framework document”) has been agreed between the Home Office and the Migration Advisory Committee (MAC) in accordance with HM Treasury's handbook Managing Public Money<sup>1</sup> (“MPM”) (as updated from time to time) and has been approved by HM Treasury.
- 1.2. The framework document sets out the broad governance framework within which the MAC and the Home Office operate. It sets out the MAC's core responsibilities, describes the governance and accountability framework that applies between the roles of the Home Office and the MAC, and sets out how the day-to-day relationship works in practice, including in relation to governance and financial matters.
- 1.3. The document does not convey any legal powers or responsibilities but both parties agree to operate within its terms.
- 1.4. Copies of the document and any subsequent amendments have been made available to members of the public on the MAC's website (<https://www.gov.uk/government/organisations/migration-advisory-committee>).
- 1.5. This framework document should be reviewed and updated at least every 3 years unless there are exceptional reasons that render this inappropriate that have been agreed with HM Treasury and the Principal Accounting Officer of the sponsor department. The latest date for review and updating of this document is 16 December 2028.
- 1.6. An earlier review should take place within 2 months of:
  - A new Chair appointment;
  - A change in the relevant Home Office personnel;
  - A significant change in Government policy relating to the business of the MAC;
  - If the Senior Sponsor and the Chair of the MAC agree a review is required.

## 2. Objectives

- 2.1. The MAC's function is to provide independent and evidence-based advice to the Government on matters relating to migration.
- 2.2. The MAC and the Home Office will work together in recognition of each other's roles and areas of expertise, providing an effective environment for the MAC to achieve its objectives through the promotion of partnership and trust and ensuring that MAC also supports the strategic aims and objective of the department and wider government as a whole.

## 3. Classification

- 3.1. The MAC has been administratively classified by the Cabinet Office as an independent, non-statutory, non-time limited, non-departmental public body (NDPB).

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<sup>1</sup>[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1000670/MPM\\_Spring\\_21\\_with\\_nexes\\_080721.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1000670/MPM_Spring_21_with_nexes_080721.pdf)

# Purposes and aims

## 4. Purposes

- 4.1. The MAC was established in 2007 as a non-departmental public body associated with the Home Office, with the primary purpose of providing independent, evidence-based advice to the government on immigration policy. The MAC was set up following initiatives to modernise the UK's immigration system and to introduce a points-based system; this was followed by 'A Consultation on establishing a Migration Advisory Committee' launched in November 2006.
- 4.2. The MAC's function is to provide independent and evidence-based advice to the Government on matters relating to migration. The MAC will mainly be asked to provide advice on the operation of labour migration and the needs of the labour market but may, from time to time, be asked to advise on other matters relating to migration where the Government requires expert advice. The MAC will advise the Government on how to control migration and ensure that the immigration system meets the needs of the UK economy and is designed to improve overall UK productivity.

## 5. Aims

- 5.1. The MAC's strategic aims are to:
  - Advise the Government on how to control migration and ensure that the immigration system meets government objectives
  - Respond to commissions from the Government as to work that it is expected to undertake
  - Engage in work of its choosing and to comment on the operation of any aspect of the immigration system
  - Play an active role within the Labour Market Evidence Group (LME Group) between the MAC, Skills England, the Industrial Strategy Advisory Council, and Department for Work and Pensions (DWP)
  - Engage with the Devolved Governments to understand migration-related challenges across the UK, including – but not limited to – where migration policy interacts with devolved areas of policy
  - Produce an annual report to inform Parliament and the public of the work it has done and its use of resources
- 5.2. The MAC's role is advisory. Decisions on UK immigration policy will remain a matter for UK Government Ministers.

# Governance and accountability

## 6. Governance and accountability

- 6.1. The MAC shall operate corporate governance arrangements that, so far as practicable and in the light of the other provisions of this framework document or as otherwise may be mutually agreed, accord with good corporate governance practice and applicable regulatory requirements and expectations.
- 6.2. The MAC is a non-statutory, non-time limited, non-departmental public body established and funded by the Home Office. The role and the remit of the MAC is determined by Home Office Ministers and set out in the Purpose and aims section above.
- 6.3. The basic governance arrangements for the MAC are as follows:
- The MAC Chair accounts to the Home Office Senior Sponsor, Accounting Officer and Ministers providing assurance whilst maintaining operational independence
  - Home Office Ministers, supported by the MAC Chair account for the overall performance of the MAC in Parliament
  - The Permanent Secretary for the Home Office, as Accounting Officer for the MAC and Principal Accounting Officer for the Home Office, accounts to Parliament for the issue of funding to the MAC

# Role of the department

## 7. Home Office Ministers

7.1. The Home Secretary, Minister for Border Security and Asylum and the Minister for Migration and Citizenship ('Home Office Ministers') are accountable to Parliament for all matters concerning the MAC. The role and remit of the MAC is also determined by Home Office Ministers.

### Appointments to the Committee

7.2. The Chair of the MAC is appointed by the Home Secretary in accordance with the Governance Code on Public Appointments and in line with the Seven Principles of Public Life. This appointment is subject to the Public Appointments Order in Council and as such must comply with the Governance Code on Public Appointments.

7.3. Home Office Ministers shall have the following appointment and approval rights in relation to the MAC's membership:

- The chairperson and other members of the MAC are appointed by the Home Secretary in accordance with the Governance Code on Public Appointments and in line with the Seven Principles of Public Life
- All such appointments should have regard to the principle that appointments should reflect the diversity of the society in which we live, and appointments should be made taking account of the need to appoint boards which include a balance of skills and backgrounds

### Other Ministerial powers and responsibilities

7.4. Home Office Ministers are also responsible for:

- the policy framework within which the MAC operates
- setting the performance framework within which the MAC will operate
- tasking the MAC to undertake specific pieces of work within their remit
- matters regarding spending approvals, acquisitions, disposals, and joint ventures in line with delegations as set out in the delegation letter
- such other matters as may be appropriate and proportionate

## 8. The Principal Accounting Officer

8.1. The Home Office Permanent Secretary is the Principal Accounting Officer (PAO). The PAO is also the Accounting Officer for the MAC.

### PAO's specific accountabilities and responsibilities

8.2. The respective responsibilities of the PAO and AOs for ALBs are set out in Chapter 3 of MPM.

8.3. The PAO is accountable to Parliament for the issue of funding to the MAC which is met from Home Office budgets.

8.4. The PAO is also responsible, usually via the sponsorship team, for advising Home Office Ministers on:



- an appropriate framework of objectives for the MAC in the light of the department's wider strategic aims and priorities
- an appropriate budget for the MAC in the light of the sponsor department's overall public expenditure priorities
- how well the MAC is achieving its strategic objectives and whether it is delivering value for money
- the exercise of the Ministers' statutory responsibilities concerning the MAC as outlined above

8.5. The PAO via the sponsorship team is also responsible for ensuring arrangements are in place in order to:

- monitor the MAC's activities and performance
- address significant problems in the MAC, making such interventions as are judged necessary
- periodically and at such frequency as is proportionate to the level of risk carry out an assessment of the risks both to the department and the MAC's objectives and activities in line with the wider departmental risk assessment process
- inform the MAC of relevant government policy in a timely manner
- bring ministerial or departmental concerns about the activities of the MAC to the full MAC membership, and, as appropriate to the departmental Board, requiring explanations and assurances that appropriate action has been taken

## 9. The role of the sponsorship team

9.1. The Points Based System and Economic Migration team in the Home Office is the primary contact for the MAC. The responsible senior civil servant for this relationship is the Director of Borders and Legal Migration Policy. They are the main source of advice to Home Office Ministers on the discharge of their responsibilities in respect of the MAC. They also support the PAO on their responsibilities toward the MAC.

9.2. The Points Based System and Economic Migration team will also take the opportunity to explain wider policy developments that might have an impact on the MAC.

9.3. The Home Office Sponsorship Unit (HOSU) supports the senior sponsor's discharge of their responsibilities including:

- Ensuring that Home Office Ministers and the PAO are advised appropriately when determining a budget for the MAC in the light of the Department's overall public expenditure priorities; and ensuring such funding is delegated to the Head of the MAC Secretariat
- Ensuring that Home Office Ministers and the PAO are advised on how well the MAC is achieving its objectives and whether it is delivering value for money. This includes ensuring appropriate arrangements are in place to conduct an annual evaluation of the performance of the MAC, the Chair and individual Committee Members
- Ensuring, in partnership with the MAC, that there is effective governance in place for the MAC
- Promoting and safeguarding the independence of the MAC and maintaining an appropriate distinction between the Sponsor's other responsibilities within the Home Office and the sponsorship of the MAC
- Ensuring the MAC and the Secretariat is aware of relevant Home Office corporate policies and standards and ensuring compliance with these is monitored where necessary

- Ensuring an open and constructive relationship between the Home Office and the MAC
- Ensuring that the MAC is informed of relevant Government policy in a timely manner
- Ensuring any concerns about the activities of members of the MAC or of the Secretariat are brought to the full Committee, requiring explanations and assurances that appropriate action has been taken

## 10. Resolution of disputes between the MAC and department

10.1. Any disputes between the department and the MAC will be resolved in as timely a manner as possible. The department and the MAC will seek to resolve any disputes through an informal process in the first instance. If this is not possible, then a formal process, overseen by the senior sponsor, will be used to resolve the issue. Failing this, the senior sponsor will ask the relevant policy Director General to oversee the dispute. They may then choose to ask the Permanent Secretary to nominate a non-executive member of the department's Board to review the dispute, mediate with both sides and reach an outcome, in consultation with the Secretary of State.

## 11. Requests for Information

11.1. Where a request for information is received by either party under the Freedom of Information Act 2000, the Data Protection Act 1998 or 2018, or the UK GDPR, the party receiving the request will consult with the other party prior to any disclosure of information that may affect the other party's responsibilities. However, the final decision on disclosure will sit with the party receiving the request for information.

## 12. Reporting on legal risk and litigation

12.1. The MAC shall provide a quarterly update to the sponsor on the existence of any active litigation and any threatened or reasonably anticipated litigation. The parties acknowledge the importance of ensuring that legal risks are communicated appropriately to the sponsor in a timely manner.

12.2. In respect of each substantial piece of litigation involving the MAC, the parties will agree a litigation protocol which will include specific provisions to ensure appropriate and timely reporting on the status of the litigation and the protection of legally privileged information transmitted to the sponsor to facilitate this. Until such time as a protocol is agreed, the parties will ensure that:

- material developments in the litigation are communicated to the sponsor in an appropriate and timely manner
- legally privileged documents and information are clearly marked as such
- individual employees handling the legally privileged documents are familiar with principles to which they must adhere to protect legal privilege
- circulation of privileged information within government occurs only as necessary

12.3. If the MAC require legal advice, after consultations with the sponsorship unit, the Head of Secretariat will liaise with contacts in the Government Legal Department (GLD). If necessary, and where it is required, the MAC will arrange to receive independent legal advice from another source.

# The MAC's governance structure

## 13. The PAO as Accounting Officer (AO)

- 13.1. As Accounting Officer for the MAC, the PAO is personally responsible for safeguarding the public funds for which they have charge; for ensuring propriety, regularity, value for money and feasibility in the handling of those public funds; and for the day-to-day operations and management of the MAC. In addition, they should ensure that the MAC as a whole is run on the basis of the standards, in terms of governance, decision-making and financial management, that are set out in Box 3.1 of MPM.

### Responsibilities for accounting to Parliament and the public

- 13.2. Responsibilities to Parliament and the public include:
- giving evidence, normally with the MAC Chair, when summoned before the PAC on the MAC's stewardship of public funds or when summoned before HASC on other issues relating to its work

### Responsibilities to the Home Office

- 13.3. Responsibilities to the Home Office include:
- informing the department of progress in helping to achieve the department's policy objectives and in demonstrating how resources are being used to achieve those objectives
  - ensuring that timely forecasts and monitoring information on performance and finance are provided to the department; that the department is notified promptly if over or under spends are likely and that corrective action is taken; and that any significant problems whether financial or otherwise, and whether detected by internal audit or by other means, are notified to the department in a timely fashion

### Responsibilities to the Committee

#### Managing conflicts

- 13.4. To protect the independence of the MAC, the PAO should empower the MAC Committee to undertake their duties without Departmental influence, except in very exceptional circumstances with a clear cut and transparent rationale for not doing so.
- 13.5. If the MAC Chair is contemplating a course of action involving a transaction which the PAO considers would infringe the requirements of propriety or regularity or does not represent prudent or economical administration, efficiency or effectiveness, is of questionable feasibility, or is unethical the PAO, in their role as MAC AO should reject that course of action and ensure that the Committee have a full opportunity to discuss the rationale for that rejection.
- 13.6. Such conflicts should be brought to the attention of Home Office Ministers as soon as possible.
- 13.7. Furthermore, and if agreed with Home Office Ministers, the AO must write a letter of justification to the Chair of the Committee setting out the rationale for not following the advice and recommendation of the Committee and copy that letter to the Treasury Officer of Accounts.

- 13.8. If Home Office Ministers agrees with the proposed course of action of the Committee it may be appropriate for the Minister to direct the AO in the manner as set out in MPM paragraph 3.6.6 onwards.

## 14. The Committee

### Composition of the Committee

- 14.1. The MAC will function in line with good standards of corporate governance and as set out in guidance as set out in Annex A. The role of the Committee shall be to deliver the MAC's objectives, in accordance with the purposes as set out above, their regulatory, common law duties and their responsibilities under this framework document. Detailed responsibilities of the Committee shall be set out in the MAC's terms of reference. Remuneration of the Committee will be disclosed in line with the guidance in the Government Financial Reporting manual (FReM).
- 14.2. The Committee will consist of a chairperson, a deputy chairperson, together with additional Committee members as appropriate that have a balance of skills and experience appropriate to directing the MAC's business.

## 15. The Chair's role and responsibilities

- 15.1. The Chair of the MAC is appointed for such periods as Home Office Ministers may determine but no such period shall exceed three years. His/her appointment and any reappointments must be compliant with the principles set out in the Governance Code on Public Appointments.
- 15.2. The Chair is appointed in an individual capacity even if he/she is a member of one or more other bodies. If the Chair declares an organisation's views rather than a personal view, he/she should make it clear at the time of declaring that view.
- 15.3. The Chair is expected to attend all MAC meetings, excepting occasions of illness or personal emergency.
- 15.4. The Chair is responsible for leading the Committee in the delivery of its responsibilities. Such responsibility should be exercised in the light of their duties and responsibilities as set out in their contract of employment/appointment letter, the priorities in the Chair's letter issued to them by the sponsor team, the statutory authority governing the MAC, this document and the documents and guidance referred to within this document.
- 15.5. Communications between the Committee and Home Office Ministers should normally be through the Chair.
- 15.6. The Chair is bound by the Code of Conduct for Board Members of Public Bodies<sup>2</sup>, which covers conduct in the role and includes the Nolan Principles of Public Life<sup>3</sup>.
- 15.7. In addition, the Chair is responsible for:

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<sup>2</sup> <https://www.gov.uk/government/publications/code-of-conduct-for-board-members-of-public-bodies>

<sup>3</sup> <https://www.gov.uk/government/publications/the-7-principles-of-public-life>

- monitoring and engaging with appropriate governance arrangements to ensure that the MAC's affairs are conducted with probity
- ensuring that policies and actions support Home Office Ministers' wider strategic policies and where appropriate, these policies and actions should be clearly communicated and disseminated throughout the MAC

15.8. The Chair has the following leadership responsibilities:

- formulating the MAC's strategy
- providing executive analytical input to MAC work
- developing links with Skills England, the Industrial Strategy Advisory Council and DWP as part of the new LME Group to support a coherent approach to skills, migration and labour market policy
- proactively engaging with relevant stakeholders to maintain the MAC's reputation and key relationships
- ensuring that the Committee, in reaching decisions, takes proper account of guidance provided by Home Office Ministers or the department
- promoting the efficient and effective use of staff and other resources
- delivering high standards of regularity and propriety
- representing the views of the Committee to the general public and the media as arranged by the Secretariat. The Chair will have the responsibility of speaking on behalf of the MAC to the press or of being interviewed by journalists and broadcast media with the option to delegate this responsibility to the Deputy Chair
- overseeing the operation and output of the MAC (in collaboration with the Secretariat)
- ensuring that every member of the MAC has the opportunity to be heard and that no view is overlooked or ignored
- ensuring that the MAC meets at appropriate intervals
- ensuring that any significant diversity of opinion among the MAC members is fully explored and discussed
- ensuring that the MAC operates under a presumption of openness
- reporting the MAC's advice to Government

15.9. The Chair also has an obligation to ensure that:

- the work of the Committee and its members are reviewed and are working effectively including ongoing assessment of the performance of individual Committee members with a formal annual evaluation and more in-depth assessments of the performance of individual Committee members when being considered for re-appointment
- that in conducting assessments that the view of relevant stakeholders including the Secretariat and the sponsorship team are sought and considered
- that the Committee has a balance of skills appropriate to directing the MAC's business
- Committee members are fully briefed on terms of appointment, duties, rights and responsibilities
- Home Office Ministers is advised of the MAC's needs when Committee vacancies arise
- Ensuring the MAC acts in accordance with this Framework Document
- there is a code of practice for Committee members in place, consistent with the Cabinet Office Code of Conduct for Board Members of Public Bodies

## 16. The Deputy Chair's role and responsibilities

- 16.1. The Deputy Chair of the MAC is appointed for such periods as Home Office Ministers may determine but no such period shall exceed three years. His/her appointment and any reappointments must be compliant with the principles set out in the Governance Code on Public Appointments.
- 16.2. The Deputy Chair is appointed in an individual capacity even if he/she is a member of one or more other bodies. If the Deputy Chair declares an organisation's views rather than a personal view, he/she should make it clear at the time of declaring that view.
- 16.3. The Deputy Chair is expected to attend all MAC meetings, excepting occasions of illness or personal emergency.
- 16.4. The Deputy Chair has responsibility for supporting the Chair to provide effective leadership of the MAC by:
  - Shaping strategic direction
  - Overseeing the operation and output of the MAC (in collaboration with the Chair, Committee, and Secretariat)
  - Providing executive analytical input and leadership on specific commissions
  - Developing links with Skills England, the Industrial Strategy Advisory Council and DWP as part of the new LME Group to support a coherent approach to skills, migration and labour market policy
  - Supporting further engagement with the nations and regions of the UK as part of the MAC's wider work programme
  - Supporting the Chair in chairing MAC meetings in the case of the Chair's absence, and in the case of the Chair's longer-term absence taking on further delegated responsibilities to ensure the smooth running of the Committee
  - Speaking on behalf of the MAC to the press or the public or being interviewed by journalists and broadcast media as arranged by the Secretariat
  - Ensuring the MAC acts in accordance with its Framework document and with Home Office corporate policies and guidance except where an exception is notified in accordance with this document

## 17. Individual Committee members' responsibilities

- 17.1. Members of the MAC, other than the Chair and Deputy Chair, are appointed for such periods as Home Office Ministers may determine but no such period shall exceed three years. Committee member appointments, and any reappointments must be compliant with the principles set out in the Governance Code of Public Appointments.
- 17.2. Members of the MAC are appointed as individuals to undertake duties on behalf of the MAC, not as representatives of their profession, employer or interest group. Members are appointed on a personal basis, even if they may be members of other bodies. If a member declares an organisation's views rather than a personal view, he/she should make it clear at the time of declaring that view.
- 17.3. Members are expected to attend at least 80% of the full meetings (including workshops and other gatherings) held by the MAC each year. Exceptions will be permitted in case of illness or personal emergency.

17.4. Members should satisfy themselves that the MAC's advice is comprehensible from the point of view of a lay person and that the implications of any uncertainties concerning that basis of the MAC's advice are fully explained.

17.5. Individual Committee members should:

- comply at all times with the Nolan Principles of Public Life as well as rules relating to the use of public funds and to conflicts of interest
- not misuse information gained in the course of their public service for personal gain or for political profit, nor seek to use the opportunity of public service to promote their private interests or those of connected persons or organisations
- comply with the sponsoring department's rules on the acceptance of gifts and hospitality, and of business appointments
- act in good faith and in the best interests of the MAC
- attend and contribute at MAC meetings
- examine and challenge, if necessary, the assumptions on which advice is formulated
- ensure that the MAC has the opportunity to consider: the available evidence on a given issue; contrary views; and, where appropriate, the concerns and values of corporate partners before a decision is taken
- advise on how the MAC's research budget should be spent
- act with a presumption of openness
- ensure that they act in accordance with this Framework Document

17.6. All members' interests, including that of the Chair and Deputy Chair, will be made available publicly as appropriate by publication on the MAC website.

## 18. MAC meetings

18.1. The frequency of MAC meetings will be determined by the Chair and the Head of Secretariat in the light of the current workplan.

18.2. A representative from the sponsoring department shall attend MAC meetings in an ex-officio capacity.

18.3. There must be a minimum of three members (including the Chair or Deputy Chair) at each MAC meeting to be quorate.

## 19. Code of conduct (public services)

19.1. All publicly-appointed members of the MAC must always follow public service values by:

- adhering to the Code of Conduct for Board Members of Public Bodies
- following the Seven Principles of Public Life set out by the Committee on Standards in Public Life
- being accountable, through Home Office Ministers, to Parliament and to the public for the activities of the MAC and for the standard of advice that is provided
- not misusing information gained in the course of their public service for personal gain or for political purpose, not seeking to use the opportunity of public service to promote their private interests or those of connected persons, firms, businesses or other organisations
- not holding any paid or high-profile unpaid posts in a political party or engaging in specific political activities on matters directly affecting the work of the MAC

- 19.2. All members must comply with this Framework Document and ensure that they understand their duties, rights and responsibilities, and that they are familiar with the function and role of the MAC and relevant statements of Government policy regarding issues that stem from the MAC's advice.

## 20. The MAC Secretariat

- 20.1. The MAC is supported by a Secretariat that is comprised of Home Office civil servants, but which is operationally independent from the Home Office, taking direction only from the MAC on the deployment of the resources delegated to it by the Department.
- 20.2. The Head of the MAC Secretariat is responsible for:
- advising the Committee on the discharge of their responsibilities as set out in this document, and in any other relevant instructions and guidance that may be issued from time to time
  - advising the Committee on the MAC's performance compared with its aims and objectives
  - ensuring that financial considerations are taken fully into account by the Committee at all stages in reaching and executing its decisions, and that financial appraisal techniques are followed
- 20.3. The primary function of the Secretariat is to support the MAC and its members by arranging and minuting meetings, assembling and analysing information, and drafting reports and correspondence. The Secretariat will also advise the MAC on processes and procedure in its relationship with Government.
- 20.4. The Secretariat will bring emerging issues of concern to the attention of the MAC to inform deliberations. It will, as far as is reasonably possible, identify all relevant and appropriate information and ensure that it is made available to the MAC.
- 20.5. The Secretariat will work with the Home Office to ensure the MAC is aware of relevant policy developments, can share information and analysis where appropriate and to ensure reporting requirements are met.
- 20.6. The Secretariat will ensure that the proceedings of the MAC are properly documented.
- 20.7. The Secretariat will be an impartial reporter, always respecting the MAC's independence.
- 20.8. As Home Office Civil Servants, the Secretariat staff will comply with all Home Office and Government-wide corporate policies and guidance, except where exceptions are notified in accordance with this document.



# Management and financial responsibilities and controls

## 21. Delegated authorities

- 21.1. The MAC's delegated authorities are set by the Home Office and the MAC Chair is informed of their allocation annually in writing by the Senior Sponsor.
- 21.2. In line with MPM Annex 2.2 these delegations will be reviewed on an annual basis.
- 21.3. As an advisory non-departmental public body, the MAC's funding is delegated from and met by Home Office budgets.
- 21.4. The MAC shall obtain the Home Office's and where appropriate HM Treasury's prior written approval before:
- entering into any undertaking to incur any expenditure that falls outside the delegations or which is not provided for in the MAC's annual budget as approved by the department
  - incurring expenditure for any purpose that is or might be considered novel or contentious, or which has or could have significant future cost implications
  - making any significant change in the scale of operation or funding of any initiative or particular scheme previously approved by the department
  - making any change of policy or practice which has wider financial implications that might prove repercussive or which might significantly affect the future level of resources required
  - carrying out policies that go against the principles, rules, guidance and advice in MPM

## 22. Spending authority

- 22.1. Once the budget has been approved by the sponsor department and subject to any restrictions imposed by Home Office Ministers, this document, HM Treasury settlement or the delegation letter, the MAC shall have authority to incur expenditure approved in the budget without further reference to the sponsor department, on the following conditions:
- the MAC shall comply with MPM regarding novel, contentious or repercussive proposals
  - inclusion of any planned and approved expenditure in the budget shall not remove the need to seek formal departmental approval where any proposed expenditure is outside the delegated limits or is for new schemes not previously agreed
  - the MAC shall provide the sponsor department with such information about its operations, performance, individual projects or other expenditure as the sponsor department may reasonably require
  - the **MAC does not hold separate bank accounts**. All banking and cash management is undertaken through Home Office systems in compliance with Managing Public Money and Exchequer pyramid principles

## 23. Procurement

- 23.1. The MAC shall ensure that its procurement policies comply with Home Office procedures and are also aligned with and comply with any relevant UK or other international procurement rules and in particular the Public Contracts Regulations 2015.
- 23.2. In procurement cases where the MAC is likely to exceed its delegated authority limit, procurement strategy approval for the specific planned purchase must be sought from the department's sponsor team.
- 23.3. Goods, services, and works should be acquired by competition. Proposals to let single-tender or restricted contracts shall be limited and exceptional, and an annual report explaining those exceptions should be sent to the department.
- 23.4. Procurement by MAC of works, equipment, goods, and services shall be based on, a full option appraisal and value for money (VfM), i.e. the optimum combination and whole life costs and quality (fitness for purpose).
- 23.5. The MAC shall:
- engage fully with department and government wide procurement initiatives that seek to achieve VfM from collaborative projects
  - comply with all relevant Procurement Policy Notes issued by Cabinet Office
  - co-operate fully with initiatives to improve the availability of procurement data to facilitate the achievement of VfM
- 23.6. The MAC shall comply with the commercial<sup>4</sup> and grants standards<sup>5</sup>. These standards apply to the planning, delivery, and management of government commercial activity, including management of grants in all departments and ALBs, regardless of commercial approach used and form part of a suite of functional standards that set expectations for management within government.
- 23.7. As the MAC are reliant on Home Office procurement processes for the provision of data analysis software, for research purposes, and for other procurement needs, the MAC will comply with relevant Home Office procurement processes. Given the fixed term nature of the MAC's work programme, the Home Office will fully support the MAC by ensuring necessary procurement processes are carried out as quickly as is practical.

## 24. Risk management

- 24.1. The MAC shall ensure that the risks that it faces are dealt with in an appropriate manner, in accordance with relevant aspects of best practice in corporate governance, and develop a risk management strategy, in accordance with the Treasury guidance Management of Risk: Principles and Concepts<sup>6</sup>.
- 24.2. Where the MAC identifies a new risk which it feels cannot be managed within the organisation, or where the impact or likelihood profile of an existing risk is increasing and

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<sup>4</sup> <https://www.gov.uk/government/publications/commercial-operating-standards-for-government>

<sup>5</sup> <https://www.gov.uk/government/publications/grants-standards>

<sup>6</sup> [http://www.hm-treasury.gov.uk/orange\\_book.htm](http://www.hm-treasury.gov.uk/orange_book.htm)

mitigation or contingency plans require engagement of the Home Office, these should be escalated by the Chair (or equivalent) to the Home Office Sponsorship Unit (HOSU).

## 25. Counter fraud and theft

- 25.1. The MAC should adopt and implement policies and practices to safeguard itself against fraud and theft.
- 25.2. The MAC should act in line with guidance as issued by the Counter Fraud Function and in compliance with the procedures and considerations as set in in MPM Annex 4.9 and the Counter Fraud Functional Standard<sup>7</sup>. It should also take all reasonable steps to appraise the financial standing of any firm or other body with which it intends to enter a contract or to provide grant or grant-in-aid.
- 25.3. The MAC should keep records of and prepare and forward to the department a regular report on fraud and theft suffered by the MAC and notify the sponsor department of any unusual or major incidents as soon as possible. The MAC should also report detected loss from fraud, bribery, corruption and error, alongside associated recoveries and prevented losses, to the counter fraud centre of expertise in line with the agreed government definitions as set out in Counter Fraud Functional Standard.
- 25.4. The MAC Secretariat is staffed by Home Office civil servants, rather than individuals directly employed by the MAC. Civil Service pay controls and HR policies apply to these staff.

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<sup>7</sup> <https://www.gov.uk/government/publications/government-functional-standard-govs-013-counter-fraud>

# Business plans, financial reporting and management information

## 26. Corporate and Business plans

- 26.1. The MAC does not operate on a fixed business plan due to its commission-based model. To ensure accountability, the MAC will:
- produce an Annual Governance Report published on its website
  - publish all commissioning letters from Ministers on its website
  - conduct regular performance reviews for the Chair, Deputy Chair and Committee, and meetings with Home Office Ministers and Principal Accounting Officer
- 26.2. These arrangements have been agreed with the sponsor department and comply with Managing Public Money principles.

## 27. Budgeting procedures

- 27.1. Each year, in the light of decisions by the department on MAC's objectives, the department will send to the MAC:
- a formal statement of the annual budgetary provision allocated by the department in the light of competing priorities across the department
  - a statement of any planned change in policies affecting the MAC

## 28. Grant-in-aid and any ring-fenced grants

- 28.1. The MAC's funding comes from central Home Office budgets.
- 28.2. Delegated authority arrangements
- These arrangements comply with Managing Public Money principles and Treasury consent rules for novel or contentious spending. There is no ambiguity about accountability or approval processes.

## 29. Annual report and accounts

- 29.1. The MAC does not produce its own annual report and accounts (ARA). The PAO, as Accounting Officer for the MAC ensures that the Home Office ARA includes all relevant information relating to the MAC's work and finances.

## 30. Working arrangements for the MAC

- 30.1. Workplan
- Wherever possible the Government will agree with the MAC a workplan which sets out what the MAC will deliver and by when, taking account of the MAC's capacity to deliver. However, the Government may at any time commission work and ask the MAC to change the current workplan accordingly
  - The MAC will also have the ability to engage in work of its own choosing and to comment on the operation of any aspect of the immigration system

- Unless acting as its own initiative as set out above the formal commissioning of the work by the MAC will be done by a letter Home Office Ministers to the Chair of the MAC. The MAC will publish the part of the letter setting out the commission.
- The MAC will be required to produce an annual report
- As part of the MAC's workplan, it commits to engaging fully with and working closely with Skills England, the Industrial Strategy Advisory Council and DWP as part of the new LME Group to support a coherent approach to skills, migration and labour market policy
- The MAC's role will be advisory. Decisions on UK immigration policy will remain a matter for UK Government Ministers

#### 30.2. Engagement with Ministers and officials

- The MAC will offer written advice to Ministers which it will publish subsequently wherever possible, subject to the provisions in paragraph 28.6
- Communications between the MAC and Ministers will usually be through the Chair, except where the Chair has agreed that an individual member should act on its behalf. In such cases both the Head of Secretariat and the Chair should be informed, and the latter will inform the rest of the MAC. The Chair will also have the option to delegate this responsibility to the Deputy Chair
- Home Office officials will strive to have an open and transparent relationship with the Secretariat as far as possible

#### 30.3. Consultation

- Wherever appropriate, the MAC will issue a call for evidence to stakeholders and members of the public as it sees fit and will conduct consultations with them in the manner it sees fit

#### 30.4. Research

- The MAC will commission research as it sees fit, within a budget agreed with the Home Office

#### 30.5. Role of the Home Office representative on the MAC

- The Home Office representative (see paragraph 18.2) shall not participate as a full member of the Committee but shall inform the Committee about current Government policies or operational procedures relevant to the deliberations of the Committee and provide any necessary background about a Government commission to the MAC. The Chair may invite the Home Office representative to express an opinion on any matter before the Committee.

#### 30.6. How advice from the MAC will be presented

- Upon completion of a report commissioned by the Government, the MAC will then publish its report at an appropriate time, at its discretion. The MAC may hold a press conference to accompany publication of its report. The MAC will publish the report on its website. The advice of the MAC will be objective, evidence-based and independent of the Government
- Advice will be given clearly and, wherever possible, in terms that can be understood by a lay person. Any assumptions underlying the advice and the nature and extent of any uncertainty will be identified as far as is possible
- Where there are uncertainties, whether due to substantial gaps in the knowledge base, or inadequate or incomplete data, or due to general complexity, making it impossible to predict the outcome of a policy or intervention with substantial

certainty and where judgments have been made in the face of any of these forms of uncertainty, the MAC will identify these with any tensions or trade-offs between them, and may produce a range of options or interpretations as part of its advice

- Reasons for producing a preferred option will be made clear
- The MAC should not seek unanimity at the risk of failing to recognise different views on a subject. Any significant diversity of opinion among MAC members will be recorded and published with the advice to the Government
- Reports and advice that are published will include enough detail such that anyone scrutinising the work of the MAC can identify the background information used and identify any assumptions made or criteria applied

#### 30.7. Publications

- The MAC must produce such reports, or updates of reports, as it is commissioned to do by the Government, in accordance with its Purpose and Aims set out above. Reports should include the methodology used, a review of research commissioned, and details of corporate partners consulted
- The MAC may also independently publish additional reports relevant to its current or possible future remit, including calls for evidence and methodological papers
- The MAC may independently produce reports on the operation of any aspects of the immigration system as it sees fit, provided that undertaking such work does not impede its fulfilment of the commissions it has received from the Government
- The MAC must produce an annual report (or equivalent publication) to inform Parliament and the public of the work it has done and its use of resources. This report may contain comment on, and recommendations relating to, all aspects of the immigration system
- In line with the section on confidentiality of papers below, the MAC reserves the right to choose whether embargoed copies of its reports are issued to officials and members of the press ahead of publication on the MAC's website

#### 30.8. Communications with the media

- The Chair of the MAC will be the spokesperson for any contacts with the media unless other specific arrangements have been made by the Chair and Secretariat. The Chair can delegate this responsibility to the Deputy Chair when necessary
- If required by the MAC, the Home Office as sponsoring department will assign a Press Officer to the MAC as a specific point of contact who will assist in managing dealings with the media, including requests for interviews and statements and overseeing press conferences. In this capacity, the Press Officer will act in the best interests of the MAC as an independent body.
- If a member of the MAC receives an approach for an interview on behalf of the MAC, the request should be referred to the Secretariat and the MAC's assigned Press Officer for advice where possible
- If a member is speaking or writing in a personal or professional capacity to the media (which he/she is entitled to do) and he/she is identified as a member of the MAC, it should be made clear that the individual's view is not necessarily that of the MAC
- Members should avoid public comments of a party-political nature on matters relevant to the work of the Committee, as the advice of the Committee to Government must be seen to be impartial

- All media inquiries to members, any media appearances and any requests for articles, letters or other comments should beforehand, when relevant to MAC business, be routed through the Secretariat, who will liaise with the Chair

#### 30.9. Confidentiality of papers

- The MAC will operate in an open and transparent way in accordance with Cabinet Office guidelines and its policy on openness and transparency outlined below. If documents are produced for eventual public release, they should not be disclosed until they have been formally released by the MAC

#### 30.10. Policy on openness and transparency

- The MAC will operate with a presumption of openness
- Minutes of all the MAC meetings will be taken. These will reflect the proceedings and discussions that take place and will be recorded on a nonattributable basis, except where the views of one or more members need to be recorded (for example when declaring an interest)
- Wherever possible, final advice from the MAC will be placed in the public domain when it is submitted to the Government. Where advice cannot be made public or cannot be made public for a period of time, this will be explained. It is not anticipated that there will be many occasions when there is a need to withhold information, but some examples might include:
  - When there is a specific and significant risk that doing so would prove commercially or financially sensitive
  - Where studies are sensitive in security terms.
- The MAC will make public (through publication on its website), and will continue to make public:
  - details of the MAC's terms of reference and its Framework Document
  - membership of the MAC
  - members' interests
  - minutes (after they have been formulated and agreed by the MAC)
  - formal reports and statements made by the MAC
  - contact points for the Secretariat
- The Home Office has the right of access to all the Secretariat records and personnel.

## 31. Reporting performance to the Home Office

31.1. The MAC shall produce an annual report of its work and present this to Home Office Ministers. They will include information on its financial performance against the budgets it has been delegated and a summary of the work it has delivered on in a given year.

31.2. The MAC's performance shall be formally reviewed by the department annually.

31.3. At least one of the Home Office Ministers will meet the Chair at least once a year.

31.4. The PAO will meet the Chair at least once a year with the option for this to be delegated to the Second Permanent Secretary of the Home Office.

## 32. Information sharing, data access, and data protection

- 32.1. The Home Office has the right to request access to MAC records and personnel for multiple purposes including, for example, sponsorship audits and operational investigations. This would be carried out in a manner that remains consistent with the MAC's independence.
- 32.2. The MAC shall provide the Home Office with such information about its operations, performance, individual projects or other expenditure as the sponsor department may reasonably require.
- 32.3. The Home Office and HM Treasury may request the sharing of data held by the MAC in such a manner as set out in central guidance except insofar as it is prohibited by law. This may include requiring the appointment of a senior official to be responsible for the data sharing relationship.
- 32.4. As a minimum, the FSR shall provide the department with information monthly via Home Office finance management systems which will enable the department satisfactorily to monitor:
- MAC's cash management
  - its draw-down of grant-in-aid
  - forecast outturn by resource headings
  - other data required for the Online System for Central Accounting and Reporting (OSCAR)
  - data as required in respect of its compliance with any Cabinet Office Controls pipelines or required in order to meet any condition as set out in any settlement letter
- 32.5. The Home Office as sponsoring department shall provide the MAC Secretariat, Chair and Deputy Chair access to the data it requires in order to carry out its duties and responsibilities, including work commissioned by Home Office Ministers, efficiently and effectively. The Home Office will also assist the MAC with access to data it requires and which is held by other government departments. Given the fixed term nature of the MAC's work programme, the Home Office will ensure the MAC's data requests are actioned as quickly as is practical so as to not impact on its delivery timelines. Where there are delays in the provision of information or data to the MAC to enable it to undertake its duties, the MAC reserves the right to delay the delivery of associated work.
- 32.6. The Home Office will provide the Chair, Deputy Chair, and members of the Secretariat with access to relevant data platforms to enable the MAC to provide analysis and evidence-based policy recommendations. This will only be used for work that enables the MAC to deliver its duties and within its remit, with regard to applicable data protection legislation, and will feed into the MAC's work outputs.
- 32.7. The MAC will comply with data protection processes as set by the law, the Information Commissioner's Office, and the sponsoring department. This will include ensuring that a Data Protection Impact Assessment (DPIA) is completed where appropriate. The MAC shall delegate a Data Protection Officer (currently the Home Office Data Protection Officer) and will then work with and respond to requests from the Data Protection Officer which the Home Office assigns to it. The MAC will also maintain a log of any data protection incidents for auditing and reporting purposes and also maintain a personal information charter on the MAC website (<https://www.gov.uk/government/organisations/migration-advisory-committee>).



# Audit

## 33. Internal audit

33.1. The MAC shall:

- Consider requests for information from the Government Internal Audit Agency (GIAA) or the Home Office Sponsorship Unit
- Ensure that any arrangements for internal audit are in accordance with the Public Sector Internal Audit Standards (PSIAS) as adopted by HM Treasury<sup>8</sup>
- Keep records of and prepare and forward to the department an annual report on fraud and theft suffered by the MAC and notify the sponsor department of any unusual or major incidents as soon as possible
- Will share with the Home Office information identified during the audit process and the Annual Audit Opinion Report (together with any other outputs) at the end of the audit, in particular on issues impacting on the department's responsibilities in relation to financial systems within the MAC

## 34. External Audit

34.1. The MAC is consolidated into the Home Office's audited accounts and does not have a separate ARA. However, its financial performance is reported in the Home Office's accounts and its own Annual Report. The Home Office remains responsible for ensuring compliance with audit requirements.

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<sup>8</sup> <https://www.gov.uk/government/publications/public-sector-internal-audit-standards>

# Reviews and winding up arrangements

## 35. Review of ALB's status

35.1. The MAC will be reviewed as part of the wider Public Bodies Reviews programme, at a time determined by the department's ministers and their PAO.

## 36. Arrangements in the event that the ALB is wound up

36.1. In the event that the Home Office decides to discontinue the MAC, the Department will:

- Ensure that MAC members are informed and make arrangements for their appointments to be terminated in line with their terms of appointment
- Ensure MAC members are paid all outstanding fees;
- Account for MAC delegated budget including paying outstanding contracts
- Arrange for all MAC Secretariat staff to be redeployed into other roles within the Department, in line with redeployment policy
- Take responsibility for all MAC assets (physical and digital)
- Write to the Home Affairs Select Committee informing them of the MAC's discontinuation

# Annex A: Guidance

The MAC shall comply with the following guidance, documents and instructions:

## Corporate governance

- This framework document
- Corporate Governance Code for Central Government Departments (relevant to Arm's Length Bodies) and supporting guidance: <https://www.gov.uk/government/publications/corporate-governance-code-for-central-government-departments-2017>
- Code of practice for partnerships between Departments and Arm's Length Bodies: <https://www.gov.uk/government/publications/partnerships-with-arms-length-bodies-code-of-good-practice#:~:text=This%20code%20of%20good%20practice,partnership%20approach%20to%20shaping%20relationships>

## Financial management and reporting

- Managing Public Money (MPM): <https://www.gov.uk/government/publications/managing-public-money>
- Government Financial Reporting Manual (FReM): [www.gov.uk/government/collections/government-financial-reporting-manual-frem](http://www.gov.uk/government/collections/government-financial-reporting-manual-frem)
- Relevant guidance and instructions issued by the Treasury in respect of Whole of Government Accounts: <https://www.gov.uk/government/collections/whole-of-government-accounts>
- The most recent letter setting out the delegated authorities, issued by the parent department

## Management of risk

- Management of Risk: [www.gov.uk/government/publications/orange-book](http://www.gov.uk/government/publications/orange-book) and <https://www.gov.uk/government/publications/management-of-risk-in-government-framework>
- Public Sector Internal Audit Standards: [www.gov.uk/government/publications/public-sector-internal-audit-standards](http://www.gov.uk/government/publications/public-sector-internal-audit-standards)
- HM Treasury approval processes for Major Projects above delegated limits: <https://www.gov.uk/government/publications/treasury-approvals-process-for-programmes-and-projects>
- The Government cyber-security strategy and cyber security guidance: <https://www.gov.uk/government/publications/national-cyber-strategy-2022/national-cyber->

[security-strategy-2022](#) and <https://www.gov.uk/government/collections/cyber-security-guidance-for-business>

## Commercial management

- Procurement Policy Notes: <https://www.gov.uk/government/collections/procurement-policy-notes>
- Cabinet Office spending controls: <https://www.gov.uk/government/collections/cabinet-office-controls>
- Transparency in supply chains - a practical guide:  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1040283/Transparency\\_in\\_Supply\\_Chains\\_A\\_Practical\\_Guide\\_2017\\_final.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1040283/Transparency_in_Supply_Chains_A_Practical_Guide_2017_final.pdf)

## Public appointments

The following are relevant where public bodies participate in public appointments processes:

- Guidance from the Commissioner for Public Appointments:  
<https://publicappointmentscommissioner.independent.gov.uk/>
- Governance Code on Public Appointments: [www.gov.uk/government/publications/governance-code-for-public-appointments](http://www.gov.uk/government/publications/governance-code-for-public-appointments)
- Procurement Policy Note 08/15 – Tax Arrangements of Public Appointees:  
<https://www.gov.uk/government/publications/procurement-policy-note-0815-tax-arrangements-of-appointees>

## Staff and remuneration

- HM Treasury guidance on senior pay and reward: [www.gov.uk/government/publications/senior-civil-service-pay-and-reward](http://www.gov.uk/government/publications/senior-civil-service-pay-and-reward)
- Civil Service pay guidance (updated annually): [www.gov.uk/government/collections/civil-service-pay-guidance](http://www.gov.uk/government/collections/civil-service-pay-guidance)
- Public sector pay and terms: <https://www.gov.uk/government/publications/public-sector-pay-and-terms-guidance-note>
- Whistleblowing Guidance and Code of Practice:  
<https://www.gov.uk/government/publications/whistleblowing-guidance-and-code-of-practice-for-employers>
- The Equalities Act 2010: [www.gov.uk/guidance/equality-act-2010-guidance](http://www.gov.uk/guidance/equality-act-2010-guidance)

## General

- Freedom of Information Act guidance and instructions: [www.legislation.gov.uk/ukpga/2000/36/contents](http://www.legislation.gov.uk/ukpga/2000/36/contents) and <https://ico.org.uk/for-organisations/guide-to-freedom-of-information/>
- The Parliamentary and Health Service Ombudsman's Principles of Good Administration: <https://www.ombudsman.org.uk/about-us/our-principles>
- Other relevant instructions and guidance issued by the central Departments (Cabinet Office and HM Treasury)
- Recommendations made by the Public Accounts Committee, or by other Parliamentary authority, that have been accepted by the Government and are relevant to the MAC
- Guidance from the Public Bodies team in Cabinet Office: [www.gov.uk/government/publications/public-bodies-information-and-guidance](http://www.gov.uk/government/publications/public-bodies-information-and-guidance)
- The Civil Service diversity and inclusion strategy (outlines the ambition, to which Arm's Length Bodies can contribute): <https://www.gov.uk/government/publications/civil-service-diversity-and-inclusion-strategy-2022-to-2025>
- Guidance produced by the Infrastructure and Projects Authority (IPA) on management of major projects: [www.gov.uk/government/organisations/infrastructure-and-projects-authority](http://www.gov.uk/government/organisations/infrastructure-and-projects-authority)
- The Government Digital Service: [www.gov.uk/government/organisations/government-digital-service](http://www.gov.uk/government/organisations/government-digital-service)
- The Government Fraud, Error, Debt and Grant Efficiency function; [www.gov.uk/government/collections/fraud-error-debt-and-grants-function](http://www.gov.uk/government/collections/fraud-error-debt-and-grants-function) and [www.gov.uk/government/publications/grants-standards](http://www.gov.uk/government/publications/grants-standards)
- Code of Practice for Official Statistics: <https://code.statisticsauthority.gov.uk/#:~:text=The%20Code%20of%20Practice%20for%20Statistics%20sets%20the,produced%20by%20people%20and%20organisations%20that%20are%20trustworthy.>