



Rt Hon. Nick Thomas-Symonds MP
Minister for the Cabinet Office
HM Paymaster General
Cabinet Office 70 Whitehall London
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Rt Hon Baroness Stuart
First Civil Service Commissioner

9 July 2025

Dear Gisela,

I am writing to you regarding the future of the Business Appointment Rules system, and in particular to invite the Civil Service Commission to take on a new role in providing independent advice on, and scrutiny of, the application of the Business Appointment Rules (BARs) in respect of civil servants and special advisers.

As you know, the Government has been giving careful consideration to ensuring the right structures and arrangements are in place for upholding standards, in the context of our manifesto commitment to create an Ethics and Integrity Commission to ensure probity in Government. We have also been carrying out a comprehensive review of all arm's length bodies in order to ensure that we can create a more productive and agile state.

The functions hitherto provided by the Advisory Committee on Business Appointments (ACOPA), in providing independent advice on the application of the BARs, remain very important to protecting the integrity of Government. However, the Prime Minister has decided that it would be more efficient and appropriate to transfer these functions elsewhere, so that the source of that advice - to civil servants and to ministers - is located within existing bodies and with office holders that already provide independent oversight of aspects of the Civil Service and the Ministerial Code respectively.

In particular, the Commission's current responsibility for providing independent regulation of fair and open recruitment into the Civil Service is well-suited also to overseeing the arrangements by which departures and post-government roles of the most senior civil servants are managed under the BARs. Just as the proper application of the Civil Service Recruitment Principles helps to protect the integrity of, and trust in, the Civil Service, so too must the proper application of the Business Appointment Rules at the end of civil servants' careers. It should also help to provide clarity to those joining the Civil Service, as to what the requirements on exit will be.

I would therefore like to formally invite the Commission under the provisions in Section 17 of the Constitutional Reform and Governance Act 2010 (CRAG) to take on responsibility for the administration and advice on applications from senior civil servants (and equivalent special advisers) under the BARs system. As you will be aware, Section 17 of CRAG allows for the Commission to agree to take on additional functions alongside those set out in the Act.

It is also important that the Business Appointment Rules system is designed and administered in such a way that it is responsive, encourages compliance, and focuses independent scrutiny and assurance on the cases that present the most potential risk to the integrity of government. I know, for example, that the Commission has made good progress recently in embedding efficient and responsive arrangements for managing appointments by exception, and would hope that you could bring that and other experience to bear in the context of the Business Appointment Rules system. I have set out in the **Annex** to this letter some further detail on the Government's priorities for the system overall.

In addition, to further strengthen the rules and improve consistency I would also like to invite the Commission under S17, from the point of the transfer of functions, to commence regular audits of departmental performance with regard to the applications they administer at the grades below those currently administered by ACOBA. This should align well with the Commission's current departmental audit function in respect of recruitment practices and provide important assurance.

My intention is to announce the closure of ACOBA before summer recess and for the transfer of its functions to be completed by the end of conference recess (13 October). I have asked my officials in the Cabinet Office to continue discussions with you so as to provide any further information and answer any questions you may have, including the arrangements for resourcing these new functions. Therefore, I would be very grateful if you could formally respond to this letter confirming that the Commission is content to take on these additional functions. My officials can then work with the Commission to implement the arrangements.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'N. Thomas-Symonds', with a long horizontal flourish underneath.

**RT HON NICK THOMAS-SYMONDS MP
MINISTER FOR THE CABINET OFFICE
HIS MAJESTY'S PAYMASTER GENERAL**

Annex - Ministerial priorities for the application of the Business Appointment Rules

This structural change offers an opportunity to more broadly improve the system surrounding post-Government roles. The Government has set out the need for a fundamental rewiring of the state. To do that, it is imperative that we ensure that the functions of the state are delivered more efficiently, removing bureaucracy and process as much as possible. The Government committed in its manifesto to a review of the Business Appointment Rules to minimise non-compliance. Improving public trust in government requires a system with clear rules and processes that are adhered to. The changes to ministerial severance payments and the introduction of audits by the Commission are two ways in which the Government is bolstering the rigour of the system, and ensuring that this element of the standards system is strengthened.

However, the Government also recognises that the vast majority of applicants do seek to comply with the Rules and, where they fall short, it is more often a function of oversight or misunderstanding rather than a genuine attempt to evade the Rules. Given this, it is incumbent on the Government to ensure that the system works as smoothly as possible. In this regard, the Government's conclusion is that the current system is too slow. It is not acceptable for applicants to wait weeks or months for a decision to be made. This puts people off taking up Government roles at a time when it is imperative that those with the right skills are able to support the delivery of the Government's missions. Furthermore, the quicker and simpler the system, the fewer breaches will occur as those subject to the Rules will have less incentive to disengage from the system. The current guidance to the Rules sets out the 'standard conditions' that most applicants at ACOBA level will receive - Ministers would like to see the Commission develop a process that, where appropriate, recognises that these conditions will be suitable for the majority of applications, with more detailed consideration and conditions reserved for genuinely complex or higher risk applications. An initial triage process should be able to put this into action quickly. To assist in this, officials will introduce a streamlined application process for those roles where there is lower threat to the integrity of Government - such as journalism, media appearances, and academia.

Any lack of compliance with the Rules is regrettable, risks undermining the integrity of Government, and should be minimised where possible. To that end, the Government is unconvinced that the current system is best set up to achieve this, and therefore would like to amend the way applicants, applications and breaches are administered. Ultimately, the greater the bureaucracy involved in the process, the less successful it will be in encouraging compliance. To that end, while the Rules rightly discourage retrospective applications in order to ensure initial compliance from applicants, it is clearly counterproductive not to ever allow them. To do so risks people breaching the Rules and then being able to take up roles without any conditions. Non-compliance with the Rules will need to be addressed, but the Government would like the Commission to adopt a position whereby, should someone acknowledge their error and agree to follow the process, there is still an opportunity for them to receive advice and be subject to conditions. It is imperative that conditions are applied to new roles where possible to ensure that the integrity of Government is protected. Supporting applicants to complete applications and

understand their conditions is a more fruitful method for longer-term compliance, than shutting the process down on the recognition of the first mistake.

These priorities should not be seen as weakening the system. On the contrary, they are about recalibrating it to allow for the swifter processing of most applications to provide for attention to be given to the minority of cases that genuinely warrant it. Ministers agree that where people seek to evade the Rules or engage with them in bad faith, we must be robust in dealing with them. The Government is determined to ensure that we have a system that does not create a process for its own sake but as a genuine means to ensuring people can move into roles outside of Government quickly, providing the appropriate safeguards are in place.

In summary, Ministers would be grateful if the Commission would work with Cabinet Office officials to ensure that these new responsibilities are administered in the following manner:

- Create a process by which applications are managed quickly and efficiently incorporating:
 - The use of the lower risk application form;
 - Greater use of standard conditions for the majority of cases - with an appropriately proportionate final advice letter.
 - Ensuring that the advice is published transparently in a proportionate and accessible manner.

- A culture of support and advice with applicants incorporating:
 - The provision of advice and conditions in the case of retrospective applications where the applicant has accepted fault and seeks the Commission's advice in good faith;
 - Where non-compliance is detected, a greater focus on using advice and guidance to reorientate applicants back to adherence with the process.