

PO-CH/NL/0241

PART A

Part A.

CONFIDENTIAL

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MANAGEMENT - IN - CONFIDENCE,

Begins: 27/9/87
Ends: 11/1/88



PO -CH /NL/0241



PART A

Chancellor's (Lawson) papers:

STATUS AND DUTIES OF
CIVIL SERVANTS

Civil Servants

Disposal Directions: 25 years

22/9/95

NL/0241

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PO

PART A



M

CH/EXCHEQUER ✓	
REC.	29 SEP 1987 29/17
ACTION	PMG
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The Hon Peter Brooke MP
 Paymaster General
 Treasury Chambers
 Parliament Street
 LONDON
 SW1P 3AG

27 September 1987

STATUS OF CIVIL SERVANTS

Your letter of 25 September proposed that Parliamentary Counsel should be instructed to draft a provision along the lines agreed between us in August to resolve the problem raised by the Bruce Judgment. I have been kept in touch with the progress of work on this point and I agree that drafting should now proceed as a matter of urgency.

I share your view on transitional provisions that the new measure should take effect in respect of tortious acts committed after its enactment. On the other hand, I strongly believe that we should include this measure in the Bill when it is introduced. As your letter makes clear, we can have little confidence that the issue will have been resolved on appeal within the foreseeable future. That of itself reduces the potential for embarrassment which might arise if we were arguing in the Appeal Court during the passage of the Bill that civil servants already have contracts, and I now believe that the measure can be drafted in such a way as to eliminate the conflict. It appears unlikely, however, that the scope of the Bill will permit the introduction of this measure by amendment.

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I am concerned to ensure that the Employment Bill is introduced as planned on 22 October. I see no reason why this objective should be jeopardised if we decide to include the provision on the status of civil servants, but I must urge my colleagues to resist any suggestion of further additions.

I am copying this letter to the recipients of yours.

Norman Fowler

NORMAN FOWLER



SCOTTISH OFFICE
WHITEHALL, LONDON SW1A 2AU

CH/EXCHEQUER	
REC.	07 OCT 1987
ACTION	PMG
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The Hon Peter Brooke MP
Paymaster General
Treasury Chambers
Parliament Street
SW1P 3AG

6 October 1987

Dear Peter,

STATUS OF CIVIL SERVANTS

Your letter of 25 September proposed that Parliamentary Counsel should be instructed to draft a provision, for inclusion in the forthcoming Employment Bill, which would have the effect of treating the terms of employment of a person in Crown employment as if they constituted a contract of employment.

I am content to support this proposal.

I am copying this letter to recipients of yours.

Yours ever,

MALCOLM RIFKIND

B04279A1

SCOTTISH OFFICE
WHITEHALL, LONDON SW1A 2AU



CABINET OFFICE

70 Whitehall London SW1A 2AS

01-270 0101

cc PCC members

Mr CD Butler

Alex this is for you as
a member of PCC

py

From the Secretary of the Cabinet and Head of the Home Civil Service

Sir Robert Armstrong GCB CVO

Ref. A087/3103

2 November 1987

Dear Peter,

Duties and Responsibilities of Civil Servants

The Treasury and Civil Service Committee, in their Report "Civil Servants and Ministers: Duties and Responsibilities" (7th Report, Session 1985-86, HC 92) recommended:

--- i. that I enter into discussions with the unions with a view to producing an agreed text of my note of guidance on the duties and responsibilities of civil servants of February 1985 (copy attached, Annex A); and

ii. that I should be prepared personally to consider appeals from officials whose crises of conscience have not been (in their opinion) adequately dealt with under the procedures set out in my February 1985 note.

The Government's reply (Cmd 9841) noted that I had already agreed to discuss the terms of my February 1985 note with the unions, and that the arrangements and procedures for the recommended right of appeal to me (which was accepted in principle) should be covered in these discussions.

--- Two meetings have been held with the unions on these matters, following which I have produced a revised draft which goes some way to meet the unions' points of concern. A copy is --- attached (Annex B) with the changes sidelined, and at Annex C are the draft paragraphs for inclusion in the Pay and Conditions of Service Code (referred to in paragraph 13 of the revised note).

The main changes I have thought it desirable to make are:

i. the statement of Ministers' own responsibilities (paragraph 2) in the terms used in Cmd 9841;

/ii. the principles

Sir Peter Middleton KCB

ii. the principles of accountability (paragraph 4) in the terms used in Cmnd 9916;

iii. a reference (paragraph 10) to the supplementary guidelines for officials giving evidence to Select Committees, prepared in the wake of Westland and issued in April this year;

iv. a further step in the procedures which civil servants may follow when they are unhappy about their work, so that the flow now runs from illegality (paragraph 11), to impropriety and related issues (paragraph 12), to matters which raise fundamental issues of conscience (paragraph 13); I think this provides a clear scale of action which can be taken depending on the reason for the individual civil servant's concern.

In addition, John Bailey has advised that, in the light of the work he and Treasury Counsel have been doing on civil servants' duty of confidentiality, the references in what are now paragraphs 8, 10 and 13 to the keeping of confidences should be expressed in terms of the more precise but arguably narrower terms of non-disclosure of "classified or otherwise confidential" information. I should prefer not to make this change and stick to the original phrase, which I think bears the same meaning, and I hope to persuade John Bailey accordingly. It may be necessary to adjust the language in the light of the Attorney General's final view once he has received Treasury Counsel's formal Opinion on the broader question; but this may be unnecessary if we can stick to the shorter, less obviously legalistic, phrase.

While the unions' formal position remains that they wish to see an independent appeals body, they have made little criticism so far of a draft very similar to the present one (which they were sent last month); indeed the First Division Association go so far as to "welcome its greater balance compared with the previous version". Their public response seems likely to be low key.

Against this background, I should welcome colleagues' views on the text as it now stands. I should particularly welcome Clive Whitmore's views on whether, in paragraph 1, it will be necessary to refer to the Defence Committee as well as the Treasury and Civil Service Committee (words currently in square brackets). To do so might seem to give undue prominence to the Defence Committee's report on the Westland affair, the views expressed in which the memorandum does not adopt; on the other hand, there is a quotation from the Government's reply to the Defence Committee later on in the text (paragraph 4) albeit on the general question of accountability, and not to refer to the Defence Committee when there is a reference to the Treasury and Civil Service Committee might needlessly antagonise the Defence Committee.

There is also a presentational question, since the revised note is likely to issue very close to the public statement on "Next Steps". We shall need to find ways of making clear that

/while the

MANAGEMENT IN CONFIDENCE

while the Next Steps approach will result in changes in the way accountability is discharged, the underlying principles remain essentially unchanged, and as set out in this note.

I have already consulted Patrick Wright and Ken Bloomfield about the need for them to make suitable arrangements for appeals in crises of conscience cases for members of the Diplomatic Service and the Northern Ireland Civil Service respectively.

Robin Butler is content with the terms of the revision, and would prefer it to issue from me rather than from him after 1 January, with the possible risk of implying that he was seeking to challenge my earlier version. I should therefore like to issue the revised note before the end of the year, after consulting the Attorney General and the Prime Minister. To meet this timetable, I should welcome any comments colleagues may have; it would be convenient to have comments in writing, by close of play on 5 November, but we could discuss any general points at our meeting next Wednesday, 4 November.

I am sending copies of this letter to those who attend our Wednesday morning meetings.

Yours ever
Robert Armstrong

THE DUTIES AND RESPONSIBILITIES OF CIVIL SERVANTS
IN RELATION TO MINISTERS

Note by the Head of the Home Civil Service

During the last few months a number of my colleagues have suggested to me that it would be timely to restate the general duties and responsibilities of civil servants in relation to Ministers. Recent events, and the public discussion to which they have given rise, have led me to conclude that the time has come when it would be right for me, as Head of the Home Civil Service, to respond to these suggestions. I am accordingly putting out the guidance in this note. It is issued after consultation with Permanent Secretaries in charge of Departments, and with their agreement.

2. Civil servants are servants of the Crown. For all practical purposes the Crown in this context means and is represented by the Government of the day. There are special cases in which certain functions are conferred by law upon particular members or groups of members of the public service; but in general the executive powers of the Crown are exercised by and on the advice of Her Majesty's Ministers, who are in turn answerable to Parliament. The civil service as such has no constitutional personality or responsibility separate from the duly elected Government of the day. It is there to provide the Government of the day with advice on the formulation of the policies of the Government, to assist in carrying out the decisions of the Government, and to manage and deliver the services for which the Government is responsible. Some civil

servants are also involved, as a proper part of their duties, in the processes of presentation of Government policies and decisions.

3. The civil service serves the Government of the day as a whole, that is to say Her Majesty's Ministers collectively, and the Prime Minister is the Minister for the Civil Service. The duty of the individual civil servant is first and foremost to the Minister of the Crown who is in charge of the Department in which he or she is serving. It is the Minister who is responsible, and answerable in Parliament, for the conduct of the Department's affairs and the management of its business. It is the duty of civil servants to serve their Ministers with integrity and to the best of their ability.

4. The British civil service is a non-political and disciplined career service. Civil servants are required to serve the duly elected Government of the day, of whatever political complexion. It is of the first importance that civil servants should conduct themselves in such a way as to deserve and retain the confidence of Ministers, and as to be able to establish the same relationship with those whom they may be required to serve in some future Administration. That confidence is the indispensable foundation of a good relationship between Ministers and civil servants. The conduct of civil servants should at all times be such that Ministers and potential future Ministers can be sure that that confidence can be freely given, and that the civil service will at all times conscientiously fulfil its duties and obligations to, and impartially assist, advise and carry out the policies of, the duly elected Government of the day.

5. The determination of policy is the responsibility of the Minister (within the convention of collective responsibility of the whole Government for the decisions and actions of every member of it). In the determination of policy the civil servant

has no constitutional responsibility or role, distinct from that of the Minister. Subject to the conventions limiting the access of Ministers to papers of previous administrations, it is the duty of the civil servant to make available to the Minister all the information and experience at his or her disposal which may have a bearing on the policy decisions to which the Minister is committed or which he is preparing to make, and to give to the Minister honest and impartial advice, without fear or favour, and whether the advice accords with the Minister's view or not. Civil servants are in breach of their duty, and damage their integrity as servants of the Crown, if they deliberately withhold relevant information from their Minister, or if they give their Minister other advice than the best they believe they can give, or if they seek to obstruct or delay a decision simply because they do not agree with it. When, having been given all the relevant information and advice, the Minister has taken a decision, it is the duty of civil servants loyally to carry out that decision with precisely the same energy and good will, whether they agree with it or not.

6. Civil servants are under an obligation to keep the confidences to which they become privy in the course of their official duties; not only the maintenance of trust between Ministers and civil servants but also the efficiency of government depend on their doing so. There is and must be a general duty upon every civil servant, serving or retired, not to disclose, in breach of that obligation, any document or information or detail about the course of business, which has come his or her way in the course of duty as a civil servant. Whether such disclosure is done from political or personal motives, or for pecuniary gain, and quite apart from liability to prosecution under the Official Secrets Acts, the civil servant concerned forfeits the trust that is put in him or her as a servant of the Crown, and may well forfeit the right to continue in the service. He or she also undermines the

confidence that ought to subsist between Ministers and civil servants and thus damages colleagues and the Service as well as him or herself.

7. The previous paragraphs have set out the basic principles which govern civil servants' relations with Ministers. The rest of this note deals with particular aspects of conduct which derive from them, where it may be felt that more detailed guidance would be helpful.

8. A civil servant should not be required to do anything unlawful. In the very unlikely event of a civil servant being asked to do something which he or she believes would put him or her in clear breach of the law, the matter should be reported to a superior officer or to the Principal Establishment Officer, who should if necessary seek the advice of the Legal Adviser to the department. If legal advice confirms that the action would be likely to be held to be unlawful, the matter should be reported in writing to the Permanent Head of the department.

9. Civil servants often find themselves in situations where they are required or expected to give information to a Parliamentary Select Committee, to the media, or to individuals. In doing so they should be guided by the general policy of the Government on evidence to Select Committees and on the disclosure of information, by any specifically departmental policies in relation to departmental information, and by the requirements of security and confidentiality. In this respect, however, as in other respects, the civil servant's first duty is to his or her Minister. Ultimately the responsibility lies with Ministers, and not with civil servants, to decide what information should be made available, and how and when it should be released, whether it is to Parliament, to Select Committees, to the media or to individuals. It is not acceptable for a serving or former civil servant to seek to frustrate policies or

decisions of Ministers by the disclosure outside the Government, in breach of confidence, of information to which he or she has had access as a civil servant.

10. It is Ministers and not civil servants who bear political responsibility. Civil servants should not decline to take, or abstain from taking, an action merely because to do so would conflict with their personal opinions on matters of political choice or judgment between alternative or competing objectives and benefits; they should consider the possibility of declining only if taking or abstaining from the action in question is felt to be directly contrary to deeply held personal conviction on a fundamental issue of conscience.

11. A civil servant who feels that to act or to abstain from acting in a particular way, or to acquiesce in a particular decision or course of action, would raise for him or her a fundamental issue of conscience, or is so profoundly opposed to a policy as to feel unable conscientiously to administer it in accordance with the standards described in this note, should consult a superior officer, or in the last resort the Permanent Head of the department, who can and should if necessary consult the Head of the Home Civil Service. If that does not enable the matter to be resolved on a basis which the civil servant concerned is able to accept, he or she must either carry out his or her instructions or resign from the public service - though even after resignation he or she will still be bound to keep the confidences to which he or she has become privy as a civil servant.

ROBERT ARMSTRONG

Cabinet Office

25 February 1985

Revision of 2 November

THE DUTIES AND RESPONSIBILITIES OF CIVIL SERVANTS
IN RELATION TO MINISTERS

Note by the Head of the Home Civil Service

In February 1985, with the consent of the Prime Minister, I issued a note of guidance restating the general duties and responsibilities of civil servants in relation to Ministers. That note was reproduced in a Written Answer by the Prime Minister to a Parliamentary Question on 26 February 1985 (OR 26 February 1985, cols 130 to 132). In the light of subsequent discussion, including observations of the Treasury and Civil Service Select Committee [and the Defence Committee of the House of Commons] and comments from the Council of Civil Service Unions, I have expanded the note of guidance, and a revised version is now issued. As previously, the note is issued after consultation with Permanent Secretaries in charge of Departments and with their agreement. As with the earlier version, this revised version is issued with the consent of the Prime Minister, and will be reported by her to the House of Commons.

2. This note is concerned with the duties and responsibilities of civil servants in relation to Ministers. It should be read in the wider context of Ministers' own responsibilities, which were set out in the Government's reply to the Seventh Report from the Treasury and Civil Service Committee (Cmnd 9841):

"The Government believes that Ministers are well aware of the principles that should govern their duties and responsibilities in relation to Parliament and in relation to civil servants. It goes without saying that these include the obligations of integrity. They include the duty to give Parliament and the public as full information as possible about the policies, decisions and actions of

the Government, and not to deceive or mislead Parliament or the public. In relation to civil servants, they include the duty to give fair consideration and due weight to informed and impartial advice from civil servants, as well as to other considerations and advice, in reaching policy decisions; the duty to refrain from asking or instructing civil servants to do things which they should not do; the duty to ensure that influence over appointments is not abused for partisan purposes; and the duty to observe the obligations of a good employer with regard to terms and conditions of service and the treatment of those who serve them."

3. Civil servants are servants of the Crown. For all practical purposes the Crown in this context means and is represented by the Government of the day. There are special cases in which certain functions are conferred by law upon particular members or groups of members of the public service; but in general the executive powers of the Crown are exercised by and on the advice of Her Majesty's Ministers, who are in turn answerable to Parliament. The Civil Service as such has no constitutional personality or responsibility separate from the duly elected Government of the day. It is there to provide the Government of the day with advice on the formulation of the policies of the Government, to assist in carrying out the decisions of the Government, and to manage and deliver the services for which the Government is responsible. Some civil servants are also involved, as a proper part of their duties, in the processes of presentation of Government policies and decisions.

4. The Civil Service serves the Government of the day as a whole, that is to say Her Majesty's Ministers collectively, and the Prime Minister is the Minister for the Civil Service. The duty of the individual civil servant is first and foremost to the Minister of the Crown who is in charge of the Department in

which he or she is serving. The basic principles of accountability of Ministers and civil servants are as set out in the Government's response (Cmnd 9916) to the Defence Committee's Fourth Report of 1985-86:

- Each Minister is responsible to Parliament for the conduct of his Department, and for the actions carried out by his Department in pursuit of Government policies or in the discharge of responsibilities laid upon him as a Minister.
- A Minister is accountable to Parliament, in the sense that he has a duty to explain in Parliament the exercise of his powers and duties and to give an account to Parliament of what is done by him in his capacity as a Minister or by his Department.
- Civil servants are responsible to their Ministers for their actions and conduct.

5. It is the duty of civil servants to serve their Ministers with integrity and to the best of their ability. In their dealings with the public, civil servants should always bear in mind that people have a right to expect that their affairs will be dealt with sympathetically, efficiently and promptly.

6. The British Civil Service is a non-political and professional career service subject to a code of rules and disciplines. Civil servants are required to serve the duly appointed Government of the day, of whatever political complexion. It is of the first importance that civil servants should conduct themselves in such a way as to deserve and retain the confidence of Ministers, and to be able to establish the same relationship with those whom they may be required to serve in some future Administration. That confidence is the indispensable foundation of a good relationship between Ministers and civil servants. The conduct of civil servants

MANAGEMENT IN CONFIDENCE

should at all times be such that Ministers and potential future Ministers can be sure that that confidence can be freely given, and that the Civil Service will at all times conscientiously fulfil its duties and obligations to, and impartially assist, advise and carry out the policies of, the duly appointed Government of the day.

7. The determination of policy is the responsibility of the Minister (within the convention of collective responsibility of the whole Government for the decisions and actions of every member of it). In the determination of policy the civil servant has no constitutional responsibility or role distinct from that of the Minister. Subject to the conventions limiting the access of Ministers to papers of previous Administrations, it is the duty of the civil servant to make available to the Minister all the information and experience at his or her disposal which may have a bearing on the policy decisions to which the Minister is committed or which he is preparing to make, and to give to the Minister honest and impartial advice, without fear or favour, and whether the advice accords with the Minister's view or not. Civil servants are in breach of their duty, and damage their integrity as servants of the Crown, if they deliberately withhold relevant information from their Minister, or if they give their Minister other advice than the best they believe they can give, or if they seek to obstruct or delay a decision simply because they do not agree with it. When, having been given all the relevant information and advice, the Minister has taken a decision, it is the duty of civil servants loyally to carry out that decision with precisely the same energy and good will, whether they agree with it or not.

8. Civil servants are under an obligation to keep the confidences to which they become privy in the course of their work; not only the maintenance of the trust between Ministers and civil servants but also the efficiency of government depend on their doing so. There is and must be a general duty upon

MANAGEMENT IN CONFIDENCE

every civil servant, serving or retired, not without authority to make disclosures which breach that obligation. This duty applies to any document or information or detail about the course of business, which has come to a civil servant in confidence in the course of duty. Any such unauthorised disclosures, whether for political or personal motives, or for pecuniary gain, and quite apart from liability to prosecution under the Official Secrets Acts, result in the civil servant concerned forfeiting the trust that is put in him or her as an employee and making him or her liable under civil law or to disciplinary action including the possibility of dismissal. He or she also undermines the confidence that ought to subsist between Ministers and civil servants and thus damages colleagues and the Service as well as him or herself.

9. The previous paragraphs have set out the basic principles which govern the relations between Ministers and civil servants. The rest of this note deals with particular aspects of conduct which derive from them, where it may be felt that more detailed guidance would be helpful.

10. Civil servants often find themselves in situations where they are required or expected to give information to a Parliamentary Select Committee, to the media, or to individuals. In doing so they should be guided by the policy of the Government on evidence to Select Committees, as set out in memoranda of guidance issued from time to time, and on the disclosure of information, by any specifically departmental policies in relation to departmental information, and by the requirements of security and confidentiality. In this respect, however, as in other respects, the civil servant's first duty is to his or her Minister. Thus, when a civil servant gives evidence to a Select Committee on the policies or actions of his or her Department, he or she does so as the representative of the Minister in charge of the Department and subject to the

Minister's instructions*, and is accountable to the Minister for the evidence which he or she gives. As explained in paragraph 2, the ultimate responsibility lies with Ministers, and not with civil servants, to decide what information should be made available, and how and when it should be released, whether it is to Parliament, to Select Committees, to the media or to individuals. It is not acceptable for a serving or former civil servant to seek to frustrate policies or decisions of Ministers by the disclosure outside the Government, in breach of confidence, of information to which he or she has had access as a civil servant

11. A civil servant should not be required to do anything unlawful. In the very unlikely event of a civil servant being asked to do something which he or she believes would put him or her in clear breach of the law, the matter should be reported to a senior officer or to the Principal Establishment Officer, who should if necessary seek the advice of the Legal Adviser to the Department. If legal advice confirms that the action would be likely to be held to be unlawful, the matter should be reported in writing to the Permanent Head of the Department.

12. There may exceptionally be circumstances in which a civil servant considers that he or she is being asked to act in a manner which appears to him or her to be improper, unethical or in breach of constitutional conventions, or to involve possible maladministration, or to be otherwise inconsistent with the standards of conduct prescribed in this memorandum and in

*A Permanent Head of a Department giving evidence to the Committee of Public Accounts does so by virtue of his duties and responsibilities as an Accounting Officer as defined in the Treasury memorandum on The Responsibilities of an Accounting Officer; but this is without prejudice to the Minister's responsibility and accountability to Parliament in respect of the policies, actions and conduct of his Department.

the relevant Civil Service codes and guides. In such an event the matter should be reported to a senior officer, and in the last analysis to the Permanent Head of the Department so that it can if necessary be raised with and ruled upon by the Minister in charge of the Department. Civil servants should always recall that it is Ministers, and not they, who bear political responsibility. A civil servant should not decline to take, or abstain from taking, an action because to do so would conflict with his or her personal opinions on matters of political choice or judgment between alternative or competing objectives and benefits; he or she should consider the possibility of declining only if taking or abstaining from the action in question is felt to be directly contrary to deeply held personal conviction on a fundamental issue of conscience.

13. A civil servant who feels that to act or to abstain from acting in a particular way, or to acquiesce in a particular decision or course of action, would raise for him or her a fundamental issue of conscience, or is so profoundly opposed to a policy as to feel unable conscientiously to administer it in accordance with the standards described in this note, should consult a senior officer. If necessary, and if the problem cannot be resolved by any other means, the civil servant may take the matter up with the Permanent Head of the Department and also has a right, in the last resort, to have the matter referred to the Head of the Home Civil Service through the Permanent Head of the Department; detailed provisions for such appeals are included in the Civil Service Pay and Conditions of Service Code. If the matter still cannot be resolved on a basis which the civil servant concerned is able to accept, he or she must either carry out his or her instructions or resign from the public service - though even after resignation he or she will still be bound to keep the confidences to which he or she has become privy as a civil servant.

November 1987

Draft of 7 September 1987

Draft paragraphs for Code and Guide

RIGHT OF APPEAL TO THE HEAD OF THE HOME CIVIL SERVICE IN
CRISIS OF CONSCIENCE CASES

There may exceptionally be occasions when a civil servant is asked or instructed by his or her senior management or a departmental Minister to do (or refrain from doing) something which raises a fundamental issue of conscience for the individual concerned. The procedures to be followed in such cases are set out in the note on the duties and responsibilities of civil servants in relation to Ministers which was issued by Sir Robert Armstrong on [25 February 1985]. In the event that such a crisis of conscience is not resolved under those arrangements, the individual concerned has the right to appeal to the Head of the Home Civil Service.

2. Appeals to the Head of the Home Civil Service should normally be submitted through the permanent Head of Department concerned or, if that is not possible, the Principal Establishment Officer. Appeals should in all cases be forwarded promptly to the Head of the Home Civil Service unless the Head of Department or the Principal Establishment Officer submitting the appeal is satisfied that an appeal is vexatious or frivolous. The Head of Department or the Principal Establishment Officer may add comments in a covering note but should not seek to amend the appeal itself.

3. It may exceptionally not be possible to follow this procedure in a situation which develops rapidly. In such circumstances, the individual should carry out the request or instruction which he or she has received and immediately

afterwards formally record in writing the dissent and the reasons for it. Copies should be passed to the Head of Department or the departmental Minister or both as appropriate.

4. In all other situations Heads of Department remain the final authority for appeals made under Code paragraph 9973.



CABINET OFFICE
70 Whitehall London SW1A 2AS
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Moin

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REC.	01 DEC 1987 ✓
	PMG

From the Secretary of the Cabinet and Head of the Home Civil Service
Sir Robert Armstrong GCB CVO

LORD PRESIDENT OF THE COUNCIL

Duties and Responsibilities of Civil Servants

In February 1985 I issued, with the Prime Minister's consent a note of guidance on the duties and responsibilities of civil servants in relation to Ministers. I attach a revised version of this note (Annex A) which is being issued with the Prime Minister's consent today, and will be made public by way of a written Parliamentary Question answered by the Prime Minister on 2 December (Annex B).

2. The original note has been revised following recommendations of the Treasury and Civil Service Committee, and after discussions with the unions.
3. The main changes to the original text are:
 - i. the statement of Ministers' own responsibilities (paragraph 2) in the terms used in Cmnd 9841 (the Government's reply to the TCSC's 7th Report, 1985-86 Session, HC92) has been added;
 - ii. the principles of accountability (paragraph 4) are expressed in the terms used in Cmnd 9916 (the Government's reply to the Defence Committee on Westland);

iii. a reference has been made (paragraph 9) to the supplementary guidelines for officials giving evidence to Select Committees, prepared in the wake of Westland and issued in April this year; and

iv. a further step in the procedures which civil servants may follow when they are unhappy about their work has been included, so that the flow now runs from illegality (paragraph 11); to impropriety and related issues (paragraph 12) to matters which raise fundamental issues of conscience (paragraph 14) including a new final right of appeal to the Head of the Service in such cases; I think this provides a clear scale of action which can be taken depending on the reason for the individual civil servant's concern.

4. The revised note goes some way to meet points raised on the original note by the Civil Service unions. It has not been agreed with them, because it does not meet their wish to have an independent appeals body in "conscience cases" (as opposed to a right of appeal to the Head of the Service). However, I expect their public response to be muted, as they regard the changes that have been made as improvements.

5. Permanent Secretaries and other Heads of Department have been asked to see that the revised note is disseminated to their staff.

6. I am sending copies of this minute and its attachments to all Cabinet Ministers and the Chief Whip.

Robert Armstrong

1 December 1987

THE DUTIES AND RESPONSIBILITIES OF CIVIL SERVANTS
IN RELATION TO MINISTERS

Note by the Head of the Home Civil Service

In February 1985, with the consent of the Prime Minister, I issued a note of guidance restating the general duties and responsibilities of civil servants in relation to Ministers. That note was reproduced in a Written Answer by the Prime Minister to a Parliamentary Question on 26 February 1985 (OR 26 February 1985, cols 130 to 132). In the light of subsequent discussion, including observations of the Treasury and Civil Service Select Committee and the Defence Committee of the House of Commons and comments from the Council of Civil Service Unions, I have expanded the note of guidance, and a revised version is now issued. As previously, the note is issued after consultation with Permanent Secretaries in charge of Departments and with their agreement. As with the earlier version, this revised version is issued with the consent of the Prime Minister, and will be reported by her to the House of Commons.

2. This note is concerned with the duties and responsibilities of civil servants in relation to Ministers. It should be read in the wider context of Ministers' own responsibilities, which were set out in the Government's reply to the Seventh Report from the Treasury and Civil Service Committee (Cmnd 9841):

"The Government believes that Ministers are well aware of the principles that should govern their duties and responsibilities in relation to Parliament and in relation to civil servants. It goes without saying that these include the obligations of integrity. They include the duty to give Parliament and the public as full information as possible about the policies, decisions and actions of the Government, and not to deceive or mislead Parliament or the public. In relation to civil servants, they include

the duty to give fair consideration and due weight to informed and impartial advice from civil servants, as well as to other considerations and advice, in reaching policy decisions; the duty to refrain from asking or instructing civil servants to do things which they should not do; the duty to ensure that influence over appointments is not abused for partisan purposes; and the duty to observe the obligations of a good employer with regard to terms and conditions of service and the treatment of those who serve them."

3. Civil servants are servants of the Crown. For all practical purposes the Crown in this context means and is represented by the Government of the day. There are special cases in which certain functions are conferred by law upon particular members or groups of members of the public service; but in general the executive powers of the Crown are exercised by and on the advice of Her Majesty's Ministers, who are in turn answerable to Parliament. The Civil Service as such has no constitutional personality or responsibility separate from the duly constituted Government of the day. It is there to provide the Government of the day with advice on the formulation of the policies of the Government, to assist in carrying out the decisions of the Government, and to manage and deliver the services for which the Government is responsible. Some civil servants are also involved, as a proper part of their duties, in the processes of presentation of Government policies and decisions.

4. The Civil Service serves the Government of the day as a whole, that is to say Her Majesty's Ministers collectively, and the Prime Minister is the Minister for the Civil Service. The duty of the individual civil servant is first and foremost to the Minister of the Crown who is in charge of the Department in which he or she is serving. The basic principles of accountability of Ministers and civil servants are as set out in

the Government's response (Cmnd 9916) to the Defence Committee's Fourth Report of 1985-86:

- Each Minister is responsible to Parliament for the conduct of his Department, and for the actions carried out by his Department in pursuit of Government policies or in the discharge of responsibilities laid upon him as a Minister.
- A Minister is accountable to Parliament, in the sense that he has a duty to explain in Parliament the exercise of his powers and duties and to give an account to Parliament of what is done by him in his capacity as a Minister or by his Department.
- Civil servants are responsible to their Ministers for their actions and conduct.

5. It is the duty of civil servants to serve their Ministers with integrity and to the best of their ability. In their dealings with the public, civil servants should always bear in mind that people have a right to expect that their affairs will be dealt with sympathetically, efficiently and promptly.

6. The British Civil Service is a non-political and professional career service subject to a code of rules and disciplines. Civil servants are required to serve the duly constituted Government of the day, of whatever political complexion. It is of the first importance that civil servants should conduct themselves in such a way as to deserve and retain the confidence of Ministers, and to be able to establish the same relationship with those whom they may be required to serve in some future Administration. That confidence is the indispensable foundation of a good relationship between Ministers and civil servants. The conduct of civil servants should at all times be such that Ministers and potential future Ministers can be sure that that confidence can be freely given,

and that the Civil Service will at all times conscientiously fulfil its duties and obligations to, and impartially assist, advise and carry out the policies of, the duly constituted Government of the day.

7. The determination of policy is the responsibility of the Minister (within the convention of collective responsibility of the whole Government for the decisions and actions of every member of it). In the determination of policy the civil servant has no constitutional responsibility or role distinct from that of the Minister. Subject to the conventions limiting the access of Ministers to papers of previous Administrations, it is the duty of the civil servant to make available to the Minister all the information and experience at his or her disposal which may have a bearing on the policy decisions to which the Minister is committed or which he is preparing to make, and to give to the Minister honest and impartial advice, without fear or favour, and whether the advice accords with the Minister's view or not. Civil servants are in breach of their duty, and damage their integrity as servants of the Crown, if they deliberately withhold relevant information from their Minister, or if they give their Minister other advice than the best they believe they can give, or if they seek to obstruct or delay a decision simply because they do not agree with it. When, having been given all the relevant information and advice, the Minister has taken a decision, it is the duty of civil servants loyally to carry out that decision with precisely the same energy and good will, whether they agree with it or not.

8. Civil servants are under an obligation to keep the confidences to which they become privy in the course of their work; not only the maintenance of the trust between Ministers and civil servants but also the efficiency of government depend on their doing so. There is and must be a general duty upon every civil servant, serving or retired, not without authority to make disclosures which breach that obligation. This duty

applies to any document or information or knowledge of the course of business, which has come to a civil servant in confidence in the course of duty. Any such unauthorised disclosures, whether for political or personal motives, or for pecuniary gain, and quite apart from liability to prosecution under the Official Secrets Acts, result in the civil servant concerned forfeiting the trust that is put in him or her as an employee and making him or her liable to disciplinary action including the possibility of dismissal, or to civil law proceedings. He or she also undermines the confidence that ought to subsist between Ministers and civil servants and thus damages colleagues and the Service as well as him or herself.

9. Civil servants often find themselves in situations where they are required or expected to give information to a Parliamentary Select Committee, to the media, or to individuals. In doing so they should be guided by the policy of the Government on evidence to Select Committees, as set out in memoranda of guidance issued from time to time, and on the disclosure of information, by any specifically departmental policies in relation to departmental information, and by the requirements of security and confidentiality. In this respect, however, as in other respects, the civil servant's first duty is to his or her Minister. Thus, when a civil servant gives evidence to a Select Committee on the policies or actions of his or her Department, he or she does so as the representative of the Minister in charge of the Department and subject to the Minister's instructions*, and is accountable to the Minister for

*A Permanent Head of a Department giving evidence to the Committee of Public Accounts does so by virtue of his duties and responsibilities as an Accounting Officer as defined in the Treasury memorandum on The Responsibilities of an Accounting Officer; but this is without prejudice to the Minister's responsibility and accountability to Parliament in respect of the policies, actions and conduct of his Department.

the evidence which he or she gives. As explained in paragraph 2, the ultimate responsibility lies with Ministers, and not with civil servants, to decide what information should be made available, and how and when it should be released, whether it is to Parliament, to Select Committees, to the media or to individuals. It is not acceptable for a serving or former civil servant to seek to frustrate policies or decisions of Ministers by the disclosure outside the Government of information to which he or she has had access as a civil servant

10. The previous paragraphs have set out the basic principles which govern the relations between Ministers and civil servants. The rest of this note deals with particular aspects of conduct which derive from them, where it may be felt that more detailed guidance would be helpful.

11. A civil servant should not be required to do anything unlawful. In the very unlikely event of a civil servant being asked to do something which he or she believes would put him or her in clear breach of the law, the matter should be reported to a senior officer or to the Principal Establishment Officer, who should if necessary seek the advice of the Legal Adviser to the Department. If legal advice confirms that the action would be likely to be held to be unlawful, the matter should be reported in writing to the Permanent Head of the Department.

12. There may exceptionally be circumstances in which a civil servant considers that he or she is being asked to act in a manner which appears to him or her to be improper, unethical or in breach of constitutional conventions, or to involve possible maladministration, or to be otherwise inconsistent with the standards of conduct prescribed in this memorandum and in the relevant Civil Service codes and guides. In such an event the matter should be reported to a senior officer, and if appropriate to the Permanent Head of the Department.

13. Civil servants should always recall that it is Ministers, and not they, who bear political responsibility. A civil servant should not decline to take, or abstain from taking, an action because to do so would conflict with his or her personal opinions on matters of political choice or judgment between alternative or competing objectives and benefits; he or she should consider the possibility of declining only if taking or abstaining from the action in question is felt to be directly contrary to deeply held personal conviction on a fundamental issue of conscience.

14. A civil servant who feels that to act or to abstain from acting in a particular way, or to acquiesce in a particular decision or course of action, would raise for him or her a fundamental issue of conscience, or is so profoundly opposed to a policy as to feel unable conscientiously to administer it in accordance with the standards described in this note, should consult a senior officer. If necessary, and if the problem cannot be resolved by any other means, the civil servant may take the matter up with the Permanent Head of the Department and also has a right, in the last resort, to have the matter referred to the Head of the Home Civil Service through the Permanent Head of the Department; detailed provisions for such appeals are included in the Civil Service Pay and Conditions of Service Code. If the matter still cannot be resolved on a basis which the civil servant concerned is able to accept, he or she must either carry out his or her instructions or resign from the public service - though even after resignation he or she will still be bound to keep the confidences to which he or she has become privy as a civil servant.

ROBERT ARMSTRONG

Cabinet Office
1 December 1987

PQ and Answer

Q. To ask the Prime Minister what further guidance is being given to civil servants about their duties and responsibilities.

A. In the light of comments made by the Treasury and Civil Service Committee, the Defence Committee and the Civil Service unions the Head of the Home Civil Service has revised the note of guidance on the duties and responsibilities of civil servants in relation to Ministers which he issued in February 1985. With my consent, he has issued the revised note today. A copy is annexed to this answer.

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REC. 01 DEC 1987
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cc PCC Members.
Mr CD Butler.

Handwritten initials

CABINET OFFICE

70 Whitehall London SW1A 2AS

01-270 0101

From the Secretary of the Cabinet and Head of the Home Civil Service

Sir Robert Armstrong GCB CVO

1 December 1987

Dear Peter,

Duties and Responsibilities of Civil Servants

In the light of the discussion at the Permanent Secretaries' meeting on 4 November, I have sought and obtained the Prime Minister's consent for the issue of the final version of my revised note of guidance on this subject (attached). The revised note will be made public via a written PQ to be answered by the Prime Minister on 2 December, and I should therefore be grateful if Departments could make appropriate arrangements to distribute copies to staff on that day (after 3.30 pm) or soon thereafter. Press enquiries will be handled by the Cabinet Office Press Office.

The necessary amendment to the Code and Guide, referred to in paragraph 14 of the note, will be issued shortly, in line with the draft discussed on 4 November.

I am also sending copies of the revised note to members of the Cabinet.

I am sending copies of this letter and enclosure to Heads of Department on the attached list.

Yours ever
Robert Armstrong

Sir Peter Middleton KCB

RESTRICTED

FULL LIST OF PERMANENT HEADS OF DEPARTMENTS

Jack Hibbert Esq	Cabinet Office
Miss A E Mueller CB	" " (CSO)
D H Andrews Esq CB CBE	" "
J B Unwin Esq CB	MAFF
Sir Clive Whitmore KCB CVO	Customs and Excise
P K Levene Esq	MOD
Sir David Hancock KCB	" (Procurement Executive)
Sir Michael Quinlan KCB	DES
P L Gregson Esq CB	Employment
Sir Terence Heiser KCB	Energy
Sir Gordon Manzie KCB	DOE
A D Green Esq QC	" (PSA)
Sir Patrick Wright KCMG	DPP
C W France Esq CB	FCO
Sir Brian Cubbon GCB	DHSS
A M W Battishill Esq	Home Office
Sir Derek Oulton KCB QC	Inland Revenue
Sir Robert Andrew KCB	Lord Chancellor's Dept
J Caines Esq CB	NIO
A R Barrowclough Esq QC	ODA
C H de Waal Esq CB	PCA
Sir William Fraser GCB	Parliamentary Counsel
Sir Brian Hayes KCB	Scottish Office
Sir Alan Bailey KCB	DTI
Sir Peter Middleton KCB	Transport
Sir John Bailey KCB	Treasury
R A Lloyd Jones Esq CB	Treasury Solicitor
Neville Taylor Esq	Welsh Office
J Gill Esq CB	COI
G D Holmes Esq CB	ECGD
Sir Peter Marychurch KCMG	Forestry Commission
J A Dole Esq	GCHQ
E J Pryer Esq CB	HMSO
	HM Land Registry

J A Patterson Esq
Mrs G T Banks
Peter McMaster Esq BSc FRICS
L A Andrews Esq (Asst Paymaster Gen)
Dr D J Gerhard CB
R W L Wilding Esq CB
Sir Gordon Borrie QC
E A Johnston Esq CB

National Savings
OPCS
Ordnance Survey
Paymaster General's Office
Royal Mint
OAL
Office of Fair Trading
Government Actuary's Dept

THE DUTIES AND RESPONSIBILITIES OF CIVIL SERVANTS
IN RELATION TO MINISTERS

Note by the Head of the Home Civil Service

In February 1985, with the consent of the Prime Minister, I issued a note of guidance restating the general duties and responsibilities of civil servants in relation to Ministers. That note was reproduced in a Written Answer by the Prime Minister to a Parliamentary Question on 26 February 1985 (OR 26 February 1985, cols 130 to 132). In the light of subsequent discussion, including observations of the Treasury and Civil Service Select Committee and the Defence Committee of the House of Commons and comments from the Council of Civil Service Unions, I have expanded the note of guidance, and a revised version is now issued. As previously, the note is issued after consultation with Permanent Secretaries in charge of Departments and with their agreement. As with the earlier version, this revised version is issued with the consent of the Prime Minister, and will be reported by her to the House of Commons.

2. This note is concerned with the duties and responsibilities of civil servants in relation to Ministers. It should be read in the wider context of Ministers' own responsibilities, which were set out in the Government's reply to the Seventh Report from the Treasury and Civil Service Committee (Cmnd 9841):

"The Government believes that Ministers are well aware of the principles that should govern their duties and responsibilities in relation to Parliament and in relation to civil servants. It goes without saying that these include the obligations of integrity. They include the duty to give Parliament and the public as full information as possible about the policies, decisions and actions of the Government, and not to deceive or mislead Parliament or the public. In relation to civil servants, they include

the duty to give fair consideration and due weight to informed and impartial advice from civil servants, as well as to other considerations and advice, in reaching policy decisions; the duty to refrain from asking or instructing civil servants to do things which they should not do; the duty to ensure that influence over appointments is not abused for partisan purposes; and the duty to observe the obligations of a good employer with regard to terms and conditions of service and the treatment of those who serve them."

3. Civil servants are servants of the Crown. For all practical purposes the Crown in this context means and is represented by the Government of the day. There are special cases in which certain functions are conferred by law upon particular members or groups of members of the public service; but in general the executive powers of the Crown are exercised by and on the advice of Her Majesty's Ministers, who are in turn answerable to Parliament. The Civil Service as such has no constitutional personality or responsibility separate from the duly constituted Government of the day. It is there to provide the Government of the day with advice on the formulation of the policies of the Government, to assist in carrying out the decisions of the Government, and to manage and deliver the services for which the Government is responsible. Some civil servants are also involved, as a proper part of their duties, in the processes of presentation of Government policies and decisions.

4. The Civil Service serves the Government of the day as a whole, that is to say Her Majesty's Ministers collectively, and the Prime Minister is the Minister for the Civil Service. The duty of the individual civil servant is first and foremost to the Minister of the Crown who is in charge of the Department in which he or she is serving. The basic principles of accountability of Ministers and civil servants are as set out in

the Government's response (Cmnd 9916) to the Defence Committee's Fourth Report of 1985-86:

- Each Minister is responsible to Parliament for the conduct of his Department, and for the actions carried out by his Department in pursuit of Government policies or in the discharge of responsibilities laid upon him as a Minister.
- A Minister is accountable to Parliament, in the sense that he has a duty to explain in Parliament the exercise of his powers and duties and to give an account to Parliament of what is done by him in his capacity as a Minister or by his Department.
- Civil servants are responsible to their Ministers for their actions and conduct.

5. It is the duty of civil servants to serve their Ministers with integrity and to the best of their ability. In their dealings with the public, civil servants should always bear in mind that people have a right to expect that their affairs will be dealt with sympathetically, efficiently and promptly.

6. The British Civil Service is a non-political and professional career service subject to a code of rules and disciplines. Civil servants are required to serve the duly constituted Government of the day, of whatever political complexion. It is of the first importance that civil servants should conduct themselves in such a way as to deserve and retain the confidence of Ministers, and to be able to establish the same relationship with those whom they may be required to serve in some future Administration. That confidence is the indispensable foundation of a good relationship between Ministers and civil servants. The conduct of civil servants should at all times be such that Ministers and potential future Ministers can be sure that that confidence can be freely given,

and that the Civil Service will at all times conscientiously fulfil its duties and obligations to, and impartially assist, advise and carry out the policies of, the duly constituted Government of the day.

7. The determination of policy is the responsibility of the Minister (within the convention of collective responsibility of the whole Government for the decisions and actions of every member of it). In the determination of policy the civil servant has no constitutional responsibility or role distinct from that of the Minister. Subject to the conventions limiting the access of Ministers to papers of previous Administrations, it is the duty of the civil servant to make available to the Minister all the information and experience at his or her disposal which may have a bearing on the policy decisions to which the Minister is committed or which he is preparing to make, and to give to the Minister honest and impartial advice, without fear or favour, and whether the advice accords with the Minister's view or not. Civil servants are in breach of their duty, and damage their integrity as servants of the Crown, if they deliberately withhold relevant information from their Minister, or if they give their Minister other advice than the best they believe they can give, or if they seek to obstruct or delay a decision simply because they do not agree with it. When, having been given all the relevant information and advice, the Minister has taken a decision, it is the duty of civil servants loyally to carry out that decision with precisely the same energy and good will, whether they agree with it or not.

8. Civil servants are under an obligation to keep the confidences to which they become privy in the course of their work; not only the maintenance of the trust between Ministers and civil servants but also the efficiency of government depend on their doing so. There is and must be a general duty upon every civil servant, serving or retired, not without authority to make disclosures which breach that obligation. This duty

applies to any document or information or knowledge of the course of business, which has come to a civil servant in confidence in the course of duty. Any such unauthorised disclosures, whether for political or personal motives, or for pecuniary gain, and quite apart from liability to prosecution under the Official Secrets Acts, result in the civil servant concerned forfeiting the trust that is put in him or her as an employee and making him or her liable to disciplinary action including the possibility of dismissal, or to civil law proceedings. He or she also undermines the confidence that ought to subsist between Ministers and civil servants and thus damages colleagues and the Service as well as him or herself.

9. Civil servants often find themselves in situations where they are required or expected to give information to a Parliamentary Select Committee, to the media, or to individuals. In doing so they should be guided by the policy of the Government on evidence to Select Committees, as set out in memoranda of guidance issued from time to time, and on the disclosure of information, by any specifically departmental policies in relation to departmental information, and by the requirements of security and confidentiality. In this respect, however, as in other respects, the civil servant's first duty is to his or her Minister. Thus, when a civil servant gives evidence to a Select Committee on the policies or actions of his or her Department, he or she does so as the representative of the Minister in charge of the Department and subject to the Minister's instructions*, and is accountable to the Minister for

*A Permanent Head of a Department giving evidence to the Committee of Public Accounts does so by virtue of his duties and responsibilities as an Accounting Officer as defined in the Treasury memorandum on The Responsibilities of an Accounting Officer; but this is without prejudice to the Minister's responsibility and accountability to Parliament in respect of the policies, actions and conduct of his Department.

the evidence which he or she gives. As explained in paragraph 2, the ultimate responsibility lies with Ministers, and not with civil servants, to decide what information should be made available, and how and when it should be released, whether it is to Parliament, to Select Committees, to the media or to individuals. It is not acceptable for a serving or former civil servant to seek to frustrate policies or decisions of Ministers by the disclosure outside the Government of information to which he or she has had access as a civil servant

10. The previous paragraphs have set out the basic principles which govern the relations between Ministers and civil servants. The rest of this note deals with particular aspects of conduct which derive from them, where it may be felt that more detailed guidance would be helpful.

11. A civil servant should not be required to do anything unlawful. In the very unlikely event of a civil servant being asked to do something which he or she believes would put him or her in clear breach of the law, the matter should be reported to a senior officer or to the Principal Establishment Officer, who should if necessary seek the advice of the Legal Adviser to the Department. If legal advice confirms that the action would be likely to be held to be unlawful, the matter should be reported in writing to the Permanent Head of the Department.

12. There may exceptionally be circumstances in which a civil servant considers that he or she is being asked to act in a manner which appears to him or her to be improper, unethical or in breach of constitutional conventions, or to involve possible maladministration, or to be otherwise inconsistent with the standards of conduct prescribed in this memorandum and in the relevant Civil Service codes and guides. In such an event the matter should be reported to a senior officer, and if appropriate to the Permanent Head of the Department.

13. Civil servants should always recall that it is Ministers, and not they, who bear political responsibility. A civil servant should not decline to take, or abstain from taking, an action because to do so would conflict with his or her personal opinions on matters of political choice or judgment between alternative or competing objectives and benefits; he or she should consider the possibility of declining only if taking or abstaining from the action in question is felt to be directly contrary to deeply held personal conviction on a fundamental issue of conscience.

14. A civil servant who feels that to act or to abstain from acting in a particular way, or to acquiesce in a particular decision or course of action, would raise for him or her a fundamental issue of conscience, or is so profoundly opposed to a policy as to feel unable conscientiously to administer it in accordance with the standards described in this note, should consult a senior officer. If necessary, and if the problem cannot be resolved by any other means, the civil servant may take the matter up with the Permanent Head of the Department and also has a right, in the last resort, to have the matter referred to the Head of the Home Civil Service through the Permanent Head of the Department; detailed provisions for such appeals are included in the Civil Service Pay and Conditions of Service Code. If the matter still cannot be resolved on a basis which the civil servant concerned is able to accept, he or she must either carry out his or her instructions or resign from the public service - though even after resignation he or she will still be bound to keep the confidences to which he or she has become privy as a civil servant.

ROBERT ARMSTRONG

Cabinet Office
1 December 1987



DEPARTMENT OF ECONOMIC DEVELOPMENT

NETHERLEIGH

MASSEY AVENUE

BELFAST

BT4 2JP

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Telephone 63244

Rt Hon Nigel Lawson MP
 Chancellor of the Exchequer
 Treasury Chambers
 Parliament Street
 LONDON
 SW1P 3AG

11th January 1988

Dear Nigel,

I refer to Kenneth Baker's memorandum on his Department's PICKUP (Professional, Industrial and Commercial Up-Dating) Programme research on Continuing Professional Development.

In Northern Ireland we have identified a special problem in the recruitment and retention of senior and middle grade executives and professionals.

Remuneration is perhaps not the most significant contribution to this problem; but it is an important component. We have discovered on several occasions that it is difficult to provide in Northern Ireland a total remuneration package sufficiently attractive to match the conditions offered overseas.

Tax relief to permit the deduction of costs incurred in Continuing Professional Development would assist in a small way in redressing this imbalance. For this reason and for other reasons which have been advanced by colleagues I hope you will look favourably at tax relief for Continuing Professional Development.

Peter Viggers

PETER VIGGERS
 Parliamentary Under
 Secretary of State