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*Dear Debbie,*

Thank you for your letter of 17 January addressed to the Prime Minister, regarding the Elected Representatives (Codes of Conduct) Bill. I am responding as Minister for the Cabinet Office and sincerely apologise for the delay.

In your letter of 17 January to the Prime Minister you noted that the Second Reading of The Elected Representatives (Codes of Conduct) Bill was scheduled for Friday 24 February and you requested a response by 30 January at the latest. Given Ministerial standards and the Ministerial Code falls within the responsibility of the Cabinet Office rather than the Prime Minister, your letter was transferred by 10 Downing Street to the Cabinet Office for a reply.

Unfortunately, your letter was not passed to me for a response until after 24 February. In light of your request for a response by 30 January at the latest, as well as the fact that the scheduled date for the Second Reading had already passed, the draft response with which I had been provided was not appropriate to send and therefore was not issued. (I was not aware that the date of your Second Reading had been moved to 3 November 2023). A different response should have been sent to address your letter and I apologise that this action was not taken.

I understand that you wrote again on 9 June to follow up and I am sorry that in her response my colleague Baroness Neville-Rolfe did not specifically address this point alongside the other issues you raised on which she responded.

To avoid a repeat of this situation I have spoken to relevant Cabinet Office officials and they have assured me that advice will be provided in a more timely manner going forward, particularly if there is a specified date by when a reply has been requested by.

In response to the points raised in your letter of 17 January, as I understand it, the precedent is that the Government usually makes its position on Private Members' Bills known by Second Reading.

There is a clear set of standards and principles to which public office holders are expected to adhere and these sit alongside rules which are specific to each elected office and public position.

As per the Prime Minister's guidance to Ministers, the Ministerial Code and its application is a matter for the Executive and – as with all matters of the Prerogative – wholly separate from the legislature. Therefore, the Government does not consider it appropriate to legislate for the Code or for the office of Independent Adviser. Indeed, this would undermine the constitutional settlement by conflating the executive and legislature, and would provide an additional route where the judiciary may also be drawn into such (political) matters that the Government considers to be non-justiciable.

The MPs' Code of Conduct is a matter for Parliament in line with the principle of exclusive cognisance. Currently, Members of Parliament, in accordance with the General Principles of Conduct, as set out in the House of Commons Code of Conduct and the Guide to the Rules, are expected to observe the principles identified by the Committee on Standards in Public Life. Whether a Member observes the Principles in Public Life is not an investigable matter under the Code of Conduct but the principles will be taken into account when considering the investigation and determination of any allegations of breaches of the rules of conduct. The Government does not believe that the office of the Parliamentary Commissioner should be placed on a statutory footing or that their remit be expanded to investigate non-adherence to Principles in Public Life but does recognise their centrality to parliamentary standards.

The House of Commons has continued to strengthen the Standards system in Parliament. On 18 October a formal appeals process was introduced for the first time. On 12 December, the Government brought forward a motion implementing the outstanding changes from the Standards Committee reports on a revised Code of Conduct and Guide to the Rules for MPs. This motion included supporting strengthened wording in the "Rules of Conduct" regarding lobbying and paid parliamentary advice and the introduction of a requirement for Members who undertake outside work to obtain a written contract or separate letter of undertaking that their duties will not include lobbying or prohibition of paid parliamentary advice.

In its response to the Committee on Standards in Public Life's report on intimidation in public life in 2018, the Government also asserted that all political parties should have their own Code of Conduct in relation to their party members (including elected representatives). I understand all the main parties have taken this step in having their own appropriate standards and disciplinary processes. Finally, holders of local Government elected office are also required to adhere to their local council's agreed Code of Conduct which must be based on the Seven Principles of Public Life.

Given you raised this on the floor of the House, I am placing a copy of this letter in the Library of the House. Once again, please accept my apologies for not responding sooner.

**Yours sincerely,**



**RT HON JEREMY QUIN MP  
MINISTER FOR THE CABINET OFFICE  
HM PAYMASTER GENERAL**