



CabinetOffice

A Guide to Cabinet and Cabinet Committee Business

Guidance to Departments from the Cabinet Office Secretariat

November 2008

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**Making
government
work better**

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Introduction

This guide has been divided into two main sections in order to tailor the information to the right audiences. The descriptions below should help to direct you to the information you require.

Section One: General Information about Cabinet and its Committees

The first section contains general information about Cabinet and its Committees. It should be of general interest to anyone who wants to find out high-level information about the descriptions and purposes of Cabinet and Cabinet Committees. It contains chapters on:

- Cabinet and its Committees
- Cabinet
- Types of Committee

Section Two: Guidance on Handling Cabinet and Cabinet Committee Business

The second section provides more detailed guidance on handling Cabinet Committee business. It is designed for use by officials who are involved with such business and contains detailed guidelines and instructions on the process which needs to be followed when dealing with Cabinet or its Committees. There are chapters on:

- Confidentiality of Cabinet and Cabinet Committee Business- for those dealing with requests for information about Cabinet or its Committees (e.g. answering Freedom of Information request or Parliamentary Questions)
- Obtaining Policy Clearance- for those needing to decide whether a policy should be cleared by Cabinet or its Committees and what method of clearance would be appropriate
- Clearing Policy through Cabinet- for those involved with the preparations for a meeting of Cabinet
- Committee Correspondence- for those involved with any aspect of Cabinet Committee correspondence
- Committee Meetings- for those involved with any aspect of Cabinet Committee meetings

Section One: General Information about Cabinet and its Committees

Cabinet and its Committees

This chapter gives you some general information about the purpose of Cabinet and its Committees and explains the principle of collective responsibility.

The **Cabinet** reconciles Ministers' individual responsibilities with their collective responsibility. It is the ultimate arbiter of all Government policy.

Underneath Cabinet sits a structure of **Cabinet Committees**, some of which have Sub-Committees. Cabinet Committees have two key purposes:

- **To relieve the burden on the Cabinet** by dealing with business that does not need to be discussed at full Cabinet. Appeals to the Cabinet should be infrequent, and Ministers chairing Cabinet Committees should exercise discretion in advising the Prime Minister whether to allow them.
- **To support the principle of collective responsibility** by ensuring that, even though a question may never reach the Cabinet itself, it will be fully considered. In this way, the final judgement is sufficiently authoritative that Government as a whole can be expected to accept responsibility for it. In this sense, Cabinet Committee decisions have the same authority as Cabinet decisions.

More broadly, Cabinet Committees provide a framework for collective consideration of, and decisions on, major policy issues and questions of significant public interest. They ensure that issues that are of interest to more than one department are properly discussed and that the views of all relevant Ministers are considered. Proposals that meet the criteria for collective consideration need to be put to the relevant Committee(s) or Cabinet itself in good time and with sufficient information to enable Ministers to come to an informed decision. The basic obligation is set out in the [Ministerial Code](#).

The business of Cabinet and Cabinet Committees comprises mainly:

- The co-ordination of particularly complex Government business, such as the legislative programme and constitutional issues;
- Questions which significantly engage the collective responsibility of the Government because they raise major policy issues, or are of critical importance to the public;
- Questions where there is an unresolved difference of opinion between Departments.

The principle of collective responsibility

Government is a large and complex organisation and so it needs formal and informal mechanisms for discussing issues, building consensus, taking decisions, resolving disputes and chasing progress.

Cabinet and Cabinet Committees are the only groups formally empowered to take binding decisions on behalf of the Government. They also provide a formal mechanism for the other four purposes set out in the last paragraph.

Cabinet and Cabinet Committees consist of UK Government Ministers. Only they – since they are accountable to Parliament – can take binding decisions, though others may be invited to attend.

Collective responsibility allows Ministers to express their views frankly in discussion, in the expectation that they can maintain a united front once a decision has been reached. Opinions expressed in Cabinet and Cabinet Committees are generally non-attributable.

Cabinet Committees and the devolved administrations

Members of the Devolved Administrations in Scotland, Wales and Northern Ireland are not bound by the collective responsibility which applies solely to members of the UK Government. They are not members of Cabinet Committees. Exceptionally, with the consent of the relevant Chair, they may be invited to attend, for example, Committee meetings dealing with emergency response.

Whenever a devolved administration is involved in Committee business, the relevant territorial office (Scotland Office, Wales Office, Northern Ireland Office) should be kept abreast of what is happening.

The most appropriate forum for formal discussions of policy issues with the devolved administrations, however, is the Joint Ministerial Committee (JMC) established under the Memorandum of Understanding between the UK Government and devolved administrations. JMC is a deliberative, rather than a decision-making body.

It meets in a variety of formats. JMC (Europe) meets approximate quarterly (the joint Secretariat is led on the Government side by European and Global Issues Secretariat in the Cabinet Office). Other formats are being developed (after a period in which the Committee was largely inactive); the joint Secretariat is led by the Devolution Secretariat within Economic and Domestic Secretariat in the Cabinet Office.

The Cabinet Secretariat

The Cabinet and most of its Committees are supported by the Cabinet Office. Seven secretariats carry out these functions under the leadership of the Cabinet Secretary:

- Civil Contingencies Secretariat
- Economic and Domestic Secretariat
- European and Global Issues Secretariat
- Foreign and Defence Policy Secretariat
- Directorate of Security and Intelligence
- National Economic Council
- National Security Secretariat

More details are provided on the [Cabinet Office website](#).

Further information

For details of current Cabinet Committees and Sub-Committees, their membership and terms of reference, please refer to the full list of Cabinet Committees on the [Cabinet Office website](#).

Further advice on relations with the devolved administrations is available from the Cabinet Office.

Cabinet

This chapter gives you some general information about Cabinet.

The Cabinet is the supreme decision-making body in the UK Government.

It is chaired by the Prime Minister and its members include Secretaries of State from all departments, as well as a small number of other Ministers.

The Cabinet usually meets once a week in 10 Downing Street, normally on a Tuesday morning, in the Cabinet room.

Its agenda includes regular items on Parliamentary Business, Domestic and Foreign Affairs (including European affairs) and, as necessary, topical issues of the day.

The Cabinet Secretary (Sir Gus O'Donnell) is responsible for the smooth running of Cabinet meetings and for preparing records of its discussions and decisions. The Cabinet Secretary, along with the Deputy Secretaries, will write, circulate and store the conclusions from Cabinet meetings.

For advice to those involved in preparing for Cabinet, please see the section Clearing Policy through Cabinet at page 19.

Types of Committee

This chapter is designed to give you some additional detail about the types of Committees and how they operate in practice.

There are sections on:

- Cabinet Committees
 - Official Committees
 - Membership and Terms of Reference
 - Management of Cabinet Committee Business
 - Timetable for Committee Meetings
 - Consultative Committees
-

Cabinet Committees

Cabinet Committees relieve the pressure on Cabinet by settling business in a smaller forum or at a lower level.

Some Cabinet Committees have **Sub-Committees**. These tend to focus on a narrower range of issues than the full Committee, taking forward work on key areas.

Business may also be carried forward through **MISC Groups**, which are set up to carry out a particular task, usually over a limited timescale.

Cabinet Committees, Sub-Committees and MISC Groups are all types of Ministerial Committee and can all take decisions and give clearance.

Official Committees

There are also Official Committees, made up of officials from the relevant departments. Rigorous scrutiny and discussion of the issues by a strong official-level Committee can play a major role in making a Ministerial meeting effective. Official Committees are therefore usually arranged ahead of a Committee meeting to identify and clarify key issues prior to Ministerial discussion. They are chaired by the Cabinet Secretariat. More information is available in the section on Official Committee Meetings at page 30 of this guide.

Membership and Terms of Reference

Each Cabinet Committee has clearly defined membership and terms of reference. These are decided by the Prime Minister on the advice of the Cabinet Secretary and are usually announced biannually by Parliamentary Written Statement.

Most Committee membership is assigned to a Ministerial position (e.g. Minister of State, BERR) and can be delegated to another Minister in the same department. However, for certain Committees the Prime Minister or Chair selects an individual to serve on a personal basis – it is not open to them to nominate another Minister to attend in their place (for example, PSX, the Committee on Public Services and Public Expenditure). Committee Chairs cannot nominate anyone else to attend in their place. In the absence of the Chair, if a Committee meeting is required or correspondence needs to be rounded up, the most senior available Minister on the Committee assumes the Chair's role.

For Prime Minister chaired Committees, the Prime Minister may designate a Deputy Chair to chair in his absence.

Management of Cabinet Committee Business

The business of each Cabinet Committee will be managed by the relevant section of the Cabinet Secretariat. In a few cases there are joint secretariats involving another department (e.g. for the Public Services and Public Expenditure Committee (PSX), the Treasury is part of a joint secretariat with the Economic and Domestic Affairs Secretariat.)

Each Cabinet Committee will be assigned **Committee secretaries** to monitor and manage the business of that Committee - Committee secretaries should be the first port of call when seeking advice on a Committee.

Timetable for Committee Meetings

Meetings do not necessarily follow a regular timetable, unless one is explicitly set out in the terms of reference or agreed by the Committee. Committees will only meet when an issue needs to be discussed i.e. to resolve disputes / make difficult decisions. Otherwise business is transacted by correspondence.

For information on setting up a Committee meeting, please see the sections on Obtaining Policy Clearance and Committee Meetings at pages 12 and 29 respectively of this guide.

For further information

For details of current Cabinet Committees and Sub-Committees, their membership and terms of reference, please refer to the full list of Cabinet Committees on the [Cabinet Office website](#).

If you think you may need to clear policy through a Cabinet Committee, please read the section on Obtaining Policy Clearance at page 12 of this guide.

Section Two: Guidance on Handling Cabinet and Cabinet Committee Business

Confidentiality of Cabinet and Cabinet Committee business

This chapter will be of use if you are involved with a request for information that relates to Cabinet Committees, for example responding to a Freedom of Information request or a parliamentary question.

The membership and terms of reference of Cabinet Committees are published approximately every six months. This is the only information that is routinely made publicly available. Papers or information relating to the proceedings of Cabinet or Cabinet Committees, or any briefing or correspondence relating to them, are generally classified Restricted or above, and are not suitable for public disclosure.

Even within a Department, papers and minutes relating to Cabinet Committees should only be shared with those officials who justifiably need to see them (i.e. for briefing / taking forward actions). The distribution of documents relating to Cabinet Committees is carefully controlled as explained in the section on Cabcom, Cabinet Documents Officers and Distribution of Committee Papers and Minutes at page 36.

Parliamentary Questions

Responsibility for answering Parliamentary Questions (PQs) about Cabinet and the Cabinet Committee system lies with the Prime Minister. In some cases a Cabinet Office Minister may answer on his behalf. Departments must therefore refer to Number 10 or the Cabinet Office all questions about the operation of the Cabinet, the Cabinet Committee system as a whole, or the membership or terms of reference of the Committees, frequency of meetings or about what Committees have discussed.

It has been the practice of successive governments not to disclose the details of Cabinet Committee proceedings.

Freedom of Information

The Freedom of Information Act applies to Cabinet and Cabinet Committees. The Ministry of Justice has published a Working Assumption which provides guidance about the Freedom of Information Act and Cabinet and Cabinet Committee information. This is available on the [FOI website](#) [External PDF].

This explains that although Cabinet and Cabinet Committee papers may, in certain very limited circumstances, be released or that their release may be ordered on review, in the vast majority of cases they will not be released. This is because the disclosure of these papers will put at risk the public interest in both collective responsibility and the full and frank discussion of policy by Ministers.

As the Working Assumption states, all Cabinet and Committee papers should be held by Cabinet Office. Any request for Cabinet or Cabinet Committee Papers (whether or not the lead Department holds the papers) should therefore be referred to the Ministry of Justice Clearing House who will record the request and contact Cabinet Office.

Contacts

Questions about FOI and Cabinet and Cabinet Committee information should be directed to the FOI Liaison Officer in the Secretariat on (020) 7276 2469.

Obtaining Policy Clearance

This chapter is designed to help you if you need to decide:

- whether a policy should be cleared by a Cabinet Committee
- what the most appropriate method of clearance would be.

There are sections on:

- Which Policies Require Clearance?
- How Can Clearance be Obtained?
- Clearance for Proposals which Impact on Particular Policy Areas (Legislative, European and Regulatory)

Which Policies Require Clearance?

It is difficult to give comprehensive rules about which policies require clearance. It is important to uphold the system of collective decision making; but process for process' sake needs to be avoided. Where there is any doubt officials should contact the relevant Committee secretary who can give advice based on the individual circumstances. However, there are some general guidelines:

Policy or other proposals will require consideration by a Cabinet Committee where:

- the issue is one that raises major policy concerns;
- the issue is likely to lead to significant public comment or criticism;
- the subject matter affects more than one department;
- the Ministers concerned have failed to resolve a conflict between departments through interdepartmental correspondence and discussions.

The Committee system also oversees the Public Service Agreements (PSAs). Key decision points in the delivery of PSAs and any changes to Delivery Agreements should be referred to the relevant Cabinet Committee or Sub-Committee for a decision.

Departments should check at an early stage whether an issue needs to be considered by a Cabinet Committee . It takes time to obtain collective agreement for a policy and this needs to be factored into planning. Pressures on Ministers' time make it difficult to get clearance at short notice so it is **important to discuss this with the Committee Secretariat as early as possible.**

Departments must also consult the Treasury before proposals with public expenditure implications are submitted to Ministers collectively for approval. The Treasury has two longstanding roles – ensuring Departments use their powers to incur expenditure only as Parliament has intended, and within Government, maintaining sound public finances and preserving economic stability. Where the department proposing the policy and the Treasury cannot agree in advance, any proposal for collective Ministerial consideration must record the Treasury position in terms which are acceptable to them. The Cabinet Committees will not sign off policy proposals with public expenditure implications unless Treasury Ministers are content. If necessary, issues will be referred to the Prime Minister, or, if he so decides, Cabinet for decision.

The lead Minister and his department are responsible for seeking clearance and all proposals should be considered on a case by case basis. In borderline cases, the Ministerial Code advises Ministers to seek collective consideration. This can be found at [Ministerial Code: A Code of Ethics and Procedural Guidance for Ministers'](#)

Departments should keep Committee secretaries in touch with policy developments in areas that are likely to require collective discussions. Cabinet Office periodically asks departments for information on issues likely to require collective consideration in the next six months and departments should be able to provide this. Committee secretaries are happy to advise on the process for reaching agreement and the most appropriate Committee for an issue. Committee secretaries can require policies to be subject to collective consideration where they see it as necessary.

The kind of proposals which require collective considerations include:

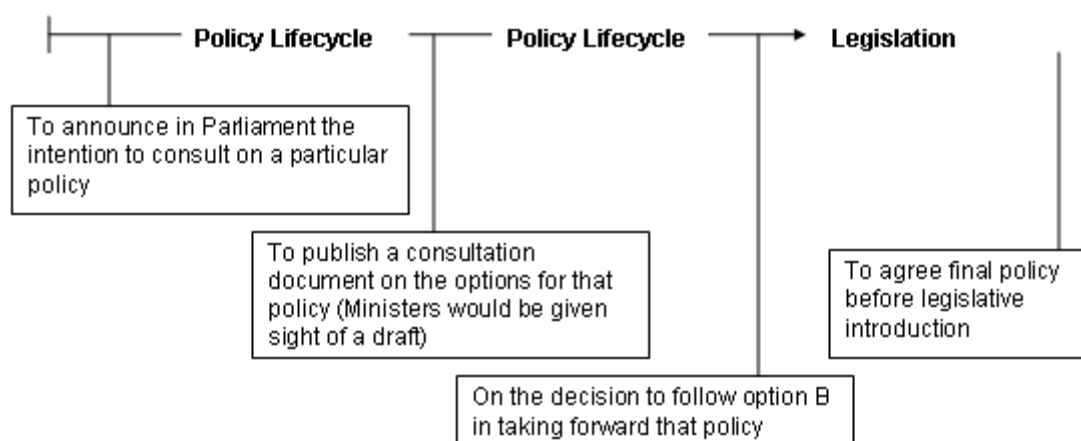
- publication of consultation documents and Green and White Papers;
- responses to Select Committee Reports;
- adoption of negotiating stances for international meetings;
- intention to make a public announcement; and
- proposed implementation of European legislation.

Clearance at official level is not a substitute for allowing Ministers the opportunity to consider the proposals. It is however good practice to consult other departments whilst preparing to seek clearance. Questions should be examined inter-Departmentally before submission to a Ministerial Committee, so that the decisions required can be clearly defined and the information which Ministers need to enable them to take a decision can be identified.

Clearance may need to be sought at more than one point in a policy's lifecycle as illustrated by the figure below. However, where the policy has been agreed, it is often unnecessary to come back to the Committee at every stage. For example, in the figure below, it would not be necessary to ask a Cabinet Committee for clearance to publish the

responses to a consultation. Officials should consult the relevant Committee secretary to agree the necessary milestones for clearance.

Clearance may need to be sought:



How Can Clearance be Obtained?

Collective agreement can be sought:

- through Ministerial correspondence; or
- at a meeting, through a paper for discussion by Ministers.

Correspondence should be used as the means of seeking clearance in most cases as it is less time-consuming than discussion at a Ministerial Committee.

Committee meetings will only be set up by the Chair, on the advice of the Committee secretaries, where there is a need for a Ministerial discussion and where a collective decision cannot be reached by other means. This is to make best use of Ministerial and official time.

If departmental officials feel that a Cabinet Committee meeting is required in a particular area, they need first to consider the following criteria:

- Does the issue require collective agreement?
- Is it an issue where there are differences of opinion between a number of Departments?
- Is it a proposal or strategy which requires cross-government Ministerial buy-in before proceeding?

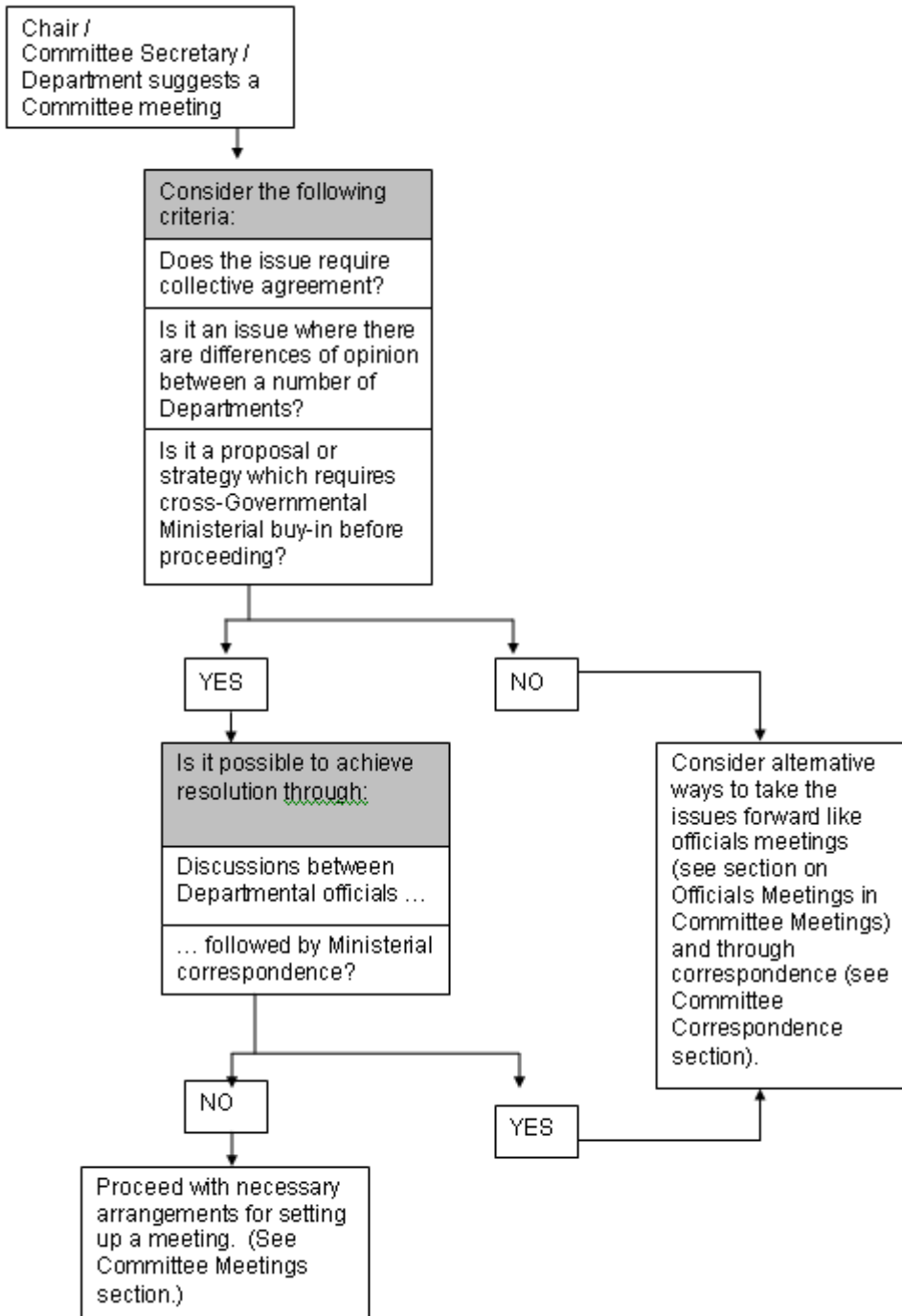
If the answer to any of the above is 'yes', is it possible to achieve resolution through:

- Discussions between departmental officials...
- ... Followed by Ministerial correspondence?

If not, and the Committee Secretariat is satisfied that a meeting is the only option, they will proceed with the necessary arrangements.

Where the Secretariat is informed that the Chair of a Committee wishes to call a meeting, the purpose of the meeting should still be examined, as above, and the Chair advised of the outcome. This is to ensure that the objective of a meeting can be communicated clearly in advance to other participating Ministers. The Secretariat reserves the right to request to see draft papers in advance before arranging a meeting.

This process is illustrated in the following diagram:



Whether seeking clearance through correspondence or a meeting, departments need to prepare well and follow the processes described under the sections on Committee Correspondence and Committee Meetings at pages 21 and 29 respectively of this guide

Clearance for Proposals which Impact on Particular Policy Areas

For some policy areas, there are more detailed rules about when clearance must be sought. Some examples are listed below however the relevant Committee secretaries will be able to advise you further (see FAQs on how to find the appropriate Committee secretary).

Legislative Proposals

All legislative proposals (potential Bills and amendments to Bills during their passage through Parliament) require both legislative and policy clearance.

These proposals will need to be considered by both the Legislation Committee (known as L Committee) and the relevant policy Committee. For more information on clearing legislative proposals, please refer to the [Guide to Legislative Procedures](#) available on the Cabinet Office website.

European Proposals

UK policy on EU issues may require clearance by the Ministerial Committee on National Security, International Relations and Development, Sub-Committee on Europe (NSID(EU)).

In particular, the **UK line in European negotiations** needs to be agreed collectively where the matter in question affects the responsibilities of more than one Department. Correspondence between the responsible Minister and the members of NSID(EU) is the usual means by which agreement is obtained.

The stage at which clearance is requested, is a matter for the judgement of the lead Department on a case by case basis, but usually the agreement of NSID(EU) is sought:

- for the initial line to take in negotiations;
- if a significant change in the UK's line is proposed;
- towards the end of negotiations if a compromise position emerges;
- for negotiating lines on matters which could impact on other Departments; or
- for negotiating lines on matters which are likely to have implications for the Government's strategic EU policy priorities.

Similarly, the **UK position on infraction cases** also needs to be agreed collectively by NSID(EU).

However, decisions on the **implementation** of European legislation in the UK will be a matter for the relevant **domestic policy Committee**.

There is more information on handling NSID(EU) correspondence in the section on Committee Correspondence at page 27 of this guide and there is more detailed guidance available in a separate [Guide to NSID\(EU\) Correspondence](#).

Regulatory Proposals

All proposals likely to impose a significant burden on the private, public or third sectors require clearance from a meeting of ED (PRA). A significant burden is one that is likely to impose a cost of over £20m p/a or disproportionately impact a particular sector. All such proposals should be agreed with the Better Regulation Executive (BRE) and be accompanied by an Impact Assessment (IA).

These requirements equally apply to major regulatory proposals stemming from UK lines in European negotiations.

There is more information on handling ED (PRA) correspondence in the section on Committee Correspondence at page 28 of this guide.

Clearing Policy through Cabinet

This chapter gives advice if you are involved in preparing for a meeting of Cabinet.

There are sections on:

- Cabinet Agenda Items
 - Cabinet Papers and Presentations
 - Cabinet Brief
 - Cabinet Minutes
-

The Cabinet Secretary's office manages the process of organising Cabinet meetings. With assistance from the Cabinet Secretariat, they circulate papers, prepare the agenda (under the Prime Minister's direction) and the Prime Minister's brief, circulate the minutes, and store them.

Cabinet Agenda Items

Ministers should give seven days' notice to the Cabinet Secretary's office of any business likely to require substantive policy discussion (including business to be raised orally).

The Secretariat prepares the agenda for Cabinet meetings which is agreed by the Prime Minister and may contact the offices of Secretaries of State to request that a Secretary of State make a presentation, present a paper or raise an issue orally.

Where a Minister wishes to tell Cabinet about an issue on which no substantive policy discussion is expected, the private office should alert the Cabinet Secretary's office, copying in the relevant secretariat and the Prime Minister's Principle Private Secretary on the morning of the day before Cabinet (usually a Monday morning).

Once an item has been logged in this way, the Minister concerned must be briefed by their department and ready to contribute to the meeting. Failure to do so, or raising issues without notice, can disrupt the Cabinet agenda.

Cabinet Papers and Presentations

The Cabinet Secretary's office is responsible for circulating papers and ensuring presentation equipment is available. Papers must be with them on the Friday before the Cabinet meeting. Presentations should be with them on the day before the Cabinet meeting.

Cabinet Brief

The Cabinet Secretary briefs the Prime Minister for Cabinet. Departments must make any draft papers, presentations or speaking notes available to the area of the secretariat that is preparing the Prime Minister's brief two days before Cabinet. The secretariats may need to ring round private offices and officials to understand the detail of agenda items. Which secretariat is engaged will depend on the subject matter and the Cabinet Secretary's office will be able to advise. The Economic and Domestic Secretariat usually coordinates contributions to the brief.

Cabinet Minutes

The Cabinet Secretary along with the Deputy Secretaries will write, circulate and store the conclusions from Cabinet meetings. Distribution of Cabinet Minutes is kept to a minimum.

Committee Correspondence

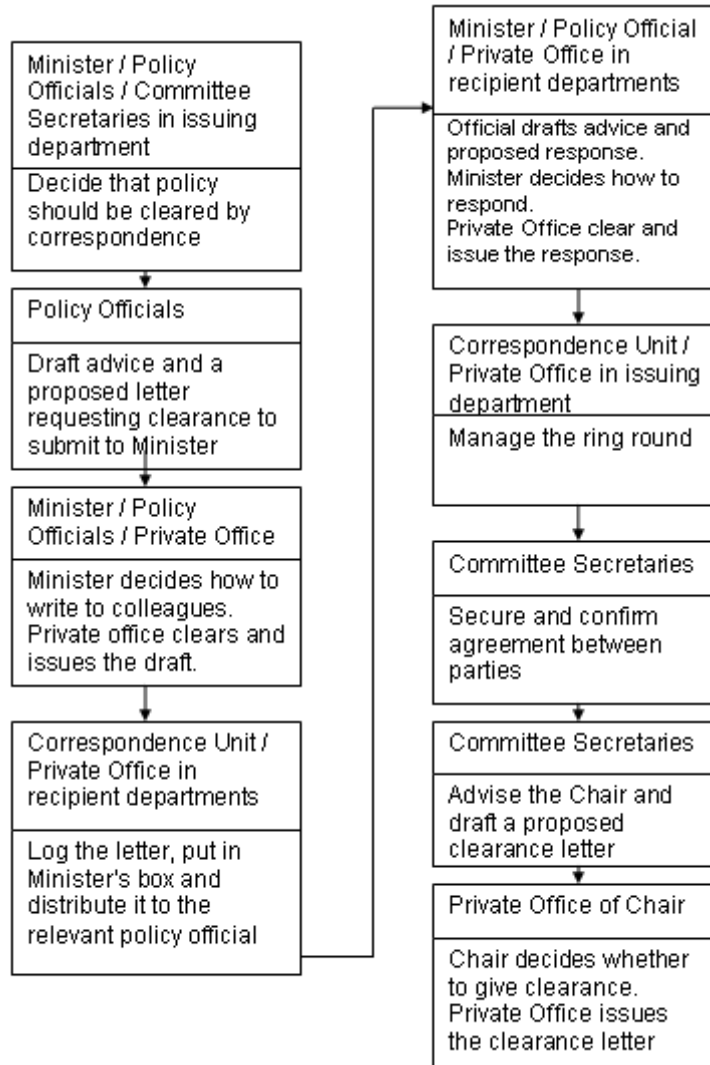
The majority of Committee business can be settled through an exchange of letters. This chapter is designed to help you understand how this process works and includes advice on:

- how to draft a letter requesting clearance
- how to draft a letter responding to a request for clearance
- how to manage a ring round

There are sections on:

- Drafting a Request for Clearance
 - Drafting a Response to a Request for Clearance
 - Mini Exchanges within a Round of Correspondence
 - Managing the Ring Round
 - Securing Agreement, Advising the Chair and Issuing Clearance Letters
 - Correspondence for Information
 - Correspondence with Implications for Particular Policy Areas (European, Legislative, Regulatory and Inspection)
-

The flow chart below illustrates the different steps and roles in this process:



Drafting a Request for Clearance

Those preparing letters should aim for clarity, brevity and precision.

All letters should adhere to the following rules:

Timing

- All letters should allow no less than **10 clear working days** for comment. The relevant Committee secretary must be contacted if a shorter deadline is required and **good reasons must be given in the letter if less time is allowed.**
- Those seeking policy clearance should be aware that once all responses have been received, the Committee secretary will need additional time to secure clearance. All departmental objections must be resolved and a clearance letter must be issued by

the Chair; **receipt of all responses does not equate to clearance**. For more information on the secretariats' role in this process, see the section entitled Securing Agreement, Advising the Chair and Issuing Clearance Letters at page 26.

- Most Committee correspondence should be classified as restricted. Letters should not be marked Committee Members Only (CMO) unless there are valid reasons. These **must** be discussed with the relevant Committee secretary given that the difficulties of distributing CMO correspondence mean that clearance deadlines can be put at risk.

Format

- The letter should be given a short self explanatory heading in bold.
- All letters should start with **a short initial paragraph in bold** which sets out upfront what clearance is being requested for. This paragraph should summarise any key issues and recommendations in the letter and clearly state a specific date by which responses are sought.

Addressees and copy lists

- The letter should be addressed to the Minister who chairs the relevant Committee and copied to the Prime Minister, members of the Committee and the Secretary of the Cabinet, currently Sir Gus O'Donnell. All letters must therefore end 'I am copying this to the Prime Minister, members of XYZ Committee and Sir Gus O'Donnell'. Private Offices should refer to the [list of Cabinet Committees](#) for a list of Committee members who need to receive the letter.
- The letter should be sent to the **Chair of the Committee** as should all responses to it. Where proposals come from the Chair's own Department, the letter should be signed by a junior Minister in that Department and addressed to the Chair.
- Requests for clearance can and should be copied to more than one Committee if the request is relevant to both; there is no need to write to both Committees separately. Ministers who are not members of the relevant Committees but who will have an interest can also be added to the copy list; their interest should be flagged up explicitly. When a request is copied to more than one Committee, one clearance letter covering all policy issues will be cleared by the most senior Chair, unless the Prime Minister is the Chair, in which case the next most senior Chair will respond.
- Cabinet Committee correspondence of relevance to the English regions should be copied as a matter of course to the [regional Ministers](#).
- Usually correspondence is sent only to Ministers although for some policy areas there may be others who should be engaged, such as the Chief Scientific Adviser. The relevant Committee secretary will be able to advise.

Devolved Administrations

- The Devolved Administrations are not part of the Westminster decision-making process and letters should not be copied directly to them.
- Where a letter covers an issue that has some bearing on the responsibilities of the Devolved Administrations, a separate letter should be sent. This process should be followed for all NSID(EU) correspondence and other Committee correspondence as appropriate. Where this is necessary, the original letter should read 'I am writing in similar terms to the Devolved Administrations'.
- Letters to the Devolved Administrations must always be copied to the relevant territorial offices in Whitehall (the Scotland Office, the Wales Office and the Northern Ireland Office) and to the Cabinet Secretary.

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- The letter will need to address the topics in the checklist at page 39 of this guide unless this is clearly not necessary.

Drafting a Response to a Request for Clearance

When responding, departments should:

Timing

- Draft the proposed response with sufficient time for it to be considered and cleared by the appropriate Minister within their department and issued by that Minister within the deadline stated in the original letter.

Format

- Use the same short self explanatory heading as the originating letter.

Addressees and copy lists

- Address the response to the Minister who chairs the Committee, **not** to the Minister who wrote requesting clearance. It should end 'I am copying this to the Prime Minister, members of XYZ Committee and to Sir Gus O'Donnell'.
- The Devolved Administrations are not members of Committees and should not be copied into the response even if they received a separate copy of the original clearance request.

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- A nil return is a sign that a Minister is content with a policy. It is the responsibility of Private Offices to ensure that letters issued in their Minister's name have substantive comments to make; otherwise, they should give a nil return and do not need to write.
- Where possible, keep replies short. Where this is not possible, start the letter with a summary of the department's concerns.
- There are three categories of Ministerial comments and the response must clearly distinguish whether a particular comment is one the Minister:
 - requires to be addressed as a condition of agreeing to clearance;
 - believes should be addressed, but does not insist on as a condition of clearance; and
 - is making without suggesting it needs to be addressed before clearance.
- If any member of the Committee objects to a proposal and their objections cannot be resolved, the proposal will not receive policy clearance without a meeting of the Committee. It is therefore important that, where there are disagreements between departments, the issues are discussed as soon as they emerge and a compromise is sought prior to the Minister responding to the original letter. **Objections cannot just be dismissed.** The Committee secretary will need to confirm that all parties are content before policy clearance is granted. For more information on the Committee secretary's role in brokering agreements, see the sections entitled Securing Agreement, Advising the Chair and Issuing Clearance Letters at page 26.
- Whilst a Minister is entitled to reserve his or her own position until an issue is resolved, it is not generally consistent with the principles of Ministerial responsibility for a Minister to require that officials are satisfied on an issue of policy. On matters of detail, however – for example on the drafting of documents – a Minister may want to ask that they are resolved between officials, indeed it is preferable that Ministerial correspondence does not become embroiled in matters of detail (if it is felt that drafting points should be covered in a letter, it is better that they are dealt with in an annex).

Mini Exchanges within a Round of Correspondence

On occasion, a Committee Member may raise a substantial objection and the Minister who originated the request may respond to reassure the Minister or propose a compromise. They may equally wish to hold a bilateral to work through the issues. The other Minister can write again to the Chair to confirm that he is satisfied with the solution that has been proposed.

The majority of Ministerial concerns can usually be resolved through official level discussion. However, this type of dialogue is sometimes necessary; for example, where an

objection results in a significant change to the original proposal and other Committee members need to be kept aware of developments. All letters within a mini-exchange should be addressed to the Chair of the Committee and copied to the Prime Minister, members of XYZ Committee and Sir Gus O'Donnell.

All correspondence will be reflected in the clearance letter.

Managing the Ring Round

It is for the originating department to extract replies and nil returns from all Committee members. This process is known as the ring round and is usually handled by the originating department's correspondence units or private offices.

Those responsible for ring rounds should:

- Alert the appropriate Committee secretary of the existence of the ring round by sending through a scan of the original correspondence as soon as it is issued. Also send through the contact details for the lead policy official.
- Give the Committee secretary regular updates as to the status of the ring round.
- Chase departments for responses two days before the deadline stated in the original request for clearance. Alert the Committee secretary if problems are encountered.
- Once the ring round is complete, a completed ring round sheet setting out which members gave nil returns or responded and all the formal responses should be sent through to the Committee secretary.

Securing Agreement, Advising the Chair and Issuing Clearance Letters

A completed ring round does not mean that proposals have clearance. The Chair must decide whether to give clearance and the Committee secretary and the Chair's private office still have roles to play in this stage. Initiating departments should therefore build time (normally two working days) into their timetable to allow for this final stage.

In order to secure clearance, a Committee secretary will:

- Filter the Committee Members' responses for any conditions of clearance. The policy official from the initiating department will usually be asked to explain what steps have been taken to address these concerns or to assess whether they are content with the condition. Officials from the departments with concerns will then be contacted to confirm that the proposed steps are satisfactory. If no agreement can be brokered, the proposals will not receive clearance.

- Draft a submission to the Chair summarising the key issues, highlighting any particular concerns raised by Committee Members and recommending whether clearance should be given.
- Draft a proposed clearance letter for the Chair to issue. This will confirm the collective decision. It will not repeat everything in the responses received but will summarise the key points raised in those responses and set them out as conditions to clearance. This letter is equivalent to the summing up at a Committee meeting; **no decision should be assumed until the clearance letter is issued.**

While the Devolved Administrations are not members of Committees, their views should, if relevant, be incorporated into the letter. The letter should not be copied to them, however, consistently with the principle that they are not members of committees and not subject to collective responsibility. It is the responsibility of the department originating the correspondence to inform the Devolved Administrations of the decision.

The Chair's private office is responsible for issuing the clearance letter once the Chair has signalled whether he is content and signed the letter.

Correspondence for Information

Most Committee correspondence is for action by other departments and is handled as described above. However, on occasion a Minister may simply wish to:

- alert colleagues to a development over which there is no control;
- seek colleagues' views on draft proposals before seeking clearance; or
- request colleagues comments before any action is proposed.

Such letters should make clear that they are not requesting clearance at this stage.

They should be addressed and copied to colleagues in the same way as a normal clearance letter. They should make clear how the full collective approval of the relevant Committee will be sought in due course.

Correspondence with Implications for Particular Policy Areas

For some policy areas, there are slightly varied processes for using correspondence to obtain clearance. Some examples are listed below; the relevant Committee secretaries will be able to advise further.

European Issues

NSID(EU) correspondence is largely similar to other Cabinet Committee correspondence and most of the same rules apply. However, the main differences are:

- The Foreign Office (and not the European and Global Issues Secretariat), advises the Chair and drafts the clearance letter.
- The clearance letter does not wait for the ring round to be completed. The Chair of NSID(EU) will issue the clearance letter once the 10 day period has expired.
- The clearance letter does not require all departments' concerns to have been addressed. It will reiterate these concerns in the letter without proposing a resolution.
- The copy list should include Mr Jon Cunliffe and Mr Kim Darroch (UKRep) as well as the members of NSID(EU) and Sir Gus O'Donnell.

Legislative Issues

If both policy and legislative clearance is sought, the letter should be copied to the Legislation Committee (L) as well as to the relevant policy Committee. Where the proposal has implications for the drafting of legislation, it should also be copied to First Parliamentary Counsel.

The two Committees will usually issue two separate clearance letters and **clearance is not obtained until both letters have been issued.**

For more information on clearing correspondence through L, please go to the [Guide to Legislative Procedures](#) available on the Cabinet Office website.

Regulatory Issues

If both policy and regulatory clearance is sought, the letter should be addressed to the Panel on Regulatory Accountability (ED(PRA)) as well as copied to the relevant policy Committee. For details on when ED(PRA) clearance is required and when ED(PRA) correspondence should be used please see the section on Regulatory Proposals at page 38.

Two separate ring rounds must be carried out, one for the members of the policy Committee and one for members of ED(PRA). Policy clearance cannot be given until ED(PRA) members have cleared the regulatory aspects of the proposals. One clearance letter, confirming both ED(PRA) and policy clearance, is usually issued by the Chair of the policy Committee once all parties are content.

Committee Meetings

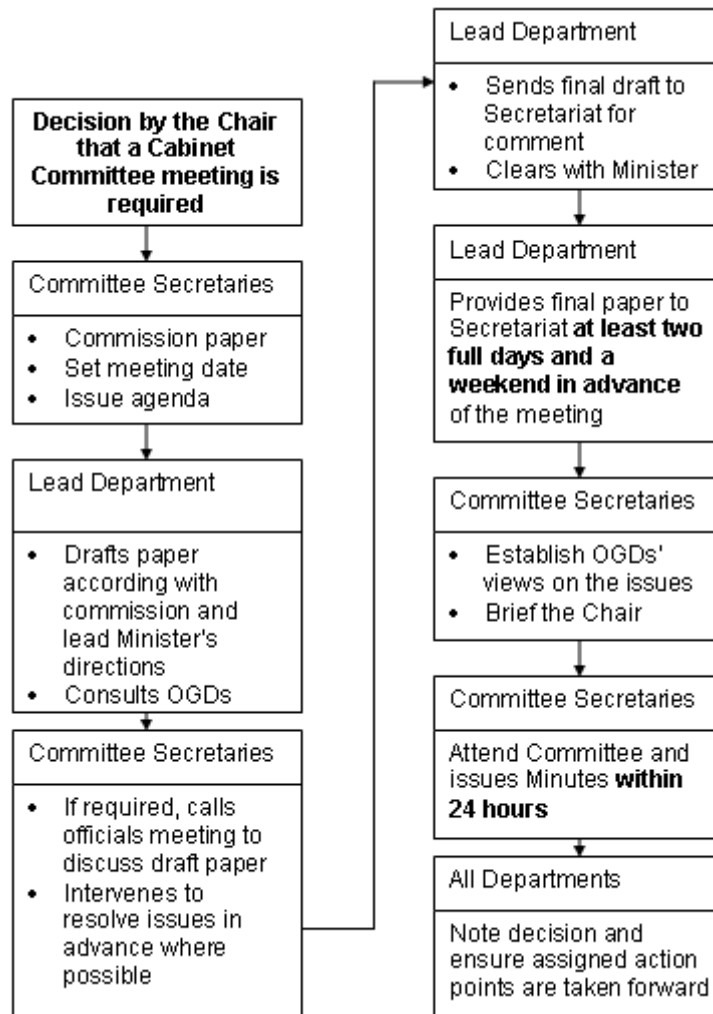
As explained in the chapter on Obtaining Policy Clearance at page 12 of this guide, Committee Chairs decide when to hold meetings supported by advice from the Committee secretaries. Meetings will not be set up unless departments can demonstrate that they will have a clear and justifiable purpose or unless the Chair agrees that an issue identified by the secretariat requires Ministerial discussion. This chapter outlines the steps which must be followed once it has been agreed that a Committee meeting is required.

There are sections on:

- Official Committee Meetings
- Organising a Committee Meeting
- Attendance at Committee Meetings (Ministers and officials)
- Preparing the Agenda
- Preparing Committee Papers
- Consulting Departments
- Drafting a Paper
- Timing for final paper
- Presentations and other material
- Cabcom, Cabinet Documents Officers and Distribution of Committee Papers and Minutes
- Briefing
- Minutes
- Taking Forward Actions
- Meetings which relate to Particular Policy Areas (Legislative, Regulatory Expenditure)

Lead departments should liaise with the Committee Secretariat from the outset to ensure that they are aware of the handling requirements and deadlines. Many of these are set out below. The Committee Secretariat can also advise on other factors, such as recess or a Ministerial trip, which might disrupt plans for a meeting.

The figure below maps out the processes leading up to a Cabinet Committee meeting.



Official Committee Meetings

Rigorous scrutiny and discussion of the issues by a strong interdepartmental official-level Committee can have a significant impact in making a Ministerial meeting more effective. They are organised and chaired by the Committee Secretariat when required.

Formal official committees can be established for most Cabinet Committees. They are usually referred to as O meetings (e.g. ED(HPR)(O), DA(O) etc.).

Official Committee meetings help the Secretariat and participating departments to:

- Monitor policy development, particularly in cross-departmental priority areas, in order to identify when a Committee meeting is required;

- Monitor progress on departmental action points from previous Committee meetings;
- Canvass views and developments to inform the future work programme for the Committee;
- Resolve interdepartmental disputes where possible in a neutral setting before elevating the issues to Ministers;
- Prepare agendas and facilitate forward look exercises that establish the likely business of the Committee;
- Identify areas that a Committee paper needs to cover to allow Ministers to focus their discussion on the key issues;
- Road test the effectiveness of draft Committee papers in advance of the Committee meeting; and
- Provide briefing for the Chair or Ministers which is informed by issues likely to be raised by other Ministers.

In some cases, these official Committee meetings may resolve all the issues so that it no longer proves necessary to get Ministers together to discuss. The issues can instead be cleared by correspondence or brought back to the Committee at a more appropriate stage. On other occasions, there may be multiple official Committee meetings before an issue is ready to go to the Committee.

It is important that officials of sufficient seniority who are able to represent and reach agreement on behalf of the department attend official Committee meetings to ensure that there is thorough discussion and that decisions can be taken.

Papers for official Committee meetings should also be circulated with adequate notice and should be focussed and concise in presentation.

For the main domestic policy Cabinet Committees, those invited to the supporting 'O' Committee will include as appropriate representatives from Number 10 (private office and policy unit), Strategy Unit, Treasury, lead department(s) and other departments whose Minister is a member of the Committee.

Organising a Committee Meeting

The support teams within each area of the Secretariat are responsible for organising Committee meetings. After establishing the Chair's availability, the support team will ring round Departments to secure the best time for the optimum number of Committee members. Details of meetings arranged by EDS or EGIS are confirmed by way of a meeting notice on CabCom (see section on Cabcom, Cabinet Documents Officers and Distribution of Committee Papers and Minutes at page 36 of this guide), but a member of

the support team will always ring round private offices the day before the Committee to confirm final attendance.

Because of the pressures on Ministers' time, Committee meetings are extremely difficult to organise and usually require at least 3 weeks advance notice to set up. Departments need to bear this in mind if there is a particularly pressing issue, as correspondence may be a more effective way to secure agreement.

Attendance at Committee Meetings

Ministers' Attendance

For Ministers, attendance at Cabinet Committee meetings should take precedence over all their other Ministerial business, apart from Privy Council, although it is understood that Ministers may occasionally have to be absent for reasons of Parliamentary business.

Even if Ministers do not have a direct departmental interest in an issue, they are expected to attend to ensure that any decision reached reflects the collective view of the Government. They may also have a personal or political interest in the issue under discussion and, in these circumstances, can provide effective support to the Chair in resolving disputes between other Ministers.

If the Chair cannot attend the meeting, the meeting will usually be postponed. If for reasons of urgency the meeting must go ahead, the next most senior Minister on the Committee should take the chair.

For Prime Ministerial chaired Committees, the Prime Minister may designate a Deputy Chair to chair in his absence.

If Committee members are **unable to attend**:

- Should they have views they wish to register, they may write to the Committee Chair, copied to other members and the Cabinet secretary, **no later than one day before the meeting**.
- Members may **nominate** another Minister to attend on their behalf. It is the responsibility of the Minister's department to arrange this substitute and for their private office to inform the appropriate support office within the Secretariat.

Officials' Attendance

On the Cabinet Secretary's advice, attendance at Cabinet Committees is kept to a minimum. This reflects Ministers' desire for free-ranging discussions in an atmosphere that facilitates open and frank exchange of views. Consequently, **attendance is confined to Ministers and Committee secretaries** (typically 2 people from the Secretariat).

In some cases, other people may be invited to attend.

- There is a standing invitation for a member of the Prime Minister's Office to attend any Cabinet Committee.
- HM Treasury officials and the Permanent Secretary of the Department under examination attend the Public Expenditure Committee (PSX).
- The Senior Responsible Owner and head of the Prime Minister's Delivery Unit will be invited to attend Cabinet Committees where progress on the delivery of a Public Service Agreement is being discussed.
- Some Committees draw on the advice of people with specialist knowledge, such as the Government's Chief Scientific Adviser, the Chief Medical Officer or the Director General of the Security Service.
- The Chair of a Cabinet Committee may bring a private secretary.
- Otherwise officials, other than Committee secretaries, attend only very exceptionally by agreement with the Chair of the Committee, on the advice of the Committee Secretariat. Usually this will only be if a presenting Minister has specifically requested support during a discussion (e.g. contributing specific, technical information). On such occasions, officials may be asked by the Chair to leave once their contribution is complete.

Preparing the Agenda

Committee secretaries prepare the agenda for a Committee meeting on the basis of issues for discussion and the number of papers commissioned.

Issues and appropriate papers will be grouped as an agenda item. The agenda item should have the same title as the supporting paper. Departments must inform the Committee Secretariat of the title of their paper at least **seven days** before the meeting so that the agenda can be circulated in good time. Titles of papers should be short and self explanatory.

Departments should contact the Committee Secretariat with at least **seven days notice** if a Minister wishes to raise any business orally at a meeting. Such issues will be added to the agenda. Committee secretaries can commission an explanatory paper or presentation if the issue is substantial and requires background information to facilitate an informed decision.

If the purpose of a meeting or agenda item is not clear, the Secretariat may request a draft paper before agreeing to set up a Committee meeting.

Preparing Committee Papers

If an issue needs to be discussed in Committee, the Secretariat, on behalf of the Chair, will commission a **paper** setting out the issues for consideration.

With the Chair's agreement, these papers or presentations may be put to the Committee by Committee members or by the Committee Secretariat. They may be presented by Committee members or officials invited to attend the Committee on an ad hoc basis to provide particular expertise.

Preparing the paper may be the responsibility of one lead department or, if it is a cross-cutting issue, it may require contributions from a number of departments. In some instances, the Secretariat will lead on pulling this together.

The paper should:

- enable other departments to assess the implications of a proposal or a change in policy ahead of the meeting and brief their Minister accordingly; and
- enable a fully informed discussion at the meeting and improve the likelihood of a decision being reached.

Consulting Departments

The lead department is responsible for ensuring that proposals have been discussed in advance with Ministers, officials in other interested Departments and HM Treasury (if there are public expenditure implications). No paper should come as a surprise to another department. Officials meetings are useful forums to share proposals but early drafts of papers can equally be emailed around departmental colleagues for comment. The results of these discussions should be reflected in the paper submitted to the Committee.

Drafting a Paper

The purpose of this is, of course, to produce a paper which will be read by the Ministers attending who will be taking a decision. For a Committee discussion to be effective therefore the papers need to be:

- Clear - set out the purpose upfront and provide precise recommendations for Ministers to consider
- Concise - no more than three pages (with detail, if necessary, in an annex)
- Available in time

A template with more advice for those involved with drafting papers is annexed at page 42 of this guide. It sets out the key requirements, including rules on the formatting of papers.

To ensure that the paper is fit for purpose and properly formatted, the Secretariat may ask departments to submit a draft in advance of the meeting for comment. This should be done before it is submitted to Ministers for clearance. They may equally ask for such drafts to be discussed earlier at an officials meeting. Deadlines will be set when the paper is commissioned.

Timing of circulation of the final paper

Departments are required to submit their final paper, cleared by their Minister, **at least two full days and a weekend before the Committee meeting.**

It is essential that Committee papers are circulated with sufficient time for departments to consider them properly before Ministers meet. Once departments receive the papers from their Cabinet Documents Officer (CDO), they need to:

- identify the correct policy officials;
- brief their Ministers;
- alert the Committee secretaries of issues which their Ministers are likely to raise; and
- allow Ministers the opportunity to write in on issues if they are unable to attend.

The Chair may postpone a meeting on the advice of the Committee Secretariat if:

- final receipt of the paper does not allow sufficient time for other Ministers to consider it; or
- the paper fails to clearly bring out the main purpose and options for Ministers to consider.

Alternatively, if the paper fails to follow the guidelines or formatting advice provided, the Committee Secretariat may refuse the paper, or elect to attach a cover sheet to the paper, highlighting the key issues for Ministerial consideration.

The Secretariat is responsible for circulating Committee papers. For more information on how this is done and on accessing Committee papers, please read the section on Cabcom, Cabinet Documents Officers and the Distribution of Committee Papers at page 36.

Presentations and other material

If a Minister wishes to deliver a PowerPoint presentation at a meeting or to hand out any additional material, the Secretariat must be informed in advance. Copies of slides must be provided for the Secretariat in advance so that they can be circulated to Committee members - the same deadline of two days and a weekend applies.

Copies of slides and any other documents brought to the Committee by Ministers will be logged officially as Cabinet Committee documents and will be circulated for information to all attendees after the meeting, along with the Minutes.

Cabcom, Cabinet Documents Officers and Distribution of Committee Papers and Minutes

Cabinet Committee papers and minutes are classified documents. Their classification depends on their subject matter and most Committee papers are classified Restricted.

Where the classification is **Confidential or above**, the Secretariat is responsible for distributing them to named individuals as numbered paper copies. **These must not be copied**. Extra copies can be requested from the Secretariat if needed.

Where the papers are classified as **Restricted** the papers will be placed on **Cabcom by the Secretariat**. Cabcom is an electronic database which can be accessed by other departments. It holds useful information about the times and locations of meetings as well as copies of Committee agendas, papers and minutes. The Economic and Domestic Secretariat manage this system.

Nearly all departments have access to Cabcom although each will only be able to see the Committees of which their Ministers are members.

Each department has a Cabinet Documents Officer (CDO) who is in charge of managing and distributing Cabinet Committee papers and minutes, whether they arrive by paper copy or are posted on Cabcom. This official usually sits in the Secretary of State's Office.

Once agendas, Committee papers or minutes are received, the CDO must distribute these to the relevant policy officials without delay. Cabcom has an inbuilt function which allows CDOs to build up distribution lists for each Committee and email documents across to the relevant officials.

Where the papers are classified as **Committee Members Only (CMO)** the papers can also be placed on **Cabcom** but special rules apply.

There is a Handbook for the Cabinet Documents Officer which provides full instructions on the role of the CDO and on the layout, reproduction and control of all classifications of Cabinet papers and minutes. This handbook is available on Cabcom and on the [Cabinet Office website](#) .

Briefing

The Committee Secretariat, rather than departmental officials, is responsible for briefing the Committee Chair because the Prime Minister's appointment of a Committee Chair is to a non-departmental role. This is to ensure that the Chair receives neutral, impartial advice on the issue for discussion, the likely views around the table and options for their resolution. The briefing process involves Committee secretaries:

- ringing round departments to speak to the officials compiling briefing for their own Ministers, in order to reflect their views;
- Compiling speaking notes and advice on handling for the Chair; and
- Attending a pre brief meeting if necessary.

It is the responsibility of any department initiating or leading on proposals under discussion to ensure that their Minister is sufficiently briefed to answer colleagues' questions and address their concerns.

It is essential that other departments ensure that their Ministers have the correct briefing from their officials on the issues being discussed at Cabinet Committee meetings.

Departments may also wish to consider whether their Minister will want to offer an objective or personal opinion from an informed, non-departmental standpoint. Some of the most successful collective discussions are informed by Ministers giving political insights or talking from personal experience.

Decisions at Cabinet Committees are binding. It is not possible for officials to attempt to reopen any agreed issue on the grounds that their Minister was not properly briefed.

Minutes

The Committee secretaries are responsible for taking minutes of Committee meetings; these form part of the historical record of the Government's business. To maintain the principle of open and frank discussion, contributions from Ministers other than the Chair and the Minister introducing the subject are usually unattributable.

Committee members or their officials do not comment on or clear the minutes in advance of their being issued; this is to maintain the impartiality and objectivity of the Secretariat as minute-takers and, on a more practical level, to ensure that the minutes can be issued **within 24 hours of the meeting**.

However, if a Minister present at the Committee has a factual correction to make, such amendments must reach the Committee secretary **within 24 hours of circulation of the minutes**.

Taking Forward Actions

Committee secretaries will ensure that the actions agreed at the meeting are clearly flagged in the minutes and accompanying documents.

It is the responsibility of Committee members' private offices to ensure that their Ministers clearly instruct their departments to implement the decisions of the Committee.

The Cabinet Documents Officer should ensure that all records of actions (e.g. the minutes) reach the relevant officials within their departments.

If the relevant officials do not understand the action placed on them, they may contact the Committee secretaries for clarification.

If a department did not attend the meeting, but an action has been placed upon it, the Committee Secretariat will notify the department concerned.

Meetings which Relate to Particular Policy Areas

Some policy areas and Committees have specific requirements which apply to setting up a meeting. Some examples are listed below however the relevant Committee secretaries will be able to advise you further.

Regulatory Issues

The Panel for Regulatory Accountability (ED(PRA)) is the Committee responsible for regulatory issues. It is chaired by the Chief Secretary to the Treasury.

ED(PRA) clearance should be sought for any policy which imposes a regulatory burden of more than £20m p/a or which disproportionately impacts a particular sector.

Legislative Issues

Legislation Committee (L) is the Committee which examines legislative proposals. It has different requirements in terms of meetings and papers. More guidance should be sought from chapter 8 of the [Guide to Legislative Procedures](#) available on the Cabinet Office website.

Expenditure Committees

Expenditure Committee meetings (such as PSX or PSX(P)) tend to follow a question and answer format with the members of the panel taking it in turns to ask the invited Ministers to answer questions on expenditure issues. Committee secretaries work closely with Treasury colleagues to compile the papers and briefing for such Committees.

Annexes

Checklist for Cabinet Committee Letters and Papers

The table below is designed to give you a list of the type of content which may need to be contained in letters requesting clearance and papers for discussion at a Committee meeting.

All Cabinet papers or letters to colleagues must explain...	...taking account of....
<p>In neutral terms, the benefits, disadvantages and risks of the proposals so that Ministers receive a balanced picture.</p>	<ul style="list-style-type: none"> • Other departments' interests; • any other affected parties; • dissenting views; and/or • negative results. <p>Where a department has a disagreement with the department requesting clearance, the paper / letter should set this out in a neutral way.</p>
<p>Public expenditure costs or savings (for lead or other departments), other economic impacts, and how the proposals represent value for money.</p>	<ul style="list-style-type: none"> • Views expressed by the Treasury; • the Efficiency agenda; and • the Treasury Green Book
If relevant, Cabinet papers or letters to colleagues should explain...	...taking account of
<p>The last time the proposals were brought to the attention of a Cabinet Committee and any forthcoming plans to bring the proposals back to a Cabinet Committee.</p>	<ul style="list-style-type: none"> • Previous correspondence and meetings of that Committee; • other Cabinet Committees which may have considered these issues; and • the outcome of the correspondence round or Committee meeting
<p>The impact on business, charities and voluntary organisations of any proposals</p>	<ul style="list-style-type: none"> • The results of the Regulatory Impact Assessment (IA) prepared in

involving new or amended regulations	<p>accordance with the Better Regulation Executive's guidance <i>Better Policy Making: A Guide to Regulatory Impact Assessment</i>; and</p> <ul style="list-style-type: none"> any discussions with the Better Regulation Executive <p>All proposals with impacts in excess of £20 million p/a or disproportionately on a particular sector should be cleared by ED(PRA) Committee in addition to the relevant policy Committee.</p>
Where EC requirements are being implemented, confirmation that the European Law checklist has been followed	<ul style="list-style-type: none"> Appropriate legal advice.
How the proposals meet the economic, social and environmental objectives of sustainable development. This includes any significant costs and benefits to the environment.	<ul style="list-style-type: none"> Views from the Sustainable Development Unit in DECC and the Government commitment to sustainable development as set out in the UK Sustainable Development Strategy
Any European Convention on Human Rights implications .	<ul style="list-style-type: none"> Guidance from the Ministry of Justice available on their website
Whether implementation will require primary or secondary legislation .	
The legal implications , especially if there is a risk of successful legal challenge.	<ul style="list-style-type: none"> Consultation with the Law Officers or advice from other legal sources.
The implications for Scotland, Wales and Northern Ireland and the Regions .	<ul style="list-style-type: none"> Consultation with the Devolved Administrations and territorial departments.
Consideration given to the interests of particular groups such as women, the elderly, the disabled or ethnic minorities.	<ul style="list-style-type: none"> Discussions with the Government Equalities Office. The need for an equality impact assessment.
Any change in responsibilities of, or financial burdens on, local government .	<ul style="list-style-type: none"> Consultation with the department for Communities and Local Government.

<p>Consideration given to impacts on health.</p>	<ul style="list-style-type: none"> • Any Health Impact Assessment which may have been carried out; and • Views' of the Department of Health.
<p>EU and any other international obligations relevant to domestic proposals</p>	
<p>As regards to major projects or procurements, clear business need, and details of the project plan and risk assessment.</p>	<ul style="list-style-type: none"> • OGC Gateway guidance and reviews.
<p>As regards EU proposals or negotiations, analysis of the factual position, budgetary and wider economic effects, impact on UK law and tactical considerations.</p>	

Writing a Cabinet Committee Paper

The Cabinet Secretariat will insert the correct header and reference number for your Cabinet Committee paper. However, it helps if those drafting papers can follow a few basic rules:

- stick to the basic structure and formatting guidance set out below;
- keep paper as short and as focused as possible – Cabinet Committee papers should not exceed three pages, so if necessary put background detail in an annex. The Secretariat may refuse to accept a paper if it is too long;
- do not use unexplained acronyms or jargon;
- number your paragraphs;
- make sure it is clear to Ministers at the beginning of the paper and throughout what the paper is about and what it is asking them to do;
- ensure any issues which you know are of particular interest to Ministers are reflected in the paper;
- agree any proposals involving public expenditure commitments with HM Treasury before submitting the paper for discussion or objectively highlight any outstanding differences in opinion; and
- consult other departments with an interest in the subject of the paper early on. No paper should come as a surprise to a department.

TITLE OF PAPER

Paper by the [insert the title of the Minister presenting the paper]

Summary

Summarise the content of the paper. It should be clear to Ministers at a glance what the paper is about.

Recommendation

2. *Set out in bullet points what action you recommend the Committee takes as a result of the paper. Eg “Ministers are invited to ...”:*

- *agree a policy recommendation or decide between a series of recommendations;*
- *note a particular situation (for example, progress against delivery of a Public Service Agreement (PSA); or*
- *agree a programme of future work.*

3. *If the issues are straightforward, you may want to combine the ‘Summary’ and ‘Recommendation’ sections.*

Consideration

4. *This is the body of the paper; it should expand on the issues outlined in the ‘Summary’ including the relevant background/evidence/argument that led you to your recommendation. If you need to include detailed factual material, consider putting it in an annex. It may be helpful to organise the ‘Consideration’ into subsections to help Ministers find their way around the paper.*

5. *Where appropriate, refer to dissenting views and/or negative results, so Ministers receive a balanced picture. Where a department has a disagreement with the department preparing the paper, the paper should set this out in a neutral way.*

6. *You should cover the main considerations Ministers need to bear in mind in reaching a decision. Please see the checklist on page 39 for more details on specific issues which may be relevant.*

8. *Finally, bear in mind that some Ministers will be more expert in your subject than others. Consider how to handle this in your paper. For example, if your subject is technical, footnotes can help to explain a point to the uninitiated without disrupting the flow of the text.*

Formatting guidance

Please apply the following rules to all Cabinet Committee documents

- **All margins should be 2.54 cm.** (in Word go to **File**, then **Page Setup**, then **Margins**, then type 2.54 into all four boxes)
- **The font should be Arial.** (press **Ctrl** and **A** to highlight the whole document, then right click on the mouse and go to **Font**)
- **The font size should be 12pts.** (press **Ctrl** and **A** to highlight the whole document, then right click on the mouse and go to **Font**)
- **The line spacing should be 1.5 lines.** (press **Ctrl** and **A** to highlight the whole document, then right click on the mouse and go to **Paragraph**, then **Indents and Spacing**, then adjust the drop down **line spacing** box to 1.5 lines)
- **All Cabinet Committee papers should as a minimum be classified as RESTRICTED**