



Cabinet Office

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foi-team@cabinetoffice.gov.uk
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Helen Hotson

By email: request-602868-ddbe0df5@whatdotheyknow.com

FOI Reference: FOI328585
03/06/2020

Dear Helen Hotson

I refer to your request where you asked:

"I'd like to know on what terms Mr Dominic Cummings is employed by you? I'd like to know how much he is paid and whether he is paid using public money or privately.

I'd also like to know if Mr Cummings is conducting focus groups to road test slogans for an autumn general election and how he is being paid for this and whether he is paid using public funds or if privately by who?

Thirdly, I'd like to know why Mr Cummings has been issued a security pass and allowed to enter Westminster and who authorised it?

Basically I'd like to know why Mr Cummings is employed by you at all, when we all know that he has been found in contempt of parliament.

I trust that this FOI request will not be prorogued until an undetermined date and that it will be answered fully and truthfully."

Thank you for your email regarding special advisers. I am writing to advise you that following a search of our paper and electronic records, I have established that the information you requested is partially held by the Cabinet Office.

In response to your first question, special advisers are employed under the terms laid out in the Model Contract for Special Advisers. The current model contract can be found at: [MODEL CONTRACT FOR SPECIAL ADVISERS](#).

Pursuant to the Constitutional Reform and Governance Act 2010 and as part of the government's policy on open data and transparency, the Cabinet Office routinely publishes an annual report on the numbers and costs of special advisers. In line with Information Commissioner's Office guidance, the salaries of those earning £70,000 or above are given in bands of £5,000. Information on Mr Cummings' salary is held by the Cabinet Office but is being withheld as it is exempt under section 22(1) of the Freedom of Information Act. Section 22(1) protects information intended for future publication. Section 22 is a qualified exemption and I have considered whether the balance of the public interest favours maintaining the exemption in section 2(1) or disclosing the information.

The Freedom of Information Act recognises the desirability of information being freely available in its own right but section 22 also acknowledges that public authorities must have freedom to be able to determine their own publication timetables. At the time of your request, there was and remains a firm intention to publish the requested information and there is no overriding public interest in the information being released prior to the intended publication date. As a result, we consider it is reasonable in all circumstances that the information held should be withheld from disclosure until the future date of publication and that the public interest in maintaining the exemption outweighs the public interest in disclosure.

In response to your second question, as set out in section 8 of the *Code of Conduct for Special Advisers*, special advisers are temporary civil servants appointed in accordance with Part 1 of the Constitutional Reform and Governance Act 2010. Special advisers are bound by the standards of integrity and honesty required of all civil servants as set out in the Civil Service Code. However, they are exempt from the general requirement that civil servants should behave with impartiality and objectivity. Sections 16-18 of the *Code of Conduct for Special Advisers* set out the expected standards for involvement in national political activities in a private capacity and stipulate that work of this nature can be carried out either in a special adviser's own time, outside office hours, or under a separate contract with the Party, working part-time for the Government. The *Code of Conduct for Special Advisers* can be found at: [CODE OF CONDUCT FOR SPECIAL ADVISERS](#)

In relation to your question about security passes, the Cabinet Office does not hold this information. Any decision about granting a Parliamentary pass is a matter for the House Authorities.

If you are unhappy with the service you have received in relation to your request or wish to request an internal review, you should write to:

Eirian Walsh Atkins
Cabinet Office
70 Whitehall
London
SW1A 2AS

email: foi-team@cabinetoffice.gov.uk

You should note that the Cabinet Office will not normally accept an application for internal review if it is received more than two months after the date that the reply was issued.

If you are not content with the outcome of your internal review, you may apply directly to the Information Commissioner for a decision. Generally, the Commissioner cannot make a decision unless you have exhausted the complaints procedure provided by Cabinet Office. The Information Commissioner can be contacted at:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Eirian Walsh Atkins', written over a light grey circular stamp.

FOI Team
Cabinet Office