



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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1. You approached the Advisory Committee on Business Appointments (the Committee) under the government's Business Appointments Rules for former ministers (the Rules) seeking advice on taking up an appointment as Chair for The Aldersgate Group (TAG). The material information taken into consideration by the Committee is set out in Annex A.
2. The purpose of the Rules is to protect the integrity of the government. Under the Rules, the Committee's remit is to consider the risks associated with the actions and decisions made during time in office, alongside the information and influence a former minister may offer TAG.
3. The Ministerial Code sets out that ministers must abide by the Committee's advice. It is an applicant's personal responsibility to manage the propriety of any appointment. Former ministers of the Crown, and Members of Parliament, are expected to uphold the highest standards of propriety and act in accordance with the 7 Principles of Public Life.

The Committee's advice

4. When considering this application, the Committee¹ took into account this role as Chair is unpaid². Generally, the Committee's experience is that the risks related to unpaid roles are limited. The purpose of the Rules is to protect the integrity of the government by considering the real and perceived risks associated with former ministers using privileged access to contacts and information to the benefit of themselves or those they represent; and to mitigate the risks that individuals may make decisions or take action in office to in expectation of rewards, on leaving government. These risks are significantly limited in unpaid cases due to the lack of financial gain to the individual.

¹ This application for advice was considered by Jonathan Baume; Andrew Cumpsty; Sarah de Gay; Isabel Doverty; Dr Susan Liautaud; The Rt Hon Lord Pickles; Richard Thomas; Mike Weir. Lord Larry Whitty was recused.

² By unpaid the Committee means that no remuneration of any kind is received for the role. Applicants must declare where it is agreed or anticipated they may receive remuneration or some other compensation at some stage in the future.

5. The Committee took into account that you did not meet with TAG while in office. The Committee noted there is a relationship between your former department, Cabinet Office, and TAG, however, this is a stakeholder relationship and you did not make any funding or policy decisions directly affecting TAG. Therefore, the Committee considered the risk you could be seen to have been offered this role as a reward for decisions made, or actions taken in office, was low.

6. The Committee noted as the former Prime Minister there is an inherent risk you could be perceived as having access to relevant privileged information and knowledge, which could unfairly benefit TAG. However, the unpaid nature of this appointment limits the real and perceived risk of you making improper use of information you had access to while in office for your personal benefit. Further, 21 months have passed since you were in office; and you have an ongoing duty of confidentiality.

7. The Committee also noted there is an inherent risk your contacts and influence within government could offer TAG an unfair advantage. However, as above, the unpaid nature of this appointment limits the real and perceived risk of you making improper use of contacts within government for your personal benefit. Further, the Committee noted your role does not involve contact with government.

8. As above the Committee recognised that the risks in this unpaid appointment are limited. The Committee did not consider this appointment raises any particular proprietary concerns under the government's Business Appointment Rules. The standard conditions below, preventing you from drawing on your privileged information and using your contacts to the unfair advantage of TAG, will sufficiently mitigate the risks in this case.

9. Taking into account these factors, in accordance with the government's Business Appointment Rules, the Committee advises this appointment with **The Aldersgate Group** be subject to the following conditions. :

- you should not draw on (disclose or use for the benefit of yourself or the persons or organisations to which this advice refers) any privileged information available to you from your time in ministerial office;
- for two years from your last day in ministerial office, you should not become personally involved in lobbying the UK government or its Arms' Length Bodies on behalf of The Aldersgate Group (including parent companies, subsidiaries, partners and clients); nor should you make use, directly or indirectly, of your contacts in the government and/or Crown service to influence policy, secure business/funding or otherwise unfairly advantage The Aldersgate Group (including parent companies, subsidiaries, partners and clients); and
- for two years from your last day in ministerial office you should not undertake any work with The Aldersgate Group (including parent companies, subsidiaries, partners and clients) that involves providing

advice on the terms of, or with regard to the subject matter of a bid with, or contract relating directly to the work of, the UK government or its Arms' Length Bodies.

10. The Committee also notes that in addition to the conditions imposed on this appointment, there are separate rules in place with regard to your role as a member of the House of Commons.

11. By 'privileged information' we mean official information to which a Minister or Crown servant has had access as a consequence of his or her office or employment and which has not been made publicly available. Applicants are also reminded that they may be subject to other duties of confidentiality, whether under the Official Secrets Act, the Civil Service Code or otherwise.

12. The Business Appointment Rules explain that the restriction on lobbying means that the former Crown servant/minister "*should not engage in communication with government (ministers, civil servants, including special advisers, and other relevant officials/public office holders) – wherever it takes place - with a view to influencing a government decision, policy or contract award/grant in relation to their own interests or the interests of the organisation by which they are employed, or to whom they are contracted or with which they hold office.*" This Rule is separate and not a replacement for the Rules in the House.

13. I should be grateful if you would inform us as soon as you take up this role, or if it is announced that you will do so. We shall otherwise not be able to deal with any enquiries, since we do not release information about appointments that have not been taken up or announced. This could lead to a false assumption being made about whether you had complied with the Rules and the Ministerial Code.

14. Please also inform us if you propose to extend or otherwise change the nature of your role as, depending on the circumstances, it may be necessary for you to make a fresh application.

15. Once the appointment has been publicly announced or taken up, we will publish this letter on the Committee's website, and where appropriate, refer to it in the relevant annual report.

The Rt Hon Lord Pickles

The Rt Hon Theresa May MP

Annex A - Material information

The role

1. You said TAG is an alliance championing a competitive and environmentally sustainable economy. Its website says through '*...targeted political engagement, evidence gathering and policy development, [it] advocate[s] the business case for decarbonising the UK economy, improving resource efficiency and investing in the natural environment*'
2. You said you will provide strategic and leadership support to the Executive Director and the Board. She will Chair the quarterly board of directors and members' meetings. You also informed the Committee you will also represent TAG on targeted occasions in front of high-profile external audiences and support the Executive Director in ensuring board balance, succession, and recruitment. Where relevant and appropriate, you said you will also accompany the Executive Director to meetings to attract new member organisations to TAG. You do not expect your role to involve contact with government.

Dealings in office

3. You confirmed you did not meet with TAG while in office but you did inform the Committee you received two letters from TAG whilst in office; first in 2016 (congratulatory message after taking office) and then in May 2019 in the form of an open letter calling for a net zero climate target. You said you did not make any decision relevant to TAG and had no involvement in policy relevant to TAG. You also informed the Committee TAG do not have competitors but "The Prince of Wales' Corporate Leaders Group", "Business in the Community" and the "UK Green Building Council" operate in a similar space to an extent. You also said you did not have access to sensitive information relevant to TAG.

Department Assessment

4. The Cabinet Office confirmed the details you provided and stated you had no access to sensitive information that could provide an unfair advantage to TAG. It also confirmed The department said TAG is one of a very great number of stakeholders of COP26, given its engagement with business. COP26 Unit has spoken to them 2 to 3 in the last year.
5. The department has no concerns regarding this application.