



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

G/7 Ground Floor, 1 Horse Guards Road SW1A 2HQ

Telephone: 020 7271 0839

Email: acoba@acoba.gov.uk

Website: <http://www.gov.uk/acoba>

March 2021

1. You approached the Committee about taking up an appointment as a Member of the Council of Reference at Westminster Abbey Institute.

The Committee's role and remit

2. It is the Committee's role to advise on any conditions that should apply to appointments or employment under the Government's Business Appointments Rules for Former Ministers (the Rules), which apply to former Ministers for two years after they leave office.

3. The Rules seek to counter suspicion that:

a) the decisions and statements of a serving Minister might be influenced by the hope or expectation of future employment with a particular firm or organisation; or

b) an employer could make improper use of official information to which a former Minister has had access; or

c) there may be cause for concern about the appointment in some other particular respect.

4. When the Committee considers applications it must have in mind that Government has judged that it is in the public interest that former Ministers with experience in Government should be able to move into business or into other areas of public life, and to be able to start a new career or resume a former one. It is equally important that when a former Minister takes up a particular appointment or employment, there should be no cause for any suspicion of impropriety.

5. It is not the Committee's role to pass judgment on whether an appointment is appropriate or suitable in any other regard.

Appointment Details

6. You wish to take up an unpaid, part-time role with Westminster Abbey Institute (WAI), as a Member of the Council of Reference. You stated WAI is wholly part of Westminster Abbey, paid for out of the Abbey's core funding and accountable to Dean and Chapter. It works with the public service institutions around Parliament Square to revitalise moral and spiritual values in public life. You said as a Member of the Council of Reference you would offer advice to the Institute alongside other members of the Council of Reference. You will also mentor members of the Institute's Fellows' Programme, occasionally chair or speak at Institute events and provide advice to the Director of the Institute. You do not expect this role to involve contact with the Government.

7. You informed the Committee during your time as Prime Minister you had no contact with WAI, had no involvement in any decisions affecting WAI and was not involved in relevant policy work. Further, there is no relationship between your former department, Cabinet Office and WAI.

8. The Cabinet Office confirmed the detail of your application and said it has no concerns about you taking up this appointment with WAI.

The Committee's consideration

9. When considering your application, the Committee¹ considered whether this appointment could be perceived as a reward for decisions taken in office. You confirmed that in your previous role as Prime Minister you had no dealings with the organisation whilst in office. The Committee did not consider it could reasonably be perceived that you were offered this unpaid role as a reward for decisions made or actions taken in office.

10. The Committee also noted that while you were not directly involved in relevant policy development there are generic risks under the Government's Business Appointment Rules in relation to your former role as Prime Minister. By virtue of your previous role you could be perceived to offer an unfair advantage to WAI given your access to general information. However, the Committee noted the Cabinet Office's statement that you did not have access to sensitive information that could provide an unfair advantage and also noted the amount of time that has passed since you were in office (19 months), helping mitigate the inherent risk here. However, the Committee would also draw his attention to the restriction on using privileged information.

11. Additionally, there is a general risk you may offer an unfair advantage to the organisation in relation to your influence and contacts you gained while in office. The

¹ Sir Alex Allan; Jonathan Baume; Baroness Angela Browning; Richard Thomas; Mike Weir; Lord Larry Whitty and John Wood. Dr Susan Liataud was unavailable.

lobbying restriction imposed below makes clear that it would be inappropriate for you to use your contacts to the unfair advantage of the organisation. Further, you are prevented from providing advice on bids and contracts with the UK Government, mitigating the risk of impropriety in relation to your contacts and influence across the Government. However, the Committee noted this was in keeping with your role as described.

12. Taking into account these factors, in accordance with the Government's Business Appointment Rules, the Committee advises this appointment with **Westminster Abbey Institute** be subject to the following conditions:

- that you should not draw on (disclose or use for the benefit of yourself or the 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 on behalf of Westminster Abbey Institute (including parent companies, subsidiaries and partners). Nor should you make use, directly or indirectly, of your government and/or Ministerial contacts to influence policy, secure funding/business or otherwise unfairly benefit Westminster Abbey Institute (including parent companies, subsidiaries, partners and clients); and
- for two years from your last day in office you should not advise Westminster Abbey Institute (including parent companies, subsidiaries and partners) on the terms of, or with regard to the subject matter of, a bid or contract with, or relating directly to the work of the UK Government.

13. 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.

14. 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.*"

15. 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 in the House of Commons; and 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.

16. 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, either by returning the enclosed form or by emailing the office at the above address. 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.

17. 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.

18. 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 the Lord Pickles

The Rt Hon Theresa May MP