



## **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 Special Representative on Financial Innovation and Climate Change for the United Nations Economic Commission for Africa (UNECA). The material information taken into consideration by the Committee is set out in the annex below.
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 UNECA.
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 consideration of the risks presented

4. When considering this application, the Committee<sup>1</sup> took into account this role as Special Representative on Financial Innovation and Climate Change is unpaid<sup>2</sup>. 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

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<sup>1</sup> This application for advice was considered by Isabel Doverty; Sarah de Gay; The Rt Hon Lord Pickles; Richard Thomas; Mike Weir; and Lord Larry Whitty. Jonathan Baume; Andrew Cumpsty and Dr Susan Liataud were unavailable.

<sup>2</sup> 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.

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.

5. The Committee took into account that you did not meet with UNECA while in office. The Committee noted the international health team provides Aid funding to some UN agencies but noted the department's confirmation you did not make any funding or policy decisions directly affecting UNECA. Therefore, the Committee considered the risk that 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 that as the former Secretary of State for the Department of Health and Social Care (DHSC) there is an inherent risk you could be perceived as having access to relevant privileged information and knowledge, which could unfairly benefit UNECA. 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 and you have an ongoing duty of confidentiality.

7. The Committee also recognised that the United Nations works with the UK government on matters that are integral to its normal course of business. As a result there will be times the United Nations and the UK government are present at the same event or working together, including where you are present/involved. However, you confirmed you would not initiate any contact or discussion with the government. The Committee noted that where the UK government initiates contact with you in relation to your work at the UN and in your attendance at events such as COP26 this would be in keeping with the Committee's advice and the conditions imposed.

### The Committee's advice

8. 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 their new employer, will sufficiently mitigate the risks in this case. The Committee would draw your attention to the below lobbying and contracts and bids ban that prevent you using the contacts you made while in government to the unfair advantage of UNECA.

9. The government's Business Appointment Rules for former ministers states that a waiting period of three months will be expected when the former minister was a member of Cabinet. As the former Secretary of State for DHSC, you are subject to the standard three month waiting period.

10. Taking into account these factors, in accordance with the government's Business Appointment Rules, the Committee advises this appointment with the **United Nations Economic Commission for Africa** be subject to the following conditions:

- a waiting period of three months from your last day in ministerial office

- 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 United Nations Economic Commission for Africa (including parent companies, subsidiaries, partners and clients); nor should you make use, directly or indirectly, of your contacts in the government and/or ministerial office to influence policy, secure business/funding or otherwise unfairly advantage the United Nations Economic Commission for Africa (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 United Nations Economic Commission for Africa (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.

11. 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.

12. 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.

13. 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.

14. 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.

15. 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.

16. 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

Matt Hancock MP

## **Annex - Material information**

### The role

1. You said the United Nations is an international organisation founded in 1945 after the Second World War by 51 countries committed to maintaining international peace and security, developing friendly relations among nations and promoting social progress, better living standards and human rights.
2. The United Nations Economic Commission for Africa was established in 1958 by the United Nations Economic and Social Council to encourage economic cooperation among its member states following a recommendation of the United Nations General Assembly. In a letter to yourself regarding this role the United Nations Economic Commission for Africa (ECA) stated it has been at the forefront of Africa's response and path to recovery from the COVID-19 pandemic. However, it said it is clear that the pandemic has also threatened to unravel the social and economic progress that has been achieved over the last decade. The ECA said *'Countries are now faced with enormous development financing costs that are compounded by the crisis of climate change. On average, Africa spends 5% of its GDP in responding to climate related disasters and environmental degradation. African countries are facing a financing bill of over US\$ 425 billion for recovery'*. As a result the ECA said there is a need for innovation in how it supports countries move from recovery to a reset.
3. It said it has been working with global stakeholders on Africa's climate actions and resilient recovery. The ECA said *'Financial markets in Africa will need to be deepened in order to support climate finance and investment in resilience. A key initiative that it believes will enable the achievement of this is the Liquidity and Sustainability Facility (LSF). The LSF can be a game changer to improve the flow of capital to investments that help build resilience and save African bond issuers an estimated 11 billion USD in interest costs alone over a five-year period'*.
4. It is against this backdrop that the ECA wishes to appoint you to the role of ECA's Special Representative on Financial Innovation and Climate Change given

his global leadership, advocacy reach and in-depth understanding of government processes through his various ministerial cabinet roles. This role will support Africa's cause at the global level and ensure the continent builds forward better and working with major stakeholders like the G20, the UK government and COP26.

5. You said this role will focus on development of sustainable economic investment across Africa. He said this work will help deliver '*...life-changing opportunities for people across Africa, by creating more empowered economies by working with global partners to identify and deliver sustainable investment opportunities, and working to promote this investment within strong environmental, social and governance (ESG) criteria*'. The role also encompasses working with stakeholders on Africa's climate actions and resilient recovery. You said the role will achieve its ambitions through:

- Partnership working – working with global partners (e.g., institutional investors, governments, the private sector, central banks, and global organisations) to identify and deliver opportunities for sustainable investment.
- Technical expertise – promotion of liquidity in markets for sustainable investments, including climate finance and government bonds in Africa.
- Global leadership – development of policies to incentivise, promote and de-risk investment into Africa, including through promotion of ESG requirements that support sustainable investment.

6. You informed the Committee you would not lobby the government but said naturally the United Nations has communications with the UK government on matters that are integral to its normal course of business. For example you said you may attend an international forum like COP-26 and the UK government may also be present. However, you were explicit that you would not initiate any such discussions.

### Dealings in office

7. You confirmed you did not meet with UNECA while in office. You said you did not make any decision relevant to UNECA and had no involvement in policy relevant to UNECA. You also informed the Committee you did not meet with competitors of the UNECA and do not have access to sensitive information relevant to UNECA.

### Department Assessment

8. DHSC confirmed the details you provided and stated you had no access to sensitive information that could provide an unfair advantage to UNCEA. It stated the international health team may have links with related UN agencies regarding department ODA funding<sup>3</sup> work across Africa. But confirmed you made no funding or policy decisions that specifically impacted UNECA.

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<sup>3</sup> UK Aid or Official Development Assistance (ODA) is funding provided by official agencies around the world, including the UK government, to promote the economic development and welfare of developing countries

9. The department has no concerns regarding this application.