



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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October 2021

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 Chief Operating Officer for the production of a film for Harder Than You Think (HTYT). 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 HTYT.
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 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. The Committee¹ noted that you did not meet with HTYT and there is no relationship between your former department, the Foreign, Commonwealth and Development Office (FCDO) and HTYT. Further, the department confirmed you did not make any decisions specific to HTYT. Therefore, the Committee considered the risk of this work being seen as a reward for decisions made of actions taken in office as low.
5. The Committee took into account there is some overlap in relation to the subject matter of this project and your time in office - specifically with regard to your work on the Sustainable Development Goals. The Committee took into account that 11 months have passed since you left office, reducing the likelihood that any privileged information is sufficiently up-to-date. Further, the

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

department considered any risk associated with your access to information is low and you have an ongoing duty of confidentiality.

The Committee's advice

6. 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 HTYT, will sufficiently mitigate the risks in this case.
7. Taking into account these factors, in accordance with the government's Business Appointment Rules, the Committee advises this appointment with Harder Than You Think 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 arm's length bodies on behalf of Harder Than You Think (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 Harder Than You Think (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 Harder Than You Think (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 arm's length bodies.
8. 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 Lords.
9. 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 Ministerial Code or otherwise.
10. 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.

11. You must inform us as soon as you take up employment with this organisation, 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.
12. 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.
13. 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

Baroness Sugg CBE

Annex - Material information

The role

1. You seek to join HTYT in a paid, part-time role as Chief Operating Officer for the production of a film to be shown at the 2021 United Nations Climate Change Conference (COP26). This is a project based role for 4 days per week for a period of 6 weeks.
2. You described HTYT as a documentary and content production company. It previously produced *Rising Phoenix*, a documentary film focused on the Paralympic Games. The company's website says it wants to '*...play a leading role in resetting bias, tackling stigma, opening eyes, and changing the world for the better*'. The website goes on to state HTYT '*...will endeavour to build representative teams that are genuinely reflective of society, the subject matter and the story*'.
3. In this role you said you would manage a team responsible for the delivery of a documentary film related to climate change and COP26, overseeing the production and distribution of the film. You said this film is not-for-profit and will be shown at COP26 at the request of the government.

Dealings in office

4. You advised the Committee you did not meet with HTYT whilst in office. Further, you said you did not have any involvement in any policy development or decisions that would have been specific to HTYT; you had no relevant commercial or contractual responsibilities relating to them; nor did you have access to sensitive information.

Department Assessment

5. The FCDO confirmed the details you provided, stating they have no concerns with this appointment.