



**OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS**

G/08 Ground Floor, 1 Horse Guards Road SW1A 2HQ

Telephone: 020 7271 0839

Email: [acoba@acoba.gov.uk](mailto:acoba@acoba.gov.uk)

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

The Rt Hon Steve Barclay MP  
Chancellor of the Duchy of Lancaster and Minister for Cabinet Office

24 January 2022

*Dear Steve*

I am writing to you in my capacity as Chair of the Advisory Committee on Business Appointments (the Committee) to bring your attention to the correspondence I have exchanged with Mr Steve Brine MP, enclosed.

The Business Appointment Rules (the Rules) are set by the government, with the policy owned by the Cabinet Office. The Committee is independent, with a remit to consider applications received under those Rules, consider the risks and advise on the conditions that should apply.

It was reported in recent press articles<sup>1</sup> that Mr Brine had made contact with the government on behalf of Sigma Pharmaceuticals (Sigma). Mr Brine had approached the Committee retrospectively and had not received advice on this role.

The government's Rules (and any advice offered as a result) include provisions which seek to prevent any reasonable suggestion that a former minister's employer may be offered unfair access or influence within the government as a result of their former role. As you will see from the correspondence enclosed, I have no doubt Mr Brine believed contacting the government on Sigma's behalf was appropriate and you might wish to take this into consideration when formulating your view of the matter.

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<sup>1</sup> <https://www.mirror.co.uk/news/politics/boris-johnson-faces-new-sleaze-25617323>  
<https://www.thetimes.co.uk/article/right-on-rayner-finally-becomes-right-hon-as-well-mmd05wvxb>

However, I consider there is a reasonable concern that his direct engagement with the then Minister for COVID Vaccine Deployment during the pandemic was only made available to Sigma as a direct result of Mr Brine's time as a minister at the Department for Health and Social Care (DHSC). I do not consider it was in keeping with the letter or the spirit of the government's Rules for a former minister at DHSC to contact a minister with responsibilities for health on behalf of a pharmaceutical company which pays him.

I am growing increasingly concerned that not all former Ministers of the Crown are sufficiently clear on the various standards of behaviour, rules and legislation that are incumbent on them. The government's Business Appointment Rules administered by departments and the Committee relate to conflicts presented by an individual's previous role in government and are separate to rules administered by other bodies such as the Office of the Registrar of Consultant Lobbyists or the Parliamentary Commissioner for Standards. You will see from Mr Brine's correspondence that he has confused advice in relation to 'consultant lobbying' and the Rules. Having met with the Registrar in November 2021, I understand that some individuals have recently sought to draw on the government's Business Appointment Rules and related advice in relation to the duties incumbent on them under the lobbying legislation<sup>2</sup>.

The Committee's advice letters will now make explicit reference to a former minister's responsibility to understand any other rules and regulations they are subject to in parallel with the Committee's advice. I understand the Registrar of Consultant Lobbyists will also be adding some clarification text to the Registrar's formal guidance when it is next reissued.

It is the Committee's policy to act transparently, including making public any failure to follow the Rules, or the Committee's advice, that it is made aware of. It is now a matter for you to decide what appropriate action to take.

Yours ever  
Sue Pickles

The Rt Hon Lord Pickles

Copied to: Darren Tierney, Director general, Propriety and Ethics; and Lord True CBE, Minister of State, Cabinet Office.

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<sup>2</sup> The Transparency of Lobbying, Non-party Campaigning and Trade Union Administration Act 2014: <https://www.legislation.gov.uk/ukpga/2014/4/contents/enacted>

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**Annex - Correspondence between Mr Steve Brine MP and the Rt Hon Lord Pickles**



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

24 January 2022

Steve Brine MP  
House of Commons  
London  
SW1A 0AA  
By email

Dear Mr Brine

Thank you for your response to my letter as Chair of the Advisory Committee on Business Appointments (ACOBA) dated 21 December 2021. Our previous correspondence is attached below.

You confirmed you asked the then Minister for COVID Vaccine Deployment to attend a public event organised by Sigma Pharmaceuticals (Sigma) in February 2021; the Minister was informed the event was being hosted by you, on behalf of Sigma when he agreed to attend.

You confirmed that separately, the Office of the Registrar of Consultant Lobbyists had looked into this contact and concluded you had not carried out 'unregistered consultant lobbying'. You further stated '*no lobbying on behalf of Sigma took place, neither was I making use of Ministerial contacts to influence Government policy or secure business on behalf of Sigma*'.

The lobbying legislation<sup>3</sup> administered by the Office of the Registrar of Consultant Lobbyists and the government's Business Appointment Rules administered in departments and by

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<sup>3</sup> The Transparency of Lobbying, Non-party Campaigning and Trade Union Administration Act 2014: <https://www.legislation.gov.uk/ukpga/2014/4/contents/enacted>

ACOBA impose different obligations and affected parties must comply with both separately. As a former minister it is your personal responsibility to understand any other rules and regulations you may be subject to in parallel with your obligation to seek advice from ACOBA under the government's Rules.

I have no doubt you believed this type of contact with a serving minister on behalf of the company which employed you was appropriate. It was not, the Rules are a set of principles that exist to protect the integrity of government. The Rules (and any advice offered as a result) include provisions seeking to prevent any reasonable suggestion that a former minister's employer may be offered unfair access or influence within the government as a result of their former role.

Your contact with the then Minister for COVID Vaccine Deployment, during the pandemic response, raises a reasonable concern that direct engagement with the Minister was only made available to Sigma as a direct result of your time as Parliamentary Under Secretary of State for Public Health and Primary Care. The material consideration is the privileged access you obtained for Sigma, not the commercial value of that specific engagement.

In line with the Committee's policy of transparency, correspondence on this matter will be published on our website; and this letter will be copied to the Cabinet Office, as the owner of the Rules. I will bring the government's attention to the separate rules administered by other bodies - such as the Office of the Registrar of Consultant Lobbyists or the Parliamentary Commissioner for Standards.

A handwritten signature in black ink that reads "Sir Pickles". The signature is written in a cursive, slightly slanted style.

The Rt Hon Lord Pickles



HOUSE OF COMMONS  
LONDON SW1A 0AA

The Rt Hon Lord Pickles  
By email [acoba@acoba.gov.uk](mailto:acoba@acoba.gov.uk)

21 December 2021

Dear Lord Pickles,

Thank you for your further letter, dated 17 December 2021.

I do appreciate that the delay in consulting ACOBA on Sigma was my error. I made a mistake, by a few weeks, and can only apologise again for poor admin on my part. I would simply re-state that there was clearly no attempt here to conceal such interests from the public, which was registered in the Register of Members Financial Interests to ensure that this was in the public domain.

With regards to the clarifications you have requested, I can answer your questions as follows:

1. Yes
2. Yes
3. No

I might also take this opportunity to inform you that having been contacted by the Office of the Registrar of Consult Lobbyists in relation to this matter, the conclusion of the Registrar was that "Mr Brine did not conduct unregistered consultant lobbying". So I would confirm again that no lobbying on behalf of Sigma took place, neither was I making use of Ministerial contacts to influence Government policy or secure business on behalf of Sigma. Indeed, Mr Zahawi was not even a Minister at DHSC when I was a Minister there and was, from memory, at the time of this webinar being serviced out of his office at BEIS as he was a 'shared' Minister given the national emergency at that time.

I wish you and your team a Merry Christmas and a Happy New Year.

Yours sincerely,

Steve Brine MP

**Steve Brine MP**

Winchester & Chandler's Ford

Tel: 020 7219 7189 □ email: [steve.brine.mp@parliament.uk](mailto:steve.brine.mp@parliament.uk)

[www.stevebrine.com](http://www.stevebrine.com)



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17 December 2021

Steve Brine MP  
House of Commons  
London  
SW1A 0AA  
By email

Thank you for your response to my letter as Chair of the Advisory Committee on Business Appointments (ACOBA) dated 9 December, in which you provided additional context regarding your role at Sigma Pharmaceuticals (Sigma). This is attached below.

You have apologised for the miscommunication in relation to your role with Sigma. However you write that you were never 'advised to step back from the role'. To be clear, it is not ACOBA's role to ask individuals to accept or step down from any particular role. It is an applicant's personal responsibility to manage the propriety of any appointment. The Ministerial Code and the government's Business Appointment Rules make it clear that advice must be sought before accepting or announcing a new role. This allows individuals to receive and consider advice without prejudice before taking on a role that may present risks under the government's Rules. That cannot happen where someone is already employed or retained by a company.

You also provided clarification around your contact with government Ministers, confirming it was only in relation to taking part in publicly accessible webinars organised by Sigma and hosted by you. This included one in February 2021 with the then Minister for COVID Vaccine Deployment. You further confirmed that you have not lobbied a government minister on behalf of Sigma, nor did the company ever ask you to do so.

I wanted to clarify:

1. If it was you personally who asked the then Minister for COVID Vaccine Deployment to attend this public event organised by Sigma in February?
2. if the Minister was informed the event was being hosted by you, on behalf of Sigma when he agreed to attend?
3. have you had contact with any (non ministerial) government officials on behalf of Sigma?

In line with our commitment to transparency, we will be publishing the exchange of correspondence on this matter. Please reply by Thursday 23 December 2021.

A handwritten signature in black ink that reads "Sairi Pickles". The script is cursive and fluid, with the first name "Sairi" and the last name "Pickles" written in a single line.

The Rt Hon Lord Pickles



HOUSE OF COMMONS

LONDON SW1A 0AA

The Rt Hon Lord Pickles  
By email [acoba@acoba.gov.uk](mailto:acoba@acoba.gov.uk)

14 December 2021

Dear Lord Pickles,

Thank you for your letter dated 9 December asking me to clarify ACOBA's understanding around external roles taken up after I had left Government.

I would be only too happy to provide something which can be published along such; and have addressed your points in turn:

- 1) I can confirm that I did not receive advice from ACOBA about taking up a role with Sigma. Having contacted ACOBA regarding the appointment, I was not informed that advice would not be forthcoming, or that I should step back from the role. I do, of course, have all corresponding email documentation to support such. There was clearly a miscommunication between myself and ACOBA regarding this appointment, for which I can only apologise.
- 2) I am happy to clarify that the contact I had with Government Ministers involving Sigma was simply to invite them to take part in publicly accessible webinars, organised by Sigma and hosted by me. At no time during these webinars, or on any other occasion, have I been in communication with a Government Minister to lobby on behalf of Sigma, nor did they ever ask.

I hosted the webinar with Sigma Pharmaceuticals on 10 February 2021, and the Rt Hon Nadhim Zahawi MP took part as a guest as the, then, Vaccine Deployment Minister. The webinar was a public event, at which Minister Zahawi gave an update on the vaccine programme to community pharmacists and took the opportunity to thank them for all their hard work during the COVID-19 pandemic. The webinar was broadcast live on YouTube, and remains available to view on the platform.

**Steve Brine MP**

Winchester & Chandler's Ford

Tel: 020 7219 7189 □ email: [steve.brine.mp@parliament.uk](mailto:steve.brine.mp@parliament.uk)

[www.stevebrine.com](http://www.stevebrine.com)

In the interests of full transparency, on 23 June 2021, in one of his last engagements as Secretary of State for Health & Social Care, the Rt Hon Matt Hancock MP, also took part in a webinar with Sigma, hosted by me. He talked about the new Health Bill, the role played by Community Pharmacy during the pandemic, including the vaccination programme, and took the opportunity to pass his thanks on to the sector. Again, this was a publicly available webinar and remains available to view on YouTube.

Finally, on 20 July 2021, I hosted a Sigma webinar with backbench parliamentarians focusing on the new Health Bill. Taking part were the Rt Hon Jeremy Hunt MP, Chair of the Health and Social Care Committee, Jackie Doyle-Price MP, Chair, All Party Pharmacy Group and Alex Norris MP, Shadow Minister Health and Social Care. The discussion focused on the new Health Bill. Again, this was open to the public and remains available to view on YouTube.

- 3) Having consulted ACOBA on 16 May 2019 regarding taking up a post with Remedium, I received the Committee's advice 19 July 2019, and my role with Remedium commenced on 10 September 2019 and concluded on 28 February 2020. I also contacted ACOBA on 15 June 2020 regarding returning to work with them, received advice on 18 June 2020 and recommenced my relationship with Remedium on 1 July 2020.
- 4) I can confirm that the role with Microlink was taken up on 10 October 2019.

There has never been any intention on my part to mislead ACOBA, and indeed I have recorded all my external earnings on the Register of Members Financial Interests, as laid out in the Code of Conduct for Members of Parliament. At no time had I added to my Register of Interests that I had consulted ACOBA before I made contact with the Committee and have, in writing, confirmation from the Registrar that all advice was followed.

More widely, I feel it is important to point out that any attempts in the media designed to smear Members of Parliament demean the entire political process and the reputation of decent people. At all times I have acted with respect for the, albeit often complex, rules that rightly exist to regulate any outside interests we have.

Finally, I would add that (as my Register records) my role with Sigma ended in November 2021 because they no longer have a requirement for online webinars and that is now reflected in the latest publication of the Register.

Yours sincerely,



Steve Brine MP



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9 December 2021

Steve Brine MP  
House of Commons  
London  
SW1A 0AA  
By email

I am writing to you in my capacity as Chair of the Advisory Committee on Business Appointments (ACOPA) about your role with Sigma Pharmaceuticals (Sigma) which has been brought to my attention by recent press coverage, and in particular reports you had contact with the government whilst representing Sigma.

The Business Appointment Rules, which apply as a result of the Ministerial Code, set out that ministers must not lobby government on behalf of their employers for two years after leaving office. It is this which has resulted in a number of enquiries to ACOBA about your role with Sigma and other roles which you consulted ACOBA on. I am therefore writing to clarify the position and would be grateful if you could remove any confusion on these matters by answering a few questions which I set out below.

1. Although you contacted ACOBA about taking up a role with Sigma, you did so after being retained by Sigma. This is a breach in the Rules and applications are not usually accepted in these circumstances. You also subsequently contacted the Secretariat in September 2020 about resuming employment with Sigma, leading the team to believe you had already received advice on this case. Please confirm that you did not receive advice from ACOBA on Sigma, or supply a copy of that advice.
2. It is reported<sup>4</sup> you had contact with government whilst representing Sigma, a company with which you were retained and paid by. I am therefore writing to ask you about the circumstances around this contact, which occurred whilst you were still subject to the government's Business Appointment Rules and whether it might be construed as lobbying?

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<sup>4</sup> <https://www.mirror.co.uk/news/politics/boris-johnson-faces-new-sleaze-25617323>  
<https://www.thetimes.co.uk/article/right-on-rayner-finally-becomes-right-hon-as-well-mmd05wvxb>

3. You consulted and received advice from ACOBA in relation to a role with Remedium Partners, though a search of the records does not confirm when this was formally taken up or announced - can you confirm when you took up that role?
4. You also received advice in relation to an appointment with Microlink. However, there is some inconsistency about when this was taken up, having submitted the application on 25 October 2019, and received advice the following month in November 2019. However, I note this is registered on your entry in the House of Commons' Register of Interest as commencing on 10 October 2019. I would be grateful for the clarification on that point.

In line with our commitment to transparency, we will be publishing correspondence on this matter. To allow us to clarify this matter swiftly, if you wish your explanation to be published alongside this letter, please reply by Thursday 16 December 2021.

A handwritten signature in black ink that reads "Suir Pickles". The signature is written in a cursive, slightly slanted style.

The Rt Hon Lord Pickles