



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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Lord Frost, former Minister Of State in the Cabinet Office, appointment with the Daily Telegraph.

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 a columnist with the Daily Telegraph (the Telegraph). 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 the Telegraph.
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.
4. It should also be noted that in addition to the conditions imposed on this appointment under the government's Business Appointment Rules, there are separate rules in place with regard to your role as a member of the House of Lords.

The Committee's consideration of the risks presented

5. The Committee noted that you did meet with the editor of the Telegraph and its journalists to discuss a number of things including Brexit issues. However, the Committee noted you had the same dealings with many other major media outlets and noted Cabinet Office's confirmation this type of briefing is an expected part of your duties. There is no relationship between your former department and the Telegraph and the department confirmed you did not make any decisions specific to the Telegraph. 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. As the former Minister of State for Cabinet Office, the Committee noted you would have had access to privileged information which may be seen to be of general use to the Telegraph. The Committee noted the department did not raise any specific concerns regarding your access to information and the risks are mitigated given the transparent nature of this role.
7. Additionally, the Committee noted due to your seniority, there is a risk it could be perceived that your network and influence might assist the Telegraph unfairly. The Committee noted your role as described will not involve contact with government.

The Committee's advice

8. The Committee¹ did not consider joining a newspaper as a columnist raised any particular concerns under the government's Rules, provided it is subject to the conditions below. However, the Committee would remind you it is your responsibility to manage the propriety of the specific pieces of work undertaken with the Telegraph. In particular as a former Minister of State, you must be careful not to offer any unfair insight as a result of your access to information and potential influence in government - which the conditions below seek to mitigate.
9. The government's Rules state that as the former Minister of State at Cabinet Office, you are subject to a three month waiting period as standard.
10. Taking into account these factors, in accordance with the government's Business Appointment Rules, the Committee advises this appointment with **the Daily Telegraph** 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 arm's length bodies on behalf of the Daily Telegraph (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 Daily Telegraph (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 Daily Telegraph (including parent companies, subsidiaries,

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

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.

11. The advice and the conditions under the government's Business Appointment Rules relate to your previous role in government only; they are separate to rules administered by other bodies such as the Office of the Registrar of Consultant Lobbyists or the Parliamentary Commissioner for Standards. It is your personal responsibility to understand any other rules and regulations you may be subject to in parallel with this Committee's advice.
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 Ministerial 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. You must inform us as soon as you take up employment with this organisation(s), 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(s) 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

Annex - Material information

The role

1. The Daily Telegraph, known online and elsewhere as The Telegraph, is a national British daily broadsheet newspaper published in London by Telegraph Media Group and distributed across the United Kingdom and internationally.
2. You informed the Committee you will have a regular column (roughly weekly) in the newspaper. You also informed the Committee that this role would not involve contact with government.

Dealings in office

3. You said you did have '*...dealings from time to time with the Telegraph journalists and comment team covering political and EU affairs, as with all other media outlets*'. You confirmed you also met the editor of the Daily Telegraph for '*...30 minutes in the margins of the Conservative Party Conference in October 2021, for a discussion of Brexit issues (mainly the NI Protocol)*'.
4. You informed the Committee you had dealing with all other major media outlets on Brexit-related issues, in exactly the same way as the Telegraph. These were media-related dealings and you had no business with them in ways which affected their business.
5. You confirmed you did not have access to information that could provide an unfair advantage.

Department Assessment

6. The Cabinet Office confirmed the details you provided in your application.
7. The department had no concerns with regards to this application and recommended the standard conditions as well as the standard three month waiting period.