



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

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**BUSINESS APPOINTMENT APPLICATION: Dr Emma Haddad, former Director General Asylum and Protection at Home Office. Paid appointment with St Mungo's.**

1. Dr Emma Haddad sought advice from the Advisory Committee on Business Appointments (the Committee) under the government's Business Appointments Rules for former Crown servants (the Rules) on an appointment she wishes to take up with St Mungo's as Chief Executive Officer (CEO). The material information taken into consideration by the Committee is set out in the annex.

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 Dr Haddad's time in office, alongside the information and influence a former Director General of Asylum and Protection at the Home Office may offer St Mungo's.

3. The Committee<sup>1</sup> has advised that a number of conditions be imposed to mitigate the potential risks to the government associated with this appointment under the Rules; this does not imply the Committee has taken a view on the appropriateness of this appointment for a former Crown servant in any other respect.

4. The Rules<sup>2</sup> set out that Crown servants must abide by the Committee's advice. It is an applicant's personal responsibility to manage the propriety of any appointment. Former Crown servants 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 risk presented

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

<sup>2</sup> Which apply by virtue of the Civil Service Management Code, The Code of Conduct for Special Advisers, The King's Regulations and the Diplomatic Service Code.

5. There is no current commercial or funding relationship between St Mungo's and the Home Office and there has not been whilst Dr Haddad has worked in the department. A previous collaboration between St Mungo's and the Home Office's Compliance and enforcement teams came to an end before she joined. Dr Haddad did not meet with St Mungo's whilst in government, and the Home Office confirmed she made no decisions specific to St Mungo's in her role. The Committee therefore considered the risk this appointment, obtained through open competition, could reasonably be perceived as a reward for decisions or actions taken in office is low.

6. Dr Haddad said that St Mungo's is a leading homelessness charity with national influence that works primarily in partnership with local authorities, health colleagues and communities to end homelessness. St Mungo's website states that its mission is to end homelessness. There is an indirect overlap with Dr Haddad's previous role as DG Asylum and Protection, because as she noted in her application, those who enter the asylum system are more likely to present as homeless. However, any overlap is indirect, with responsibility for homelessness resting with the Department for Levelling Up, Housing and Communities (DLUHC). Further, the Home Office confirmed she has no access to specific information that could be considered to offer St Mungo's an unfair advantage.

7. Dr Haddad stated that in her role as CEO she expects to have contact with government as St Mungo's engages officials and ministers who lead on developing homelessness and rough sleeping policy. Dr Haddad said this will likely consist of *'overseeing official level engagement between my team and government officials. I might also discuss homelessness with government officials and Ministers myself'*. She noted that St Mungo's also has a number of people who work for the organisation who have lived experiences of being homeless - and it seeks to use these experiences to inform policy as well.

8. The Committee considered whether Dr Haddad's proposed contact with government would be improper given the lobbying ban which applied to all former senior officials on leaving office. She noted there is already a stakeholder relationship between the government and St Mungo's which shares insight from its experience as a service provider in this area. The Committee considered the nature of the organisation was relevant: St Mungo's is a charity focussed on providing advice to the public, and its aims to end homelessness are shared by the UK government. Further the Committee noted the transparency with which St Mungo's operates with regard to gaining government support for its aim to end homelessness, reducing the potential risks Dr Haddad could be seen to be improperly exploiting her time in office in this role. Whilst the Committee noted there would be a risk should she use her contacts to the unfair advantage of St Mungo's, the contact she has described in sharing insight and experience from St Mungo's work are in keeping with the Rules and the lobbying ban below, and therefore, would not be improper.

9. There is a risk that Dr Haddad could be seen to offer an unfair advantage to St Mungo's through her influence and contacts to gain bids for funding or contracts with government. However, this risk is limited given its contractual relationships to deliver services are predominately with local governments and the policy responsibility sits outside her former department (at DLUHC).

## The Committee's advice

10. The Committee determined the risks identified in this application can be appropriately mitigated by the conditions below. These make it clear Dr Haddad cannot make use of her access to privileged information, or contacts gained from her time in Crown service to the unfair advantage of St Mungo's.

11. The Committee's advice, under the Government's Business Appointment Rules, Dr Haddad's role with **St Mungo's** should be subject to the following conditions:

- for two years from her last day in Crown service she can draw on the skills and experience gained from her time in office. However, she must not, at any time, draw on any privileged information gained in office. Any contact with the government, directly or indirectly, must only be where it could not reasonably be perceived as lobbying on behalf of any financial or commercial interest; and
- for two years from her last day in Crown service she must not work or advise on any bids to secure governmental funding or contracts. She may only work on or advise on the subject matter of funding/contracts with the government (or related matters), provided she does not draw on any privileged information or contacts from her time in office.

12. The advice and the conditions under the government's Business Appointment Rules relate to Dr Haddad's previous roles 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 an applicant's personal responsibility to understand any other rules and regulations they may be subject to in parallel with this Committee's advice.

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 '*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. Dr Haddad must inform us as soon as she takes up employment with this organisation, or if it is announced that she will do so, 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 Dr Haddad has complied with the Rules.

16. Dr Haddad also needs to inform us if she proposes to extend or otherwise change the nature of her role as, depending on the circumstances, it may be necessary for her to make a fresh application.

17. 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.

Oli Purnell  
**Committee Secretariat**

## **Annex - Material Information**

### The role

1. Dr Haddad stated that St Mungo's is a leading homelessness charity which works in partnership with local authorities, health colleagues and communities to end homelessness. St Mungo's website says that it works to *'prevent homelessness and support people at every step of their recovery from homelessness'*.
2. You stated that you applied for this position and were selected from a field of candidates after a competitive process.
3. You seek to take up the position of CEO and stated that the core responsibilities of this role will include: Running hostels, housing and care homes to move people out of homelessness; leading outreach teams who support people off the streets; Provision of support services including in health and support for ex-offenders; Influencing homelessness strategy at national level; Influencing local government priorities for homelessness; Managing contracts commissioned by local government; Fundraising and increasing public understanding of homelessness; Leadership of 1,500 colleagues and; Governance in relation to being both a registered charity and a social landlord.
4. You expect your role to include contact with government as St Mungo's engages officials and ministers who lead on developing homelessness and rough sleeping policy. You said that part of this engagement would be to contribute expert advice to inform government thinking. You described your other contact with government as consisting of *'overseeing official level engagement between my team and government officials. I might also discuss homelessness with government officials and Ministers myself'*. You said that you were aware of the lobbying ban and do not propose to lobby government in this role. You stated that your contact with government will not be a central part of the CEO's role.
5. You stated you will have oversight for the delivery of contracts St Mungo's holds with local governments, but that their management and delivery is not a

key part of the CEO's role. You said that delivery and management of these contracts lies mostly with the Executive Directors (ED) of St Mungo's.

6. You stated that you have not previously worked on homelessness or rough sleeping policy.

#### Dealings in office

7. Dr Haddad advised the Committee that she did not meet with St Mungo's while in office and has not previously had contact with the organisation.
8. You stated that you worked in a policy area which might have an indirect impact on homelessness/rough sleeping through your role as DG of Asylum and Protection. You stated that this can occur either when asylum seekers are granted protected status in the UK at which point they might present as homeless or; when asylum seekers are refused protected status and could then present as homeless. You said that in either of these cases, at the point at which an asylum seeker presents as homeless statutory duty falls to the Department for Levelling Up, Housing and Communities, not your previous department, the Home Office (HO). These details were also confirmed by the HO, who further stated that you have never been involved in policy on homelessness or rough sleeping. As a result, the HO was content you had not had access to policy or other departmental information that could give St Mungo's an unfair advantage.
9. You stated that you were not involved in any contractual or commercial decisions related to St Mungo's and that you do not have access to privileged information regarding St Mungo's.

#### Department Assessment

10. The Home Office (HO) confirmed the details provided by Dr Haddad. It also confirmed that it has no open contracts or commercial relationship with St Mungo's.
11. In 2018 there was a collaboration between HO Immigration Compliance and Enforcement (ICE) teams which was reported in the press. Dr Haddad did not join the HO until 2021 and was not involved in this collaboration.
12. The HO noted that the role of CEO would ordinarily involve lobbying government to influence homelessness policy but this was mitigated by '*standard two-year ban on former Directors General lobbying government*'. The HO asked for the Committee to consider waiving the usual ban on lobbying government ministers or officials, specifically where it relates to homelessness policy, given that Dr Haddad had no professional connection with this area while in government. Though it noted there were other ways to manage the risks, and that others in the organisation could be responsible for this activity.

13. The HO recommended that this appointment be subject to the standard conditions. It also suggested that if the Committee does not consider waiving the lobbying ban appropriate in relation to homelessness policy, then for a period of 2 years the responsibility for government lobbying could lie elsewhere in the organisation, at the end of which, Dr Haddad may resume this responsibility as CEO. The HO's said their view was that the mitigating factors discussed, as well as the suggested interim arrangement if the Committee considers it necessary, meant it does not believe that there is anything about this proposed appointment that would cause concern. The HO had no reservations and did not consider it '*...will raise any issues of public trust in the civil service*'.