

*From the Chair*



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

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You asked for the Committee's advice about taking up a part-time appointment with the West Midlands Combined Authority (WMCA), having left your ministerial position in May 2015. With WMCA, you would chair a commission on mental health over a period of nine months. It will be a paid position with a time commitment of around four days per month.

First, I would like to note the Committee's concern that your appointment was announced before we had the opportunity to provide our advice on it. To fulfil the remit given to it by Government, the Committee needs to be able to consider an application fully and freely before offering our advice. This is very difficult to do in a way that will command public confidence if an appointment is already in the public domain.

Nonetheless, the Committee sought the opinion of your former department, which did not have any concerns regarding the propriety of this appointment. Had the appointment not been announced before the Committee could offer its advice, the Committee would have advised that it saw no reason why you should not take up the appointment subject to the following conditions:

- For two years from your last day in ministerial office you should not become personally involved in lobbying the UK Government on behalf of the WMCA or its constituent members. This is not intended to prevent you reporting to Government on the activities of the Commission or submitting recommendations to Government pursuant to your role as Chairman; and
- You should not draw on (disclose or use for the benefit of yourself or the organisations or persons to which this advice refers) any privileged information available to you in your time as a Minister.

By 'privileged information' we mean official information to which a Minister 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.

**Members:**

Mark Addison, Sir Alex Allan KCB, Baroness Browning (Chair), Lord German OBE, Mary Jo Jacobi, Terence Jagger CBE, Rt Hon Baroness Liddell of Coatdyke, John Wood

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Also, it might be helpful if I add that the Business Appointment Rules explain that the restriction on lobbying means that former Ministers "should not engage in communication with Government – including Ministers, special advisers and officials – with a view to influencing a Government decision or policy [including applications for awards or grants] in relation to their own interests, or the interests of the organisation by which they are employed, or to whom they are contracted”.

You have confirmed to the Committee that you accept these conditions. I should be grateful if you would inform us if you propose to extend or otherwise change your role with the WMCA as, depending on the circumstances, it may be necessary for you to seek fresh advice. As your appointment has already been announced, we will now publish this letter on the Committee’s website and include the main details of the application, together with the Advisory Committee’s advice, in the regularly consolidated list on our website and in the next annual report.

Baroness Browning

Rt Hon Norman Lamb MP

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