



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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You asked for the Committee's advice about an appointment with the British Esports Association Limited.

The Committee's remit

As you know, it is the Committee's role to advise on any conditions that should apply to appointments or employment under the Government's Business Appointments Rules for Former Ministers (the Rules), which apply to former Ministers for two years after they leave office.

The Rules seek to counter suspicion that:

- a) the decisions and statements of a serving Minister might be influenced by the hope or expectation of future employment with a particular firm or organisation; or
- b) an employer could make improper use of official information to which a former Minister has had access; or
- c) there may be cause for concern about the appointment in some other particular respect.

When the Committee considers applications it must have in mind that Government has judged that it is in the public interest that former Ministers with experience in Government should be able to move into business or into other areas of public life, and to be able to start a new career or resume a former one. It is equally important that when a former Minister takes up a particular appointment or employment, there should be no cause for any suspicion of impropriety.

President of the Advisory Board at British Esports Association Limited (the Esports Association)

The Committee noted that the Esports Association is the national body for esports and competitive video gaming. It has recently applied for charitable status and is a not-for-profit organisation designed to support and promote esports in Britain, with a focus on grassroots level. You are seeking to join the Esports Association as President of the Advisory Board - a paid, part-time role, which will require a time commitment of two days each month. You will

assist in helping the Esports Association achieve its main aims, which are funding and supporting grassroots exports (supporting clubs and infrastructure); establishing best practice; delivering courses and qualifications; increasing awareness of esports and providing expertise and advice.

When considering the application, the Committee also considered the following:

- As the former Minister of State for Digital and Culture, information was sought from your former Departments. You stated you had no previous relationship with the Esports Association itself. Whilst the Department for Culture, Media and Sport (DCMS) confirmed it is supportive of the aims of the Esports Association, both DCMS and the Department for Business, Energy and Industrial Strategy (BEIS) also confirmed there is no formal relationship with the Esports Association; nor did you have access to commercially sensitive information relevant to these applications.
- DCMS confirmed that you had some official dealings with those who are linked to the Esports Association, while you were a Minister. They noted that you had met with Chester King, Founder of the Esports Association - in keeping with information provided on your previous application to join the International eGames Committee (IEGC) where Mr King is CEO.
- You are standing down from your role as Chairman at the IEGC to take up this role.
- It is likely that this role will include contact with Government as DCMS has an interest in the sector and you state it may, alongside the Department for International Trade attend board meetings as an observer. You also noted that the Department for Education may be contacted as a result of the Esports Association's desire to work with academics from various universities.
- The Esports Association has recently applied for charitable status.
- DCMS informed the Committee that the Charity Commission is now part of the DCMS Group. However, the Department cannot give direction, nor has control, over the decisions of the Charity Commission.
- Neither department has raised any concerns about this appointment.

Taking into account these factors, in accordance with the Government's Business Appointment Rules, the Committee advises the appointment be subject to the following conditions:

- you should not draw on any privileged information available to you as a Minister;
- you should not involve yourself in any work that relates to applying for, or securing, charitable status on behalf of the British Esports Association Limited; and
- for two years from your last day in service, you should not become personally involved in lobbying the UK Government on behalf of the British Esports Association Limited or their partners. This is not intended to prevent you from reporting to Government on the activities of the Esports Association, or from advising the UK Government in relation to esports when the UK Government has asked for such advice. However, it would prevent you from making use, directly or indirectly, of your contacts in Government to influence policy or secure funding on behalf of the British Esports Association Limited.

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.

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."*

I should be grateful if you would inform us as soon as you take up employment with this organisation, or if it is announced that you will do so, either by returning the enclosed form or 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 you had complied with the Rules and the Ministerial Code.

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.

Once the appointment has been publicly announced or taken up, we will publish this letter on the Committee's website and include the main details of the applications, together with the Advisory Committee's advice, in the regularly updated consolidated list on our website and in the next annual report.

The Baroness Browning

The Right Honourable Ed Vaizey