



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

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1. You approached the Committee for advice on taking up an appointment as an Advisor with BBI Group.

### The Committee's role and remit

2. It is the Committee's role to advise on the 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.

3. 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.

4. It is not the Committee's role to pass judgment on whether an appointment is appropriate or suitable in any other regard.

## Appointment Details

5. It consists of BBI Solutions and Novarum DX which are a diagnostics and immunoassay development company and a smartphone diagnostic test development company respectively

6. You sought the Committee's advice on taking up a paid, part time appointment as an Advisor with BBI Group. BBI Group describes itself as a life sciences and diagnostics group with a focus on improving people's quality of life through innovations and technology. You noted this opportunity came about as you know the Chairman of BBI group through fundraising work for the NSPCC and BBI made a formal offer to you in May 2020. You described your role as advising on policy and strategy and keeping the Board and CEO up to date on high level policy matters affecting the life sciences.

7. You confirmed you did not have any contact with BBI Group whilst in office. You did have meetings with two of its competitors; PCI Pharma (a drug development and manufacturing service company) and Ipsen Biopharm (a pharmaceutical company). You noted these meetings with PCI Pharma were to discuss the ongoing Government Brexit Strategy; and with Ipsen Biopharma to discuss its expansion in Wales and the Republic of Ireland. You noted you did not partake in any of the decisions relating to Ipsen Biopharma's expansion and stated you were unaware of the outcomes of the negotiations with them. You stated you did not have access to commercially sensitive information about these or any other competitors of BBI Group.

8. You stated you did not have any involvement in policy development, decisions or regulatory developments that would have affected BBI Group; nor in any awarding of any grants or contracts to BBI Group whilst in office.

9. The Welsh Office was consulted on this appointment and confirmed the details you provided were correct. It further confirmed that no decisions were made affecting either of the competitors you met with, or your prospective employer - BBI Group. It added that had there been any decisions they would not have fallen to you to be made. It also confirmed you do not have access to any commercially sensitive information about any of BBI Group's competitors. The Welsh Office's view was that this role raised no concerns under the Government's Business Appointment Rules

## **Committee's consideration**

10. When considering this application the Committee took into account that this appointment has no direct connection with your ministerial role as Secretary of State for Wales besides the noted meetings with Ipsen Biopharma and PCI Pharma. It particularly noted that you had no dealings with BBI Group and it is aware of no reason it might be perceived this appointment is a reward for decisions or actions taken or made in office.

11. The Committee assessed it is unlikely you are aware of any specific information that might unfairly assist BBI Group given your role and responsibilities whilst in office do not have significant overlap; you and your former department confirmed you hold no sensitive information on BBI Group's competitors; and the time that has lapsed (it has been approximately 7 months since you left ministerial office). The Committee nevertheless would draw your attention to the privileged information condition below which prevents you from utilising any sensitive information from your time as Minister to unfairly benefit BBI Group.

12. Given your role and profile as a former Secretary of State, there is an inherent risk it could be perceived your contacts might assist BBI Group unfairly. Therefore the Committee imposed the conditions below to make it clear it would be inappropriate to use your contacts gained in Government/Whitehall to BBI Group's unfair advantage; or to advise them in relation to any UK Government bids or contracts.

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

- 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 as a Minister; and
- for two years from your last day in Ministerial office, you should not become personally involved in lobbying the UK Government on behalf of BBI Group (including parent companies, subsidiaries and partners). Nor should you make use, directly or indirectly, of your government and/or Ministerial contacts to influence policy, secure funding/business or otherwise unfairly benefit BBI Group (including parent companies, subsidiaries, partners and clients).
- for two years from your last day in office you should not advise BBI Group or its partners or clients on the terms of, or with regard to the subject matter of, a bid or contract with, or relating directly to the work of the UK Government.

14. The Committee also notes that in addition to the conditions imposed on this appointment, there are separate rules in place with regard to your role as a member of the House of Commons.

15. 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/Civil Service Code or otherwise.

16. 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.*"

17. I should be grateful if you would inform us as soon as you take up this role, 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.

18. 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.

19. 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.

The Rt Hon Lord Eric Pickles

The Rt Hon Alun Cairns MP