



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

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**BUSINESS APPOINTMENT APPLICATION: Lord Darroch of Kew and St Mawes**

1. The Committee has been asked to consider an application for Lord Darroch, former British Ambassador to the USA at the Foreign and Commonwealth Office, between 2016 and 2019. He requested the Committee's advice on setting up an appointment with John F. Kennedy School, Harvard University (Harvard Kennedy School) as a Visiting Fellow.

2. As British Ambassador to the USA he was responsible for the direction and work of the embassy and its consulates. His tasks were to present UK policies to the American government and to Americans, to report and explain American policies and views to his own government in London, and to support UK interests. He was also responsible for press and cultural relations, and for consular services. He was based at the British Embassy in Washington but travelled regularly throughout the United States.

3. His last day in post in the USA was 11 July 2019 and his last day in Crown Service was 22 January 2020.

The Application

4. Lord Darroch sought the Committee's advice on taking up a paid part-time role at Harvard Kennedy School, Harvard University to carry out a Visiting Fellowship.

5. The Harvard Kennedy School specialises in politics and policy and offers a number of different programmes including masters and doctoral. It also provides courses on a range of Government and politics related subjects such as economics and research. It is a public policy and public administration school, of Harvard University, in Massachusetts. It also offers a range of courses for those currently in Government and politics related work.

6. Lord Darroch stated this role will involve tutoring (for the 10 week semester) a group of students in the Institute of Politics. He told the Committee the role is unlikely to include dealings with the UK Government.

7. He informed the Committee he had no official dealings with Harvard University but as HMA Washington, he visited Harvard twice to deliver speeches about UK policy. He further stated he made no commercial or contractual decisions nor did he have any involvement in policy development or decisions that affected the university. Lord Darroch also stated he did not meet with or have access to sensitive information regarding competitors of Harvard University.

- The Foreign and Commonwealth Office confirmed the details above.

8. The FCO had no concerns about Lord Darroch taking up this role, subject to a two year ban on lobbying the UK Government and a ban and the use of privileged information from his time in office.

#### The Committee's consideration

9. When considering this application the Committee<sup>1</sup> took into consideration that Lord Darroch attended the University twice, when he was delivering speeches about UK policy. It also took into consideration that he had no involvement in policy decisions or in awarding funding/contracts affecting The Harvard Kennedy School/Harvard University. The Committee therefore considered the risk this appointment could be seen as a reward for decisions taken in office as low.

10. The Committee noted that Lord Darroch was not involved in, nor responsible, for policy decisions regarding USA universities. However, by virtue of his role it could be perceived he might have knowledge of policy in a general sense that could be seen to offer an unfair advantage to The Harvard Kennedy School/Harvard University. The Committee would draw Lord Darroch's attention to the privileged information ban to mitigate this risk.

11. The Committee further noted that due to his seniority he will have built up a network of contacts in government. The lobbying ban imposed below makes clear that it would be inappropriate for him to use his contacts across the UK Government to the unfair advantage of The Harvard Kennedy School/Harvard University. Further, the Committee noted that Lord Darroch could provide an unfair advantage if used, including for instance, to advise on bids and contracts with the UK Government, though recognising this is not the role he seeks to take up. The conditions below prevent him from advising on bids and contracts in relation to the UK Government would help mitigate this risk.

12. It is also relevant that 6 months has passed and this is the timeframe usually expected by the FCO, of former Ambassadors, before returning to the country of posting.

13. Taking into account the specific facts in this case, in accordance with the Government's Business Appointment Rules, the Committee's advice to the Foreign Secretary is that this appointment be subject to the following conditions:

- He should not draw on (disclose or use for the benefit of himself or the persons or organisations to which this advice refers) any privileged information available to him from his time in Crown service;
- for two years from his last day in Crown service, he should not become personally involved in lobbying the UK Government on behalf of The Harvard Kennedy School/Harvard University (including parent companies, subsidiaries, partners and clients); nor should he make use, directly or indirectly, of his contacts in the Government and/or Crown service to influence policy, secure business/funding or otherwise unfairly advantage The Harvard Kennedy School/Harvard University (including parent companies, subsidiaries, partners and clients); and

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<sup>1</sup> Sir Alex Allan; Jonathan Baume; Baroness Angela Browning; Terence Jagger; Dr Susan Liataud; Mike Weir; Lord Larry Whitty and John Wood. Richard Thomas was unavailable.

- for two years from his last day in Crown service you should not undertake any work with The Harvard Kennedy School 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.

14. 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 or otherwise.

15. 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.*"

16. I should be grateful if you would inform us as soon as Lord Darroch takes up this appointment, 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 Ministerial Code. Similarly, I should be grateful if you would inform us if Lord Darroch proposes to extend or otherwise change his role with the organisation as depending on the circumstances, it might be necessary for him to seek fresh advice.

17. Once this appointment has been publicly announced or taken up, we will publish this letter on the Committee's website and in the relevant next annual report.

Yours sincerely

Isabella Wynn  
**Committee Secretariat**

