



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: Jonathan Slater, the Charter Schools Educational Trust.

1. The Committee has been asked to consider an application for Jonathan Slater, former Permanent Secretary for the Department for Education between May 2016 - August 2020. His last day in service was 1 September 2020.

Application details

2. Mr Slater sought the Committee's advice on taking up an unpaid role as a Trustee at the Charter Schools Educational Trust (the Trust). Mr Slater stated the Trust is a trust for primary and secondary education. The Trust's website states it is a Multi-Academy Trust (MAT) of schools based in Southwark, south-east London. It states it has a network of high-performing, co-educational, non-faith academies, and it shares its '*...best practice not only across [its] schools, but with [its] wider educational partnerships via [its] Teaching School Alliance and Education Endowment Foundation research school*'. It states its mission is to '*...to work together to ensure that every child in our family of schools has the knowledge, skills and confidence to live lives of opportunity and choice*'. Mr Slater said the Trust contains three schools in Dulwich at present - but is likely to expand.

3. Mr Slater said as a trustee he does not expect his role to involve contact with the Government and he will be responsible for:

- ensuring clarity of vision;
- ethos and strategic direction;
- holding executive leaders to account for the educational performance of the organisation and its pupils;
- the effective and efficient performance management of staff; and

- overseeing the financial performance of the organisation and making sure its money is well spent .

4. Mr Slater stated that as Permanent Secretary for the Department for Education (DfE), he met with representatives of the sector very regularly, including individual trusts and schools, but confirmed he did not meet with this specific trust. He confirmed that he had no direct involvement in any commercial dealings regarding the Trust. He also confirmed he did not have access to commercially sensitive information on competitors of the organisation while in post. However, he noted that as Permanent Secretary at DfE he was involved in the development of departmental policy on school education, and oversaw the system of regulation of academy trusts. However, he said none of it featured the Trust in particular, as it was generic policy development and regulation for the whole sector.

5. Mr Slater also said DfE funds the Trust for the provision of the schooling it does and said this is the same as for all other Trusts. However, he confirmed this responsibility is held by DfE's agency Education and Skills Funding Agency (ESFA) and he was not involved in these decisions.

6. DfE and the Cabinet Office provided their views on this application. The details Mr Slater provided in his application were confirmed and it further stated due to his seniority, he had involvement in the development of departmental policy on school education and oversaw the system of regulation of academy trusts. However it confirmed these developments and decisions would have affected all Trusts and schools. Neither department has any concerns with this appointment and it was recommended that he be prevented from using privileged information gained in post and from lobbying the Government.

The Committee's Consideration

7. There is a clear link between Mr Slater's role as the Permanent Secretary of DfE and his joining the Trust. The Committee¹ noted that Mr Slater did not meet with the Trust and both departments confirmed he did not make any decisions specific to the Trust alone rather developed policy and regulation affecting the sector in general. Therefore, despite the overlap in the sector he has responsibility for, the Committee considered the risk he could be seen to have been offered this unpaid role as a reward for decisions made, or actions taken in office, was low.

8. The Committee noted, there are inherent risks that Mr Slater will undoubtedly have general access to policy and information that could be perceived to benefit any

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

organisation within the education sector. However, the Committee noted that the departments do not have any concerns and 5 months have passed since he was in office. Nevertheless, the Committee would draw Mr Slater's attention to the restriction on using privileged information, subject to all former Crown servants on leaving post.

9. Additionally, there is a risk Mr Slater may offer an unfair advantage to the organisation in relation to access to the contacts he gained while in service. The lobbying restriction imposed below makes clear that it would be inappropriate for him to use his contacts to the unfair advantage of the organisation. Further, he is prevented from providing advice on bids and contracts with the UK Government, mitigating the risk of impropriety in relation to any future funding from DfE and its Arms' Length Bodies. However, the Committee noted this was in keeping with his role as described.

10. The Prime Minister, under the Government's Business Appointment Rules, has accepted the Committee's advice that this appointment with **the Charter Schools Educational Trust** should 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 or its Arms' Length Bodies on behalf of the Charter Schools Educational Trust and all its constituent parts (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 of the Charter Schools Educational Trust and all its constituent parts (including parent companies, subsidiaries, partners and clients); and
- for two years from his last day in Crown service he should not undertake any work with the Charter Schools Educational Trust and all its constituent parts (including parent companies, subsidiaries, partners and clients) 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 or its Arms' Length Bodies.

11. 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.

12. 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.”*

13. I should be grateful if you would inform us as soon as Jonathan Slater takes up this appointment, or if it is announced that he 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 he has complied with the Rules.

14. Please also inform us if Jonathan Slater proposes to extend or otherwise change the nature of appointment as, depending on the circumstances, it may be necessary for her to make a fresh application.

15. 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.

Yours Sincerely,

Isabella Wynn
Committee Secretariat