



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

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**BUSINESS APPOINTMENT APPLICATION: NICHOLAS (NICK) TIMOTHY**

The Committee has been asked to consider an application from Nick Timothy, former Special Adviser in the Prime Minister's office, in relation to taking up roles with the Daily Telegraph; and The Sun.

Mr Timothy explained he has been offered a contract to write one column per week for the Daily Telegraph and he would be writing one column a month for The Sun.

The Committee took into consideration that Mr Timothy noted he had met with various newspapers from time to time whilst in post at No.10; and also whilst in his previous role as a Special Adviser at the Home Office. Specifically, he said he had met with the Editor of the Daily Telegraph (Chris Evans) whilst at No.10 and the Editor of The Sun (Tony Gallagher) whilst at No.10 as well as previously, whilst at the Home Office. However, Mr Timothy noted that he has never had any involvement with contractual dealings with these organisations which was confirmed by the Cabinet Office.

The Committee also sought the Cabinet Office's view on the appointment. They noted that whilst Mr Timothy would have had access to a range of information given his role at No.10, the conditions set out below would mitigate against any risk this might pose. As such, his former department had no reservations, under the Business Appointment Rules, with him taking these posts up. The Committee also noted that as a Special Adviser, Mr Timothy is required to confirm in writing to his department that he recognises that he continues to be bound by the provisions of the criminal law (including the Official Secrets Act), which protect certain categories of information, and by his duty of confidentiality owed to the Crown.

Taking into account these factors, in accordance with the Government's Business Appointment Rules, the Committee's advice to the Permanent Secretary is that these appointments be subject to the following conditions:

- that he should not draw on (disclose or use for the benefit of himself or the organisation to which this advice refers) any privileged information available to him from his time in Crown service; and
- for two years from his last day in service, he should not become personally involved in lobbying Government on behalf of the the Daily Telegraph, The Sun, or their subsidiaries, nor should he make use, directly or indirectly, of his Government and/or Crown service contacts to influence policy or secure business on their behalf.

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 let us know whether the Permanent Secretary is content to approve this application in line with the Committee's recommendation, and copy us into the final decision. I should also be grateful if you would ensure that we are informed as soon as Mr Timothy takes up this role, or if it is announced that he will do so (I enclose a form for this purpose). 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 Mr Timothy complied with the Rules.

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

Yours sincerely

Catriona Marshall  
Committee Secretariat