

ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

Minutes of the meeting held on Wednesday 7 December 2011

Present

Lord Lang of Monkton (Chairman)
Sir Colin Budd
Lord Dholakia
Lord Macdonald
Sir Hugh Stevenson
General The Lord Walker of Aldringham

Secretariat

Ms Geraldine Alexander (Secretary)
Ms Kate Campbell
Mr Richard Jarvis
Mr Roger Sampson

Apologies

1. There were no apologies.

Minutes of last meeting

2. The minutes of the previous meeting on 18 October 2011 were agreed.

Chairman's update

3. The Committee's website had been refreshed and updated. The Committee asked the secretariat to report on the number of hits the website has received at the next meeting.
4. The Annual Report was published electronically in November. Paper copies would be sent to the libraries of both Houses.
5. John Lyon, the Parliamentary Commissioner for Standards had concluded his review of MP's code of conduct, to which the Committee had contributed. He concluded that the Code should not include provision for the House to enforce ACOBA's advice to former Ministers who remained MPs.
6. PASC announced in October that as part of programme to examine influence at highest reaches of Government it proposed to undertake an inquiry into the operation of the Rules. The details would be announced in due course and it was anticipated that the Chairman would be invited to appear before the Committee.
7. Two newspaper articles regarding the appointment of a former military officer at Brigadier level had quoted an MOD spokesman as saying the appointment had been cleared by ACOBA. The Secretary had written to both The Mirror and FT editors to clarify that this was not an ACOBA case. A letter had been received

from the MOD apologising for their error and outlining the steps taken to ensure that the press office did not make a similar error in the future.

8. The Chairman reported on two letters he had received regarding the issue of retrospective applications by Civil Servants.

Outstanding cases

9. The Committee considered two outstanding cases. It discussed and agreed its recommendation on one case, and asked the Secretariat to obtain more information on the other case before it considered it further.

Civil Service issues

10. The Committee discussed a number of issues related to the Civil Service Rules and compliance.
11. It was agreed that the Chairman would ask for a meeting with the new Head of the Civil Service in early 2012. This should be an opportunity for the Chairman to raise the matter of retrospective applications and ensure that steps continued to be taken to address the problem.
12. The Committee requested that it should receive a copy of Sir Gus O'Donnell's letter to Permanent Secretaries in which he reminded them of the importance of submitting applications to the Committee in a timely manner.
13. The Committee agreed that it considered it to be best practice by Departments to publish the terms of approval they give to SCS staff under the Rules. The Committee wished to use the visits programme to encourage this practice.

Communications

14. The Secretary updated the Committee on recent press coverage.

Freedom of Information

15. The Secretariat updated the members on recent FOI requests.

Any other business

16. The Secretary briefed the Committee on the Cabinet Office's recruitment of new Committee members. The Committee asked that the Cabinet Office consider advertising as widely as possible in order to ensure a broad range of candidates.
17. The Committee noted that it had yet to agree a working definition of "consultancy", and that this would be carried over to the next meeting.
18. The next meeting would be on 29 February at 1 Horse Guards Road.

Committee Secretariat
December 2011