

## ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

Minutes of the meeting held at 35 Great Smith Street, SW1P 3BQ  
Wednesday 26 January 2011 at 2.30pm

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### PRESENT

The Rt Hon Lord Lang of Monkton DL (Chairman)  
The Rt Hon Lord Macdonald of Tradeston CBE  
Sir Hugh Stevenson  
General The Lord Walker of Aldringham GCB CMG DL  
Dame Juliet Wheldon DCB QC

### Secretariat

Ms Sue Pither  
Mr Roger Sampson  
Ms Beth Watson  
Mrs Navita Seedhar  
Mr Matt Carey  
Ms Maggie O'Boyle

### Apologies

Sir Colin Budd KCMG  
Lord Dholakia OBE DL

### **Item 1 - Chairman's Update**

There were no matters concerning the Chairman's work which Lord Lang needed to update members on since the previous meeting in December.

### **Item 2 - Minutes of last meeting / Matters arising**

The minutes of the last meeting, held on 8 December, were agreed with one amendment.

*ACTION: Secretariat to amend minutes of 8/12/10.*

### **Item 3 – Media up-date**

The Committee's press officer reported that there had been little media coverage of the publication of the Annual Report. The recent appointments of Lord Mandelson as a Senior Adviser to Lazard and David Miliband as Vice Chairman of Sunderland had been the subject of press articles, and reference had been made to the Committee, the tone of the coverage was neutral and,

in the case of Lord Mandelson, implied that the Committee had taken a tough line.

#### **Item 4 – PASC**

The Chairman informed the Committee that he would be appearing before PASC on 8 February. The Committee discussed likely areas of questioning along with the Chairman's opening statement.

#### **Item 5 – FOI**

There have been three recent FOI requests, two of which sought further information on appointments considered by the Committee but which have not been taken up, and another asking for copies of Committee meeting minutes.

The Committee felt that, while it would be acceptable to make public the numbers of applications they had considered which had not been taken up, the names of individuals should be withheld.

The Committee agreed that it would give further serious consideration to publishing its minutes as a matter of course, in line with a number of other committees, as part of its commitment to greater transparency.

#### **Item 6 – The Revolving Door**

The Committee discussed the Secretariat's policy paper on the perceived revolving door between MOD and the Defence sector. As figures at the most senior levels show only a small number of military officers are moving to defence firms, members asked the Secretariat to liaise with MOD PPPA in order to gain a fuller picture of movement at the lower levels.

*ACTION: Secretariat to obtain figures from MOD and report back to Committee at next meeting.*

There was concern expressed that Queen's Regulations do not apply after an individual leaves the Military, meaning that adherence to the Business Appointments Rules remains a matter of good faith, although the Chief of the Defence Staff has made it clear that he supports the system for seeking clearance. The Secretary also informed the Committee that MOD is addressing the issue of appointments being taken up during individuals' period of terminal leave, which is permitted under QRs but not usually allowed under the BARs.

Members recognised that the issues surrounding the perceived revolving door are complex, particularly given the relatively young age at which military officers retire, and they felt that a proper debate on the matter could be helpful.

## **Item 7 – AOB/Outstanding Cases**

### Privileged information

The Committee agreed that, in general, it would not be necessary to make reference to the requirement not to draw on privileged information in every case but that there should be the option to do so where it was felt appropriate. When the Committee chose to do so it should be worded in such a way as to make clear that they were emphasising the requirement and that it could not be read as implying that, if it was not stated, it was not required.

*ACTION: Secretary and TSol to draft proposed wording for Committee's view.*

## **Item 8 – Date of Future Meetings**

The next meeting will be held on 23 March 2011 at 2.30pm.

The following meeting will be held on 24 May if at least 5 members are available. (The Secretariat have since been able to confirm that this will be the case.)

