



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

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Ms Melanie Dawes,

7 September 2015

Dear Ms Dawes,

**BUSINESS APPOINTMENTS APPLICATION: LORD KERSLAKE**

The Committee has been asked to consider an application from Lord Kerslake, the former Permanent Secretary at the Department for Communities and Local Government (DCLG), and Head of the Civil Service. He is seeking permission to accept a part-time, paid role with the London Pension Collective Investment Vehicle (London CIV), part of London Councils. Lord Kerslake's last day of Crown service was 28 February 2015.

The Committee noted that Lord Kerslake's new role will be as Chair of the Board of the London CIV, a new body through which London Boroughs will be able to invest their pension funds to achieve economies of scale, cost savings and opportunities to invest in new asset classes.

When considering the application, the Committee noted that Lord Kerslake did not have any direct contractual dealings with the London CIV or its parent company over his last two years of service and that Lord Kerslake was not responsible for any members of staff who did.

When reaching a decision, the Committee noted that DCLG is responsible for local government pension policy and, jointly with the Cabinet Office, has led the work on the creation of collective investment vehicles in local government. As Permanent Secretary, Lord Kerslake will have had some involvement in the development or administration of departmental policy that affected the London CIV. However, the Committee noted that the creation of collective investment vehicles is Government policy, of which the London CIV is an early example, and that Lord Kerslake was not involved in awarding any grants to the London CIV. The Committee also noted Lord Kerslake's long career in local government, which predates his time at DCLG. Therefore, the Committee does not believe that the appointment could reasonably be perceived as a reward for decisions taken by Lord Kerslake or his former department during his time in Crown service.

The Committee noted that, although the London CIV does have contact with Lord Kerslake's former department, he has stated that this contact will be almost entirely through the Chief Executive of the London CIV and his personal contact as Chair will be very limited.

The Prime Minister has accepted the Committee's recommendation that this application be approved subject to the conditions that:

- Lord Kerslake should not draw on [disclose or use for the benefit of himself, or the organisation, or person to which this advice refers] any privileged information available to him from his time in Government.
- For two years from his last day of service, Lord Kerslake should not become personally involved in lobbying the UK Government on behalf of the London CIV, its constituent organisations, or clients.

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.

It might also be helpful if I add that the Business Appointment Rules explain that the restriction on lobbying means that the former Crown servant/Minister "should not engage in communication with Government - including Ministers, special advisers and officials - with a view to influencing a Government decision or policy [including applications for awards or grants] in relation to their own interests, or the interests of the organisation by which they are employed, or to whom they are contracted".

I should also be grateful if you would ask that Lord Kerslake informs us if he proposes to extend or otherwise change his role as, depending on the circumstances, it may be necessary for him to make a fresh application.

Please could you also ask Lord Kerslake to inform us when he takes up his post or, if earlier, when it is announced. We are otherwise unable to deal with any enquiries, as we do not release information about appointments that have not been announced or taken up and this could lead to the false assumption that he did not comply with the rules. In line with our usual practice, we will then publish this letter on the Committee's website and include the main details of the application, together with the Advisory Committee's advice, in the regularly updated consolidated list on our website and in the next annual report.

Yours sincerely

Vicky Ramsden  
Committee Secretariat