

From the Chair



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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You asked for the Committee's advice about accepting two new appointments as an Honorary Trustee for Cardiff City FC Foundation, and as a Director of Cwmni Digidol, a start-up company developing a Welsh Language app for smartphones, which you formed in early 2014 seeking clearance from ACOBA at that time.

When considering your applications the Committee took into account that you previously sought its advice about establishing Cwmni Digidol in early 2014, and were a director of the company until you relinquished the post on rejoining the Welsh Government later that year.

They noted that you had no dealings with either Cwmni Digidol or Cardiff City FC during your last two years in ministerial office, and that neither of the appointments will involve any contact with the Welsh Government. The Committee took into account that both these appointments are part time and currently unpaid. They also noted that the Welsh Government had no propriety concerns about you taking up these roles.

Taking into account all the circumstances the Committee sees no reason why you should not take up these two roles, subject to the following conditions:

- You should not draw on (disclose or use for the benefit of yourself or the organisations to which this advice refers) any privileged information available to you as a Minister;
- for two years from your last day in ministerial office, you should not become personally involved in lobbying the Welsh Government on behalf of Cardiff City FC or its Foundation, or Cwmni Digidol, its partners or clients; and
- For two years from your last day in ministerial office, Cwmni Digidol should not receive or seek investment or a contractual relationship with any organisation or person with whom the Education and Public Services Group entered into any contractual relationship during your term in office.

By 'privileged information' we mean official information to which a Minister 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 former Ministers "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 be grateful if you would inform us as soon as you take up either of these appointments, or if it is announced that you 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 which have not been taken up or announced. This could lead to a false assumption being made about whether you had complied with the Ministerial Code. Similarly, I should be grateful if you would inform us if you propose to extend or otherwise change either of these roles as, depending on the circumstances, it may be necessary for you to seek fresh advice.

Once the appointments have been publicly announced or taken up, we will publish this letter on the Committee's website and include the main details of the applications, together with the Advisory Committee's advice, in the regularly updated consolidated list on our website and in the next annual report.

The Baroness Browning

Leighton Andrews