



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: OLIVER DOWDEN CBE MP

The Committee has been asked to consider an application from Oliver Dowden MP, former Deputy Chief of Staff in the Prime Minister's Office. He has sought advice on accepting an unpaid appointment as a trustee of the Law Family Education Trust, a charitable trust providing support to children and young people within the schools and academies run by the Laurus Trust. This support is provided through grant funding for capital works and commissioning/providing a range of extra-curricula activities in areas such as sports, drama, music, spoken English and debating skills. Mr Dowden was Deputy Chief of Staff from September 2012 until October 2014.

When considering this application the Committee took into account that Mr Dowden's role would involve overseeing and ensuring that the charity acts in line with its charitable object and discharges its duties of prudence and care in the work it undertakes in support of its beneficiaries. They noted that this role will be unpaid, involve attending three to four meetings per year, and will not include any dealings with Mr Dowden's former department or with the Government more generally.

The Committee noted that Mr Dowden had no dealings with the organisation while in post as a special adviser. They took into account that, while in office, Mr Dowden advised the Prime Minister on education policy in general, among a range of many other issues, but he was not involved in formulating any policy that would specifically impact this charitable trust.

The Committee noted that Mr Dowden's former department had no propriety concerns about this appointment.

The Committee's advice to the Permanent Secretary is that it can see no reason why Mr Dowden should not take up this role, subject to the following conditions:

- 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 the UK Government on behalf of the Law Family Education Trust or the Laurus Trust.

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. (As with all Special Advisers, the Committee makes this recommendation on the understanding that, if he has not already done so, Mr Dowden must confirm in writing to your 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.)

The Business Appointment Rules explain that the restriction on lobbying means that the former Crown servant "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 would 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 Dowden 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 which have not been taken up or announced. This could lead to a false assumption being made about whether Mr Dowden 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

Catherine Millington
Committee Secretariat