

From the Chair



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

G/7 Ground Floor, 1 Horse Guards Road SW1A 2HQ

Telephone: 020 7271 0839

Email: acoba@acoba.gov.uk

Website: <http://www.gov.uk/acoba>

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You asked for the Committee's advice about accepting a part-time, unpaid role as a non-executive director of Scale-Up Institute, a not-for-profit organisation providing support for growing businesses. You will provide some governance functions and provision of strategic advice to the institute.

The Institute was launched in June last year by entrepreneur and investor Sherry Coutu and LinkedIn co-founder Reid Hoffman. This followed publication of Sherry Coutu's Scale-up Report on UK Economic Growth in November 2014, which was commissioned by the Department for Business, Innovation and Skills (BIS).

When considering your application the Committee took into account your declaration that the appointment is not likely to include any contact or dealings with your former departments or government more generally.

The Committee noted that your previous role as Minister for Trade and Investment spanned FCO and BIS and so sought views from the Permanent Secretaries at both departments. Neither department raised concerns about the appointment. BIS commented that there is no formal relationship between the organisation and the department, although you had official dealings with Sherry Coutu on a couple of occasions.

Given that the Institute has a lobbying role and there is a connection between the responsibilities of your previous department (BIS) and this new role, it would be appropriate to make clear that the Institute may not make use of your Whitehall contacts, whether directly or indirectly.

Taking into account the specific facts in this case, the Committee sees no reason why you should not take up the appointment, subject to the following conditions:

- You should not draw on any privileged information available to you from your time in Crown service;
- For two years from your last day in service, you should not become personally involved in lobbying the UK Government on behalf of Scale-Up Institute, its partners or members, or make use, directly or indirectly, of your contacts within Government and/or Crown service to influence policy or secure business on behalf of Scale-Up Institute, its partners or members.

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 the appointment, 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 that 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 your role with Scale-Up Institute as depending on the circumstances, it might be necessary for you to seek fresh advice.

Once the appointment has 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

The Rt Hon Lord Maude of Horsham