

From the Chair



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

G/08 Ground Floor, 1 Horse Guards Road SW1A 2HQ

Telephone: 020 7271 0839

Email: acoba@acoba.gov.uk

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

August 2015

You asked for the Committee's advice on accepting new roles as: a fortnightly columnist with the London Evening Standard, a speaker with News Presenters Ltd, and trustee with the Social Mobility Foundation. They also considered your application to establish a small not for profit limited company, consisting of a policy and research team, to support your ongoing role as a public figure interested in promoting debate and fresh thinking in areas such as drugs policy, mental health, prison reform, education, Europe and surveillance.

When considering your applications the Committee noted that your role as a speaker would involve making speeches to professional audiences on an ad hoc basis, and you would be listed on the News Presenters website. The Committee noted that you had no dealings with that organisation while in ministerial office. For the columnist role, the Committee took into account that you did meet with London Evening Standard employees while in office, but that this was of a nature that would be expected with newspaper proprietors, including various interviews, and you are unaware of any relationship between the newspaper and your former department.

The Committee also took into account that you had some dealings with the Social Mobility Foundation while in office when, as leader of the Liberal Democrats, you hosted a one week work experience placement in your parliamentary office in 2014. They also took into account that your former department, the Cabinet Office, engaged with the Social Mobility Foundation on social mobility strategy, and that the charity won the contract to deliver the Whitehall Social Mobility Internship Programme. However, the Committee noted that your proposed role is as an unpaid trustee, and will involve no contact with Government, and that your former department had no concerns about the appointment.

From the Chair

When considering your new company, the Committee noted that it will consist of a small policy and research team supporting your ongoing working promoting debate about public policy work; it will not be a consultancy and will not engage in lobbying Government. Neither will it represent clients or organisations, and you will not derive any financial benefit from the work of the company.

The Committee also considered your initial commissions through this company, which would be from: Open Society Foundations and Virgin Group Holdings Ltd, who would jointly be funding a research project relating to international rules governing public policy on drugs in the run up to the United Nations General Assembly Special Session (UNGASS) meeting in April 2016; and the Resolution Trust, who would provide funding towards the running of the office.

The Committee noted that you had met with the founders of these three organisations on a number of occasions socially while in office, but that you have never been involved in any Government policy or grant giving discussions relating to any of their commercial interests or organisations, and that you are unaware of any relationship between the three companies and your former department.

Taking into account all the circumstances, including the fact that the three month standard waiting period for former Cabinet Ministers has already expired, we see no reason why you should not accept these appointments subject to the following conditions:

- That you should not draw on [disclose or use for the benefit of yourself or the organisations or persons 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 UK Government on behalf of your new company, the Social Mobility Foundation, News Presenters Ltd, the London Evening Standard, or any of their parent companies, subsidiaries, or clients; and
- Once your new company is established, for two years from your last day in ministerial office, you should make a case to the Committee directly that each individual commission the company wishes to undertake would be permissible under the approved terms of the consultancy. (If, after enquiry, the Committee takes the view that a commission is, or may be, outside the terms of the consultancy you will be expected to submit a fresh application).

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.

From the Chair

The Business Appointment Rules explain that the restriction on lobbying means that the former 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 be grateful if you would inform us as soon as you take up any of these appointments or, if earlier, when 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.

Once an appointment has been publicly announced or taken up, we will include the main details, together with the Advisory Committee’s advice on it and the date on which it was taken up, in both the regularly updated consolidated list on our website and in our annual report.

Baroness Browning

Rt Hon Nick Clegg MP