

From the Chair



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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You asked for the Committee's advice about taking up two new part-time appointments: Vice President and Trustee of the British Institute in Eastern Africa (BIEA), and Strategic Adviser for Farallon Capital.

The Committee noted that the position with BIEA is unpaid, and will involve providing advice relating to research activities in the fields of archaeology, sociology and anthropology, and that the position with Farallon Capital will be to provide strategic economic, financial and political advice. They took into account your statement that you had no contact with either organisation or their competitors during your last two years in ministerial office, and had no access to commercially sensitive information about them. They further noted that neither of the new roles would involve contact with your former department, or with Government more generally.

The Committee took into account the fact that you left ministerial office in early August 2014, nearly 21 months ago, and that your former department had no concerns about either of these roles.

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

- 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; and
- For two years from your last day in ministerial office you should not become personally involved in lobbying the UK Government on behalf of BIEA, Farallon Capital, their parent companies, subsidiaries, partners or clients.

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.

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It might be helpful if I add that 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 your 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 application, 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

Rt Hon Mark Simmonds