



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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Ms Melanie Dawes,
2 Marsham Street,
London,
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13 June 2016
Ref: 1617/09

Dear Ms Dawes,

BUSINESS APPOINTMENTS APPLICATION: LORD KERSLAKE

The Committee has been asked to consider two applications from Lord Kerslake, former Permanent Secretary at the Department for Communities and Local Government (DCLG), and former Head of the Civil Service. He is seeking permission to accept a part-time, paid role with WANdisco plc, an IT software company and an unpaid role with Sheffield Hallam University. Lord Kerslake's last day of Crown service was 28 February 2015.

The Committee noted that Lord Kerslake would be employed by WANdisco plc as a strategic consultant on global and national government matters, attending meetings with company personnel and potential customers. When considering this application, the Committee took into account that Lord Kerslake had no official contact with the company whilst employed as the Permanent Secretary of DCLG and, later, as the Head of the Civil Service. While WANdisco has had dealings with other Government departments, Lord Kerslake has undertaken not to become involved in any discussions with Government as part of his role.

The Committee noted that Lord Kerslake's appointment with Sheffield Hallam University would be in a non-executive role as a member of the Board of Governors. In reaching a view on this application, the Committee noted that Lord Kerslake had no official contact with the university during his last two years of Crown service. This role is likely to involve some limited contact with the department for Business, Innovation and Skills (BIS) on higher education matters but he will not engage in lobbying.

In reaching a decision on these applications, the Committee took into account that DCLG had no concerns about the propriety of either appointment.

The Prime Minister has accepted the Committee's recommendation that these applications be approved subject to the conditions that:

- Lord Kerslake should not draw on [disclose or use for the benefit of himself, or the organisation, or person to which this advice refers] any privileged information available to him from his time in Government.
- For two years from his last day of service, Lord Kerslake should not become personally involved in lobbying the UK Government on behalf of WANdisco or Sheffield Hallam University. In relation to his appointment with Sheffield Hallam University, the Committee accepts that he may need to engage with the Government on educational and other issues and in the normal course of university business as opposed to issues relating to the public funding of Sheffield Hallam University or its students.

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.

It might also be helpful if I add that the Business Appointment Rules explain that the restriction on lobbying means that the former Crown servant/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 also be grateful if you would ask that Lord Kerslake informs us if he proposes to extend or otherwise change his role as, depending on the circumstances, it may be necessary for him to make a fresh application.

Please could you also ask Lord Kerslake to inform us when he takes up his post or, if earlier, when it is announced. We are otherwise unable to deal with any enquiries, as we do not release information about appointments that have not been announced or taken up and this could lead to the false assumption that he did not comply with the rules. In line with our usual practice, we will then 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.

Yours sincerely

Nicola Richardson
Committee Secretariat