



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

Room G/8, 1 Horse Guards Road, London, SW1A 2HQ

Telephone: 020 7271 0839

Email: acoba@acoba.gov.uk

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

March 2017

BUSINESS APPOINTMENT APPLICATION: SIR DEREK JONES KCB

The Committee has been asked to consider an application from Sir Derek Jones, the former Permanent Secretary for the Welsh Government. He would like to take up an appointment as Chair of an Advisory Council for The Prince's Trust Cymru (the Trust).

The Trust is a charity which works with young people from deprived backgrounds to help improve their life chances. When considering the application the Committee noted the role of the Advisory Council, and its Chair, is to advise the full time staff of the Trust on its activities in Wales and in particular to provide a 'sounding board' for the director. As Chair, Sir Derek would offer advice on the whole range of the Trust's activities including strategic direction, fundraising, investment and risk management.

The Committee also took into account that:

- his role is unpaid with a time commitment of around 3-4 days a year.
- Sir Derek told us he had no official dealings with the Trust whilst in office and the Welsh Government has confirmed this.
- This role may involve some coact with the Welsh Government but would not require him to lobby the Welsh Government.
- The Permanent Secretary for the Welsh Government has confirmed they have no concerns with him taking up this role.
- As a former Permanent Secretary, a three-month waiting period from Sir Derek's last day in Crown service is consistent with the approach the Committee has taken to other Crown servants of equivalent standing.

The Committee's advice to the First Minister is that, in accordance with the Government's Business Appointment Rules, the appointment should be subject to the following conditions:

- he should observe a waiting period of three months from his last day in Crown service;
- he should not draw on (disclose or use for the benefit of herself or the organisations to which this advice refers) privileged information available to him from his time in Crown service;
- for two years from his last day in service, Sir Derek should not become personally involved in lobbying the Welsh Government on behalf of the Prince's Trust Cymru or make use, directly or indirectly, of his contacts in Government and/or Crown service to influence policy or secure funding on behalf of the Prince's Trust Cymru.

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.

The Business Appointment Rules explain that the restriction on lobbying means that the former Crown servant/Minister "*should not engage in communication with Government (Ministers, civil servants, including special advisers, and other relevant officials/public office holders) – wherever it takes place - with a view to influencing a Government decision, policy or contract award/grant in relation to their own interests or the interests of the organisation by which they are employed, or to whom they are contracted or with which they hold office.*"

I should be grateful if you would ensure that we are informed as soon as Sir Derek takes up this work, 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 that have not been taken up or announced. This could lead to a false assumption being made about whether Sir Derek had complied with the Rules.

I should also be grateful if you would ask that Sir Derek informs us if he proposes to extend or otherwise change the nature of his role as, depending on the circumstances, it may be necessary for him to make a fresh application.

Once this work 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

Alexander Newton
Committee Secretariat