



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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You sought the Committee's advice about taking up a role with the Carnegie Centre of Excellence for Mental Health in Schools.

The Committee's remit

It is the Committee's role to advise on any conditions that should apply to appointments or employment under the Government's Business Appointments Rules for Former Ministers (the Rules), which apply to former Ministers for two years after they leave office.

The Rules seek to counter suspicion that:

- a) the decisions and statements of a serving Minister might be influenced by the hope or expectation of future employment with a particular firm or organisation; or
- b) an employer could make improper use of official information to which a former Minister has had access; or
- c) there may be cause for concern about the appointment in some other particular respect.

When the Committee considers applications it must have in mind that Government has judged that it is in the public interest that former Ministers with experience in Government should be able to move into business or into other areas of public life, and to be able to start a new career or resume a former one. It is equally important that when a former Minister takes up a particular appointment or employment, there should be no cause for any suspicion of impropriety.

The Committee has now considered your application, as set out below;

The Carnegie Centre of Excellence for Mental Health in Schools (the Centre)

The Centre is a partnership between the Carnegie School of Education at Leeds Beckett University and Minds Ahead CIC (a social enterprise which works with schools, universities,

think-tanks, charities, local authorities, strategic partners and leaders to bring about change). It was launched in May 2017 and plans to focus on relevant professional development for everyone working in schools; developing a practitioners network; providing support for schools on mental health; supporting relevant research; setting up a school mental health quality mark; running an annual conference; and working with other strategic partners.

When considering this application the Committee also took into account the following:

- The Centre was newly launched in May 2017.
- You have said that your role will be as an unpaid, part-time member of the Advisory Board (3 meetings a year), focussed on providing advice, support and challenge to the Centre along with other members of the Advisory Board. You do not consider the role is likely to involve contact with Government.
- As Secretary of State for Education this application is broadly within the same sector for which you had responsibility as a Minister.
- The Department for Education has confirmed that whilst there is a funding relationship with the University, this did not fall within your area of responsibility as Secretary of State and you had no official dealings with either the University or Minds Ahead CIC whilst in office.
- The Department for Education is not aware of any information that you would have had access to which would afford the Centre an unfair advantage.
- 12 months have now passed since you left office.
- Your former department has no concerns about you taking up this post.

Therefore, having considered the individual circumstances of this application, in accordance with the Government's Business Appointment Rules, the Committee advises the appointment be subject to the following conditions:

- you should not draw on (disclose or use for the benefit of yourself or the persons or organisations 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 the Carnegie Centre of Excellence for Mental Health in Schools or its partners, nor make use of your contacts in Government and/or Crown Service to influence policy or secure funding for the Carnegie Centre of Excellence for Mental Health in Schools or its partners.

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.

As you will be aware, 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 inform us as soon as you take up employment with this organisation, 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 Rules and the Ministerial Code.

Please also inform us if you propose to extend or otherwise change the nature of this role as, depending on the circumstances, it may be necessary for you to make a fresh application.

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 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 Nicky Morgan MP

