



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENTS APPLICATION: LORD KERSLAKE

The Committee has been asked to consider an application from Lord Kerslake, former Permanent Secretary at the Department for Communities and Local Government (DCLG), and former Head of the Civil Service. He sought advice on a part-time, paid role with ENGIE UK (ENGIE) as a member of their Advisory Board.

ENGIE is a global company which provides energy supplies and services; as a member of its UK advisory board, Lord Kerslake will seek to guide the company in matters relating to its UK strategy.

When considering this application the Committee noted that Lord Kerslake's last day in office at DCLG was 28 February 2015. The Committee also took into account that he had no official contact with ENGIE whilst at DCLG or as the Head of the Civil Service. It also noted that the appointment will not include any contact or dealings with his former department or with Government more generally.

The Prime Minister has accepted the Committee's recommendation that, in accordance with the Government's Business Appointment Rules, this role be subject to the following conditions:

- 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; and
- for two years from his last day of service, Lord Kerslake should not become personally involved in lobbying the UK Government on behalf of ENGIE UK.

Please note that it also came to the Committee's attention that Lord Kerslake was recently appointed as Chairman of UK Northern Powerhouse Advisory Board and that we did not receive a formal application for this role. The Committee is therefore unable to provide advice and would like to remind Lord Kerslake that the Business Appointment Rules say that an application is required from former Crown servant's before taking up any new appointment or employment in a the two years after leaving office.

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 (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 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

Alexander Newton
Committee Secretariat