



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

G/7 Ground Floor, 1 Horse Guards Road SW1A 2HQ

Telephone: 020 7271 0839

Email: acoba@acoba.gov.uk

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

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You asked for the Committee's advice on Hanbury Strategy and Communications Limited (Hanbury) providing advisory services to the Elton John AIDS Foundation, in your capacity as a Partner at Hanbury.

The Committee noted that Hanbury offers companies, interest groups and charities strategic, campaigns and policy advice.

Appointment details

You sought the Committee's advice about Hanbury taking up a commission with the Elton John AIDS Foundation (EJAF). EJAF is a non-profit organisation which supports and funds innovative HIV prevention, support and education programs. They have a number of patrons and corporate sponsors.

The commission will involve Hanbury providing policy and strategic advice to the executive team in London - aimed at promoting EJAF's core aims to advance and progress the global issues they work on. The work will involve advising on policy developments and how best to communicate their work. The work is likely to be for an initial period of six months.

You confirmed you had no official dealings with EJAF whilst in office and that no privileged information which was available to you during your time in office will be drawn upon. You noted this can be assured, given you will not personally provide services to EJAF. Rather, members of the wider Hanbury team will be working on this commission. You also confirmed to the Committee that you will not lobby or contact the Government in any way in relation to this work.

The Committee's consideration

The Committee noted you had no official dealings with EJAF during your time as a Special Adviser at No.10. As such, it does not consider that taking on this work could reasonably be perceived as a reward for decisions made whilst in office.

The Committee noted your confirmation you will not be working on these commissions, will not draw on any information available to you during your time as a Crown servant, nor contact or lobby Government on EJAF's behalf. However, the Committee noted there remains a risk that someone who had a significant position in No.10, as you did, may be

seen to have contacts in Government that could benefit EJAF. Therefore the conditions below mitigate against the risk that EJAF could be seen to receive an unfair advantage should it look to influence policy or seek funding from Government whilst Hanbury are providing services.

Taking into account these factors, in accordance with the Government's Business Appointment Rules, the Committee advises this commission be subject to the following conditions:

- you should not draw on (disclose or use for the benefit of yourself or the organisation to which this advice refers) any privileged information available to you from your time in Crown service; and
- for two years from your last day in office you should not become personally involved in lobbying the UK Government on behalf of the Elton John AIDS Foundation (EJAF) or its subsidiaries and partners. Nor should you make use, directly or indirectly, of your contacts in Government and/ or Crown service to influence policy or secure funding on behalf of the Elton John AIDS Foundation (EJAF) or its subsidiaries and partners.

The Committee would expect you to seek further advice if you propose to extend or otherwise change the nature of your commission and in relation to any new commissions, before taking them up.

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 with all Special Advisers, the Committee makes this recommendation on the understanding that, if you have not already done so, you must confirm in writing to your former department that you recognise that you continue to be bound by the provisions of the criminal law (including the Official Secrets Act), which protect certain categories of information, and by your duty of confidentiality owed to the Crown.)

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 this commission, 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 Ministerial Code.

Once this commission 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.

Yours sincerely

Cat Marshall
Committee Secretariat