



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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You asked for the Committee's advice about accepting a new appointment as a member of the Greensteel Council being set up by GFG Alliance.

When considering your application the Committee noted that you would be joining the council to provide strategic advice and guidance to help the executive team roll out the Greensteel vision, and the council will be providing expert and independent advice and views on the key questions facing the steel sector and the company in the roll out of its vision. They noted that, as a member of the council, you would not be an employee or a consultant.

The Committee took into account the fact that, while a Minister in the Welsh Government, you had dealings with some of the companies involved in the GFG Alliance and were involved in matters relating to the steel industry in Wales. This included some access to commercially sensitive information regarding constituent companies of the GFG Alliance and its competitor businesses.

The Committee also noted that, while a Minister, you were involved in approving a loan and extension to Swansea Bay Tidal Lagoon, a subsidiary of Tidal Lagoons Ltd, and that Sanjeev Gupta (of GFG Alliance) is an investor in Tidal Lagoons Ltd. However, your former department were clear that you were not aware of his involvement as an investor when you approved that loan. The Committee also noted that it was a commercial loan for a project that the Welsh Government is supportive of and which went through the Welsh Government's standard due diligence processes for financial approvals.

The Committee took into account the views of the Welsh Government, and felt that there could be some perception risks with your new role given the information you previously had access to. They therefore felt that a waiting period before taking it up was necessary.

Taking into account these circumstances, the Committee sees no reason why you should not take up the role with GFG Alliance, subject to the following conditions:

- A waiting period of six months from your last day in ministerial office;
- That you should not draw on (disclose or use for the benefit of yourself or the organisations to which this advice refers) any privileged information available to you from your time in ministerial office; and
- For two years from your last day in ministerial office you should not become personally involved in lobbying the Welsh Government on behalf of the GFG Alliance or any of its constituent companies.

By 'privileged information' we mean official information to which a Minister 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 or otherwise.

The Business Appointment Rules explain that the restriction on lobbying means that former Ministers "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 be grateful if you would inform us as soon as you take up this appointment, 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 which 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. Similarly, I should be grateful if you would inform us if you propose to extend or otherwise change this role as, depending on the circumstances, it may be necessary for you to seek fresh advice.

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

Edwina Hart