

From the Chair



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 about becoming an unpaid board member of Whole Education.

The Committee noted that Whole Education is a not-for-profit partnership of schools and organisations which facilitates shared learning, with the aim of equipping children with a range of skills, qualities and knowledge needed to succeed in adulthood. It also aims to make learning more relevant and engaging. The board is responsible for strategic direction, finance, ensuring the company is well run and holding the Director to account.

When considering your application, the Committee took into account that your former Department confirmed they have no relationship with Whole Education. The Committee was mindful of the contact you had with chair of Whole Education during his appointment and term as Pupil Premium Champion; and that you spoke at their conference in November 2013.

The Committee also took into consideration the length of time that has passed since you left Ministerial office, 21 months ago.

Taking into account these factors, 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 Whole Education or make use, directly or indirectly, of your contacts in Government and/or Crown service to influence policy or secure funding on behalf of Whole Education.

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 inform us as soon as you take up employment with Whole Education, 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

Mr David Laws