

*From the Chair*



**OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS**

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You asked for the Committee's advice about taking up a position as an advisor at TLG Capital Investments Ltd (TLG Capital).

The Committee's remit

As you will be aware, 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.

Appointment details

You explained that you would provide broad advice to the firm on raising money, investing the monies in projects and helping TLG Capital to maximise the value of existing and future investments.

This is a part-time, paid role, involving one day per month and you noted the appointment is not likely to include any contact or dealings with the UK Government.

You said that you had no contact with TLG Capital during your last two years in office. Your former Department, the Foreign & Commonwealth Office (FCO), has explained that while you had various meetings with companies operating and investing in the region while in office, it is not aware of you having had access to specific commercially sensitive information that would give TLG Capital an unfair advantage. Neither the FCO nor the Department for International Trade have a relationship with TLG Capital and have expressed no reservations about you taking up the role.

#### Committee consideration

When considering your application the Committee noted your explanation that this role is about using your broad expertise and knowledge. However, as it may potentially involve networking and having contact with senior officials in Africa, it considered whether there was a risk that you might unfairly advantage TLG Capital as a result of your time in office. It concluded that this risk was low, given that whilst you would have met many people across most of the 54 African countries whilst in office, most contact would have been brief - with the long-term relationships being held at Ambassador level.

Further, you explained that your regular contacts as a Minister were at a Foreign Minister level rather than being economic or business related. Further, you have no plans to contact people who you worked with to raise money or identify projects (although you may come into contact with them on visits or to get a background understanding of the current market place).

The Committee considered that the risk of the appointment being perceived as a reward is minimal given that you had no official dealings with TLG while in office and the FCO has no relationship with the company.

The Committee felt that it was also relevant to your application that prior to becoming a Minister, you worked as a banker with businesses in Africa and that over a year has passed since you left Ministerial office.

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:

- 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;
- for two years from your last day in Ministerial office, you should not become personally involved in lobbying the UK Government on behalf of TLG Capital Investments Ltd, nor should you make use, directly or indirectly, of your Government and/or Crown service contacts to influence policy or secure business on their behalf.

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 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 your 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

James Duddridge MP

