



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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Dear Mr Blakeway,

Independent Consultancy - New Commission

You asked for the Committee's advice on taking up a role with BexleyCo under the terms of your independent consultancy.

Commission details

BexleyCo has been established by London Borough Council of Bexley, in order to develop some of its assets and promote regeneration in the area. You said that you will be the Non-Executive Chairman of the organisation, a paid and part-time role, with a time commitment of two days per month.

You also confirmed that you do not expect to have contact with Government going forward; you have no previous official contact or dealings with BexleyCo; and have no commercially sensitive information.

The Committee's consideration

The Committee noted that you were a Special Adviser for three months (from 4 April to 13 July 2016) and during that time, had no contact with the organisation. Further, it noted that you applied for an advertised post. As such, the Committee considered that this post was unlikely to be perceived as a reward for your time in office.

You confirmed you have no commercially sensitive information about BexleyCo and that you do not expect to have contact with the Government in this role. As approximately 15 months has now passed, and there has been change in government, this lessens any risk that information which you may have been privy to, would likely offer any unfair advantage to BexleyCo or the Council.

However, as you still have some ongoing contact with Government within your role at the Homes and Communities Agency (HCA), there is a potential risk that BexleyCo or the Council could be seen to gain an unfair advantage as a result of the information or contacts you may be privy to in this particular role.

Based on the specific details provided, the Committee considers this commission is consistent with the terms of your independent consultancy, which you described as offering strategic advice on housing policy.

The conditions that apply to your consultancy are:

- that 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;
- for two years from your last day in service, you should not become personally involved in lobbying the UK Government on behalf of your clients or those you advise;
- for 12 months from your last day of service you should not undertake any work as a consultant which involves providing advice to any company or organisation on the terms of a bid or contract relating directly to the work of Cabinet Office; and
- once you have received approval to set up as an independent consultant, you must seek confirmation from the Committee directly that each subsequent individual commission is permissible under the terms of her consultancy before taking it up. If, after enquiry, the Committee takes the view that a commission is, or may be, outside the terms of the consultancy you will be expected to submit a fresh application

Given your ongoing relationship with Government in an area relevant to housing policy, the Committee considers it appropriate to impose the following condition to your commission with BexleyCo.

- For 24 months from your last day of service you should not undertake any work as a consultant which involves providing advice on the terms of, or with regard to the subject matter of, a bid or contract, relating directly to the work of UK Government.

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

Sarah Parkington
Committee Secretariat

