



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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You asked for the Committee's advice about an appointment as an Advisory Council Member at Ionad Hiort.

The Committee's remit

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.

Advisory Council Member at Ionad Hiort Ltd

Appointment details

You stated that your role as an Advisory Council Member will be unpaid and part-time. You will provide advice on the shape and development of the St Kilda initiative.

The charity, Ionad Hiort, is working on the planning and development of the proposed 'St Kilda Centre'. St Kilda is a double UNESCO world heritage site and due to its inaccessible

positioning, the St Kilda Centre project plans to bring "*the St Kilda experience*" to a wider public by creating a centre on the Outer Hebrides.

You confirmed you spoke at a conference to discuss the visitor centre concept, and had a follow-up briefing on the project, but advised that your role is unlikely to include contact with Government; that you are unaware of any contractual relationship between Government and Ionad Hiort; and that you have no sensitive information which could benefit the charity.

Cabinet Office Permanent Secretary, Mr John Manzoni, was contacted with regard to this application. He confirmed that you did not have decision-making, regulatory or funding influence in relation to Ionad Hiort; that you do not hold any commercially sensitive information; and that he is unaware of any Government links with the charity.

The Committee's consideration

The Committee noted that this is an unpaid role with a charity and that you had no official contact with the organisation. It also noted the Cabinet Office's views about this appointment. As a result, the Committee considered there is little risk that this appointment could be reasonably seen as a reward for decisions you made whilst in office.

Given there is currently no relationship between Ionad Hiort and Government and that you do not plan to have any contact with Government as part of your role, the Committee considered there is no evidence that your role will unfairly benefit the charity. However, the Committee noted Ionad Hiort's charitable status and the potential that it may seek government related funding at some point in the future. Therefore, they decided to impose a lobbying ban which makes clear that any use of contacts made whilst in office would be inappropriate.

Taking into account these factors, in accordance with the Government's Business Appointment Rules, the Committee advises this 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 and Scottish Governments on behalf of Ionad Hiort Ltd. Nor should you should make use, directly or indirectly, of your contacts in the UK and Scottish Governments to influence policy or secure funding on behalf of Ionad Hiort Ltd.

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 these organisations, 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 roles 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

The Right Honourable Lord Dunlop

