

From the Chair



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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You approached the Committee for advice about taking up an appointment at the Transatlantic Commission on Election Integrity.

The Committee's role and remit

As you will be aware, it is the Committee's role to advise on the 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.

Commissioner, Transatlantic Commission on Election Integrity

You informed the Committee you have been invited to become a Commissioner at the newly formed Transatlantic Commission on Election Integrity. The Commission will seek to make recommendations on how governments, traditional and new media actors, as well as

institutions and civil society can better work together to prevent election meddling on both sides of the Atlantic. Anders Foch Rasmussen, former NATO Secretary General and Michael Chertoff, former Secretary Homeland Security under President Bush are leading the Commission. The Commission is independent and made up of former government ministers and secretaries of state. The Commission will be announced on 12 May in Washington and hold its first gathering is 21 June.

You explained you have been asked to contribute your technology expertise and understanding of internet interference in particular- to help raise awareness of the need for the West to take urgent action to protect its democratic processes.

You said that the role will be unpaid, will involve approximately 1 day per month, and is not likely to involve contact with the UK Government.

The Permanent Secretaries at the Home Office and the Department for Digital, Culture, Media & Sport (DCMS) were consulted and raised no concerns about the appointment.

The Committee's consideration

The Committee¹ considers this appointment with the Transatlantic Commission on Election Integrity does not raise any issues of concern under the Business Appointment Rules, given it is an unpaid role with an organisation seeking to develop best practice in preventing election interfering; and it is subject to the conditions below.

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 the Transatlantic Commission on Election Integrity.

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 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.*"

¹ This application for advice was considered by Sir Alex Allan; Jonathan Baume; Lord Michael German; Terence Jagger; Baroness Helen Liddell; Richard Thomas and John Wood. I recused myself from this application in line with ACOBA's published Code of Practice. This letter contains the Committee's advice, arrived at without my input and which I am signing and sending in my capacity as Chair of the Committee.

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 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. Similarly, I should be grateful if you would inform us if you propose to extend or otherwise change your role with the organisation as depending on the circumstances, it might be necessary for you to seek fresh advice.

Once this 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

Baroness Joanna Shields OBE

