



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

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You asked for the Committee's advice about taking up an appointment with the Council of the Air League.

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 are seeking the Committee's advice on an unpaid and part-time appointment as a Member of the Council of the Air League. You were previously a Member of the Council before you were a Minister; and have been asked to re-join.

The Air League is a not-for-profit aviation organisation, which has various roles, including: to provide platforms/ events to showcase British aviation/ aerospace and their part in security in the UK; to promote a broad understanding of the benefits and opportunities that Aviation,

Aerospace and Security (AAS) deliver to the UK; and to promote the significant career opportunities available in AAS industries in the UK.

You said your main duty will be to attend two council meetings a year; as well as an annual parliamentary event. You do not expect to have contact with Government in this role. You stated you hold no commercially sensitive information; and that you had no official dealings with the Air League whilst in ministerial office, but that on one occasion as Minister for Reserves, you invited the then Vice President of the Air League to provide an independent review of the MOD's flying reserves, on a pro bono basis.

The MOD stated it has a limited relationship with the Air League, which includes occasional attendance at events and meetings; that it holds no contracts with the Air League; and that spend associated with the Air League was less than £2000 in each of the financial years 2016/17 and 2017/18 (for education and training services; and advertising and marketing services). The MOD stated that while you had overall accountability for Reserves and Cadets, you would not have been directly responsible for day-to-day decisions on funding arrangements or policy for interaction with particular partner organisations. The MOD confirmed you have no sensitive information/unannounced policy that would be considered inappropriate in your new role. The MOD noted you had been invited to a lecture hosted by the Air League and given by Admiral Sir George Zambellas.

The MOD has no propriety concerns about this appointment; but noted that as it is possible you may come into contact with the MOD in your capacity as a Member of Air League Council, this appointment should be subject to a lobbying ban.

#### The Committee's consideration

The MOD stated the Air League has some very limited involvement with Air Cadets; and that while you had overall ministerial accountability for Reserves and Cadets, you would not have been directly responsible for day-to-day funding or policy decisions affecting it. The Committee considered there was little risk this unpaid role could be perceived as a reward for your time in office.

In considering whether the appointment raises any risk you could offer the Air League an unfair advantage, it is relevant that the MOD confirmed you have no sensitive information/unannounced policy that would be considered inappropriate in your new role; and that it has now been approximately 22 months since you left ministerial office.

The Committee also took into account that it is possible you may come into contact with the MOD in your role on the Air League Council. Given the nature of the organisation, possible contact would not necessarily be improper. However, the Committee would draw your attention to the conditions imposed, which make clear that any use of your contacts across Government/Whitehall to lobby Government on behalf of the Air League or its partners, would be inappropriate.

Taking into account these factors, in accordance with the Government's Business Appointment Rules, the Committee advises these appointments 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 Air League or its partners, nor should you make use, directly or indirectly, of your contacts in Government and/or Whitehall to influence policy or secure funding on behalf of the Air League or its partners.

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 this appointment with the Air League 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

Sir Julian Brazier TD

