



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 British Honey Company Ltd.

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 wish to take up a paid role, part-time role as Chairman at the British Honey Company Ltd (BHC), a small private company, which produces honey related products and promotes the production and use of British honey. You do not expect to have contact with Government in this role.

You also confirmed that, whilst in ministerial office, you had no official dealings with BHC; and that you had no access to any sensitive information relevant to this role.

Your former department, the Foreign and Commonwealth Office (FCO) was contacted about this application. It confirmed it is not aware of you having any official dealings with BHC; that it has no current relationship with BHC; and that it is not aware of you holding any sensitive information relevant to this appointment.

The Department for International Trade (DIT) confirmed to the Committee that BHC has had "*some interaction with DIT's International Trade Advisers – mainly signposting, market entry advice and follow ups.*" It stated that this type of exporting support is provided to numerous small businesses via its International Trade Advisers, which form nine regional teams across England. Their aim is to support businesses, both first time and experienced exporters, enter into new markets and develop their international sales.

Neither FCO nor DIT raised any concerns about this appointment.

The Committee's consideration

The Committee noted your former department has no relationship with BHC and that you did not meet with the company during your time in ministerial office. Whilst BHC has had some contact with DIT, this was specifically with its International Trade Advisors and in line with their usual role in supporting small businesses. As such, the Committee considered there is little risk this appointment can be considered as a reward for decisions made while you were in office.

The Committee considered the risk of BHC gaining an unfair advantage as a result of employing you is low, as this appointment appears to be unrelated to your time as a Minister. The Committee also noted has been approximately 19 months since you left ministerial office.

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:

- 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 as a Minister;
- 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 British Honey Company Ltd 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 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

The Rt Hon Sir Hugo Swire KCMG MP

