



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BARONESS (KATE) FALL

The Committee was asked to consider an application from Baroness Fall, the former Deputy Chief of Staff to the Prime Minister, for advice on taking up an appointment with Onward.

Baroness Fall was Deputy Chief of Staff to the Prime Minister from May 2010 to July 2016.

Appointment details

Baroness Fall proposes to take up an unpaid and part-time appointment as an Advisory Board Member at Onward, a new, not-for-profit, think tank.

Baroness Fall describes Onward as a think tank designed to encourage creative policy formation from the centre right in politics. Baroness Fall said her role will be to advise Onward in its overall direction, methods and fundraising. She said her role is likely to involve some contact with Government, given the think tank is right leaning and the Conservatives are in Government; but that her role is not to lobby government Ministers in any way.

As Onward is yet to be formally constituted, Baroness Fall had no previous dealings with it whilst in office; however she confirmed she had previous contact with Neil O'Brien MP, who is setting up Onward, when he was a Special Adviser to the former Chancellor, The Rt Hon George Osborne. She also confirmed she had no dealings with competitors of Onward whilst she was in office; and that she had no access to commercially sensitive information about any competitors of Onward.

The Cabinet Office stated it has no relationship with Onward; and confirmed Baroness Fall had no official dealings with the organisation whilst she was in office; and that she had no access to commercially sensitive, policy or departmental information that could give Onward an unfair advantage. Cabinet Office has no reservations about this appointment subject to the imposition of conditions on lobbying and the use of privileged information.

Committee's Consideration

The Committee is aware of no reason for it to be perceived that this appointment is a reward for decisions Baroness Fall made in office. This is an unpaid role and Cabinet Office confirmed it has no relationship with Onward, which is currently being established.

The Committee noted the confirmation from the Cabinet Office that Baroness Fall had no access to any commercially sensitive, policy or departmental information, which could provide an unfair advantage to Onward. It also noted that it has now been approximately 21 months since she left office, limiting the currency of any privileged information to which she may have had access.

The Committee took into account Baroness Fall's statement that her role may involve some contact with Government as Onward is a conservative-leaning think tank; but that her role is not to lobby government Ministers in any way. The lobbying ban set out below makes clear that any use of her contacts to benefit Onward, would be inappropriate.

Taking into account these factors, in accordance with the Government's Business Appointment Rules, the Committee's advice to the Permanent Secretary is that this appointment be subject to the following conditions:

- that she should not draw on (disclose or use for the benefit of herself or the organisations to which this advice refers) any privileged information available to her from her time in Crown service; and
- for two years from her last day in Crown service, she should not become personally involved in lobbying the UK Government on behalf of Onward, nor should she make use, directly or indirectly, of her contacts in Government and/or Crown service to influence policy or secure business or funding on behalf of Onward.

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 she has not already done so, Baroness Fall must confirm in writing to her department that she recognises that she continues to be bound by the provisions of the criminal law (including the Official Secrets Act), which protect certain categories of information, and by her 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 let us know whether the Permanent Secretary is content to approve this application in line with the Committee's recommendation, and copy us into the final decision. I should also be grateful if you would ensure that we are informed as soon as Baroness Fall takes up this role, or if it is announced that she will do so (I enclose a form for this purpose). 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 Baroness Fall complied with the rules.

Once this appointment has been taken up or announced we will publish this letter on the Advisory Committee's website and include the main details, together with the Committee's advice, in both the regularly updated consolidated list on the website and in the next annual Report.

Yours sincerely

Sarah Parkington
Committee Secretariat

