



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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You sought the Committee's advice about taking up an appointment with the Policy Exchange.

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 an appointment as a Consultant at the Policy Exchange, a think-tank (with educational charity status) which focuses on research in areas such as jobs and growth; poverty and social mobility; and public services. You said this would be a paid and part-time role with a time commitment of four days per month.

You describe the role as providing support for research; sense checking and proofreading documents; and presenting papers and events. You said this appointment is likely to include some contact with Government, as the presentation of the Policy Exchange's findings may be to people involved in policy making across Government and politics. You also said you are likely to take an interest in development policy and so this could result in recommendations to former colleagues.

You told the Committee you are not aware of any relationship, contractual or otherwise, between your former department and the Policy Exchange; that you had no official dealings with the company, or its competitors, whilst you were in ministerial office; and that you had no access to commercially sensitive information.

The Permanent Secretary at your former department, the Department for International Development (DfID) was consulted on this application. DfID stated you had no official dealings with the Policy Exchange whilst you were in ministerial office; that it has no relationship with the Policy Exchange; and that you had no access to any sensitive information that would provide the Policy Exchange with an unfair advantage. DfID stated it has no concerns about you taking up this appointment.

The Permanent Secretary at the Ministry for Housing, Communities and Local Government (MHCLG) was also contacted about this application. MHCLG confirmed it has no concerns about this appointment.

The Committee's consideration

The Committee noted DfID confirmed it has no relationship with the Policy Exchange and that you had no official dealings with the Policy Exchange whilst you were in ministerial office. As such, the Committee considered the risk this appointment has been offered as a reward for decisions made in office, is low.

The Committee took into account that DfID said you had no access to any sensitive information that would provide the Policy Exchange with an unfair advantage. It also noted it has been approximately 12 months since you left DfID and almost 24 since you left the then Department for Communities and Local Government.

The Committee carefully considered your proposed contact with Government in this role. It came to the view that it would not be improper to discuss matters with your former colleagues, if Government asked for your views. Given your background and experience; and DfID's views, the Committee recognised that may be the case. However, should you seek to share findings and recommendations more widely, there is a risk this could be as improperly influencing Government, by virtue of your time in office. The Committee has applied the lobbying ban below which seeks to mitigate the risks here, but recognises some contact with Government would not be improper.

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 from your time in ministerial office; 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 Policy Exchange or its partners. This is not intended to prevent you from presenting findings and recommendations to Government *if Government has* requested. However, it would prevent you from making use, directly or indirectly, of your contacts in Government to influence policy or secure funding/business on behalf of the Policy Exchange 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 role, 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 where appropriate where appropriate, refer to it in the relevant annual report.

The Baroness Browning

Mr James Wharton

