



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

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By email: \_

Dear .

I am responding to your request for information under the Freedom of Information Act 2000 (the Act) which we received on 13 September 2018.

You requested:

1. *'Since 2012, how many applications for appointments by former ministers have resulted in Acoba recommending the appointment is not taken up? Please could you include the relevant letters by Acoba in those examples.'*
2. *'Since 2012, how many applications for appointments by MPs (who are not former ministers) have resulted in Acoba recommending the appointment is not taken up? Please could you include the relevant letters by Acoba in those examples.'*

**Background**

The Advisory Committee on Business Appointments (ACOBA) is independent from Government and its role is to provide advice on applications submitted under the Government's Business Appointment Rules (the Rules), by former Ministers and former senior Crown servants (it is not within ACOBA's remit to advise Members of Parliament specifically). In doing so it considers the risks posed by an application and advises on the conditions that should apply. It is not ACOBA's role to pass judgment on the appointment/employment with regard to other matters.

The Rules for former Ministers seek to counter suspicion that:

1. 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
2. an employer could make improper use of official information to which a former Minister has had access; or

3. there may be cause for concern about the appointment in some other particular respect.

## **Response**

It is ACOBA's policy to publish its advice online when an appointment/ employment has been taken up and/ or publicly announced. The Committee takes very seriously the public interest in knowing what the final advice to applicants is, where they have taken up an outside appointment. This allows for those having taken up outside appointments to be held to account on the basis of that advice. Advice is available on ACOBA's gov.uk pages.

Until this point, the process is confidential between ACOBA and the applicant to allow the free and frank provision of information, including discussion on what would, and would not, be considered appropriate under the Rules. This provides that where an individual has been advised an appointment would be unsuitable, for example, the applicant can properly consider that advice. Provided the appointment is not taken up, that advice remains in confidence.

ACOBA's experience is that when there are cases which raise significant risks under the Rules (and therefore would likely be considered unsuitable), applications may change. For example, applicants may subsequently revise a proposed role, having been alerted to the propriety risks presented by an application. In these cases, the Committee may be able to advise on conditions that appropriately mitigate the reduced risks presented by an amended application; in other cases, applications are withdrawn.

## **Next steps**

If you are unhappy with this response to your request, you may write to the senior manager with responsibility for ACOBA, Peter Lawrence, at the address below to ask for an internal review. Please note that we will not normally accept an application for internal review if it is received more than two months after the date that the reply was issued.

Peter Lawrence  
Room G/08, 1 Horse Guards Road  
London  
SW1A 2HQ  
Email: [acoba@acoba.gov.uk](mailto:acoba@acoba.gov.uk)

If you are not then content with the reply, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office  
Wycliffe House, Water Lane, Wilmslow  
Cheshire  
SK9 5AF

Yours sincerely,

Sarah Parkington  
**Committee Secretariat**