



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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19 December 2018

You asked for the Committee's advice on taking up an appointment with Accloud PLC.

The Committee's remit

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.

It is not the Committee's role to pass judgment on whether an appointment is appropriate or suitable in any other regard.

Appointment details

You sought the Committee's advice on taking up a paid and part-time role working as a Non-executive Director at Accloud PLC (Accloud), a company that provides accounting and business management software; operating globally with partners which include IBM.

You said you would undertake the same general legal responsibilities to the company as any other director. Duties are to include attending meetings of the board of directors including additional meetings should the company become engaged in acquisitions, investments or other corporate transactions.

You confirmed you had no dealings with Accloud during your last two years in office; were not aware of any relationship between your former department, the Department for International Development and Accloud; had no dealings with its competitors; and have had no involvement with the sector or industry in which your prospective employer operates prior to your role as Secretary of State.

The Department for International Development was consulted and confirmed the details you provided were correct. This included that it has no relationship with Accloud and that you have not made any decisions that would affect Accloud and its competitors whilst you were Secretary of State. The Department said this appointment raises no issues of concern.

Committee's consideration

When considering this application the Committee took into account that this appointment has no connection with your ministerial role at the Department for International Development. It particularly noted you had no dealings with Accloud whilst in office; and it is aware of no objective reason it might be perceived this appointment is a reward for decisions or actions in office.

It is assessed it is unlikely you are aware of any specific information that might unfairly assist Accloud, given your role and responsibilities whilst in office were unrelated; and the time that has lapsed (it has been approximately 13 months since you left ministerial office).

Given your seniority and profile as a Secretary of State, there is a risk it could be perceived your contacts might assist Accloud unfairly. Therefore, it imposed the conditions below, to make it clear that any use of your contacts gained in Government/Whitehall to Accloud's advantage would be inappropriate.

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 Accloud PLC or its partners, nor should you make use, directly or indirectly, of your contacts in Government and/or Crown service to influence policy or secure business on behalf of Accloud PLC 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.*"

The Committee also notes that in addition to the conditions imposed on this appointment, there are separate rules in place with regard to your role in the House of Commons.

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, refer to it in the relevant annual report.

The Baroness Browning

The Rt Hon Priti Patel MP