



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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1. You approached the Committee about taking up an appointment with speaking agencies: Washington Speakers' Bureau and London Speakers' Bureau.

The Committee's role and remit

2. It is the Committee's role to advise on the 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.
3. 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.
4. It is not the Committee's role to pass judgment on whether an appointment is appropriate or suitable in any other regard.

Appointment Details

5. You seek to take up appointments with Washington Speakers' Bureau (WSB) and London Speakers' Bureau (LSB). These agencies arrange speaking opportunities nationally and internationally to a range of audiences. This is a part-time, paid appointment.
6. You informed the Committee you had no official dealings with WSB or LSB during your last two years in office. Further, you are not aware of any relationship between HM Treasury (HMT) and WSB or LSB; and had no dealings with their competitors or access to commercially sensitive information about competitors.
7. The Permanent Secretary at HMT was consulted and confirmed to the Committee: HMT has no relationship with WSB or LSB and HMT has no concerns about you taking up this appointment.

The Committee's consideration

8. When considering this application, the Committee¹ took into account this appointment has no connection with your ministerial role as Chancellor. It particularly noted you had no dealings with WSB or LSB whilst in office. HMT further stated that they had no official dealings with either WSB or LSB. Therefore, the Committee considered there is no objective reason it might be perceived this appointment is a reward for decisions made or actions taken from your time in office.
9. The Committee did not consider this appointment raises any propriety concerns under the Government's Business Appointment Rules, however it would like to draw your attention to the conditions below. In particular, the restriction that you should not draw on privileged information available to you from your time in office. As former Chancellor, the Committee noted you have significant knowledge of fiscal and monetary policy, including taxation and trade policy. The Committee also recognised that as Chancellor, you played a significant role in preparing the UK's exit from the EU. However, there are significant mitigating factors, including that Brexit negotiations are ongoing and policies continue to evolve and there has been a change in administration since you left office. It is therefore possible, any information you were privy to has already, or will shortly, be made public or will no longer be relevant.
10. Cabinet Ministers are subject to a 3 month waiting period. However, it has already been 3 months since your last day in Crown service, providing a gap between your access to sensitive information in your role as a Cabinet Minister, and taking up these speaking arrangements.

¹ This application for advice was considered by Sir Alex Allan; Jonathan Baume; Baroness Angela Browning; Mike Weir; Terence Jagger; Dr Susan Liautaud; Richard Thomas; Lord Larry Whitty and John Wood.

From the Chair

11. 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 organisation to which this advice refers) any privileged information available to you from ministerial office. In the context of this general provision, the Committee considers you should specifically avoid giving Washington Speakers' Bureau or London Speakers' Bureau, or its subsidiaries, partners or clients, privileged insight into Brexit related issues (whether generally or regarding fiscal matters) insofar as they pertain to the negotiating positions prior to the date upon which you left ministerial office of the UK Government, any EU institution or any other EU Member State; 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 Washington Speakers' Bureau or London Speakers' Bureau, nor should you make use, directly or indirectly, of your government and/or Ministerial contacts to influence policy or secure funding on behalf of Washington Speakers' Bureau or London Speakers' Bureau or their partners/clients.
12. 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.
13. 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.*"
14. 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.
15. 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.

From the Chair

16. 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 Philip Hammond MP