



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

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**BUSINESS APPOINTMENT APPLICATION: The Rt Hon. the Lord Barwell**

Dear Lord Barwell,

You sought the Committee's advice on taking up a commission with PricewaterhouseCooper (PwC) under your independent consultancy.

**Commission details**

PwC are among the leading professional services helping organisations and individuals by delivering quality in assurance, tax and advisory services. You informed the Committee that you will work as a strategic adviser to the firm, working with their client teams to provide insight on long-term geopolitical and macroeconomic trends. You will also advise on large scale organisational and transformation change.

You informed the Committee during your time as Chief of Staff to the Prime Minister, you spoke at a dinner hosted by PwC for a number of business leaders about Brexit developments. However, you had no official dealings with competitors of your prospective employer; nor involvement with policy decisions that could have affected PwC. Further, though you had no responsibility for contracts awarded to PwC, in your role as Minister of Housing you had responsibility for officials who may have had contracts with PwC.

The Cabinet Office countersigned this application and confirmed the details. It acknowledges some of your clients may have contractual relationships with them and that you had contact with PwC where you spoke at a dinner for business leaders about Brexit. However, this would be considered routine engagement for your former role.

The Department said due to your seniority in No.10 and wide portfolio, you may have had political influence on decisions affecting many sectors. Further No.10 confirmed you were involved in some policy decisions at No.10 in line with his responsibilities as Chief of Staff. Therefore, it said that as Chief of Staff, it is possible you may have had access to

commercially sensitive information whilst at No.10 that may be of value to future clients. However, you noted no contractual dealings with PwC or competitors and to your knowledge no access to commercially sensitive information.

### **The Committee's consideration**

This commission fits within the description of your consultancy - to provide advice on public policy, current affairs; and giving the occasional speech.

The Committee notes PwC is known to have a relationship with UK Government. However, the Committee noted you made no specific decisions or took any action that could be seen to be in expectation of this work whilst at No.10. Therefore, the risk this work could be considered as a reward is low.

The Cabinet Office stated there is nothing to suggest you had any involvement in policy decisions that would have affected PwC specifically, although the Committee recognised your work at No.10 was broad. Due to your role as the Prime Minister's Chief of Staff, there is a risk this role would be seen to offer an unfair advantage via sensitive information and contacts gained in office. However, the inherent risks are mitigated by the conditions applied to your consultancy below (which prevent the use of privileged information you had access to; and prevent the use of your contacts to the unfair advantage of your client, including securing work with the UK Government.) It is also relevant that it has been more than three months since you left office and there has been a change in administration at No.10.

However, there may be potential risks associated with the unknown nature of its clients. Specifically, should they be a company or organisation you or the Government had a commercial relationship with or where you had some influence in respect of their work whilst in post at No.10. Therefore, the Committee considered it would be appropriate to impose an additional condition to prevent you from advising PwC's clients where it involves working on matters you had an influence in whilst at No.10.

Taking into account these factors, in accordance with the Government's Business Appointment Rules, the Committee's advice is that this **commission with PricewaterhouseCooper** be subject to the conditions which are attached to your consultancy:

- 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 Crown service. In the context of this general provision, the Committee considers you should specifically avoid giving your clients (including parent companies, subsidiaries and partners), privileged insight into Brexit related issues, insofar as it as it pertains to the negotiating position of the UK Government prior to the date upon which you left Crown service office;
- for two years from your last day in Crown service, you should not become personally involved in lobbying the UK Government on behalf of your clients (including parent companies, subsidiaries and partners); nor should you make use, directly or indirectly, of your contacts in Government and/or Crown service to influence government policy, or secure business or funding on their behalf;

- for two years from your last day in Crown service, you should not undertake any work as a consultant that involves providing advice to any company organisation on the terms of, or with regard to the subject matter of, a bid with or contract relating directly to the work of, the UK Government;
- for two years from your last day in Crown service, before accepting any commissions and/ or before extending or otherwise changing the nature of any commission, you should seek advice from the Committee. The Committee will decide whether each commission is consistent with the terms of the consultancy and consider any relevant factors under the Business Appointment Rules.

In addition, the Committee considered this commission with PricewaterhouseCooper be subject to the following conditions

- **for two years from your last day in Crown service, you should not advise PricewaterhouseCooper or its clients on work with regard to any policy decision in which you had material role in developing or determining as Chief of Staff at No.10, or where you had a relationship with the relevant client during your time as Chief of Staff at No.10.**

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 could let me know when you take up this commission, or if it is announced that you are to do so. This will enable the Committee to publish this letter on the Committee's website, and where appropriate, refer to it in the relevant annual report.

Once this 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.

Yours sincerely

Tiffany Amusu  
Committee Secretariat