

From the Chair



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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1. You approached the Committee about taking up an appointment as a Senior Advisor at Teneo.

The Committee's role and remit

2. 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.

3. 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.

4. 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.

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

Appointment Details

6. You state Teneo is an advisory and consulting service. The website states that Teneo operates globally, providing strategic services, such as supporting senior leaders on communications, corporate affairs, investor relations and marketing. The organisation operates in strategy & communications advisory, management consulting and risk advisory.

7. You wish to take up a paid, part-time role with Teneo, as a Senior Advisor and describe the role as working with existing Teneo clients to give advice on global trends and international affairs. You said your particular focus will be in the energy sector covering subjects such as:

- Legislation in place internationally to combat dangerous climate change
 - Different countries' approach and adherence to their Paris 2015 commitments
 - UN role in convening Conference of the Parties to drive global consensus to reduce carbon emissions
 - Technology progress towards renewable energy with particular reference to solar and offshore wind
 - The role of other energy sources such as nuclear to deliver on climate targets,
 - Financial structures that promote new energy sources, such as auctions and direct subsidies
- Diversity, advising how the strength and success of organisations are enhanced by more diversity at every level of employment. You hope to provide advice about how to attract and keep a more diverse workforce.

8. You confirmed you do not expect to have contact with the Government in this role.

9. With regard to your time in office, you confirmed that during the last two years (spanning The Department for Work and Pensions (DWP) and the Home Office), you did not meet with Teneo; you hold no sensitive information related to Teneo or its competitors and that you were not involved in any specific policy decisions or developments that could have affected Teneo.

10. DWP confirmed the above, but did state that you took part in an event as a panel member, organised by Teneo. DWP confirmed to the Committee that it has no relationship with Teneo and as the focus of Teneo's business is not core business for DWP, it is unlikely that you would have had dealings with competitors of Teneo, or gained information in this role that would give Teneo a competitive advantage.

11. BEIS was also contacted in regards to this application, as you were Secretary of State for Energy and Climate Change between 2015 and 2016. Although you held this role over 3 years ago, the focus of your appointment with Teneo does relate to this former role. BEIS stated it has no concerns here and it cannot think of any companies that you should not advise on Teneo's behalf.

The Committee's consideration

12. When considering your application, the Committee¹ considered whether this appointment could be perceived as a reward for decisions taken in office. The Committee noted that you did have one engagement for an event which Teneo had organised as a panel member. However, it did note that you were not involved in funding or policy decisions. As such, the Committee did not consider it could reasonably be perceived you were offered this paid role as a reward for decisions made or actions taken in office.

13. The Committee noted that your former department does not operate specifically in the same field as your prospective employer so there is a low risk that you had access to any privileged information regarding policy or competitors that could unfairly benefit Teneo now. Any perceived risk will be sufficiently mitigated by the conditions attached to all former ministers which prevent the use of privileged information gained in office.

14. However, the Committee noted there may be potential risks associated with the unknown nature of Teneo's clients. Specifically, should they be a company or organisation you or DWP had a commercial relationship with or where you had some influence in respect of their work whilst in post. Therefore, the Committee considered it would be appropriate to impose an additional condition to prevent you from advising Teneo's clients where it involves working on matters you had involvement with in office.

15. The Committee also noted there is a possible risk of unfair advantage in relation to access to the contacts you gained while in ministerial office. The lobbying ban imposed below makes clear that it would be inappropriate for you to use your contacts across Government/Whitehall to the unfair advantage of Teneo. The Committee would also like to draw your attention to the ban on providing advice on a bid or contract relating directly to the work of the UK Government, including with regard to funding, to mitigate the risk you may offer an unfair influence in the Government's funding decisions in the future.

16. Taking into account these factors, in accordance with the Government's Business Appointment Rules, the Committee advises this appointment with Teneo 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;
- for two years from your last day in Ministerial office, you should not become personally involved in lobbying the UK Government on behalf of Teneo (including parent companies, clients, subsidiaries and partners). Nor should you make use, directly or indirectly, of your government and/or Ministerial contacts to influence policy, secure funding/business or otherwise unfairly benefit Teneo (including parent companies, subsidiaries, partners and clients);

¹ Sir Alex Allan; Jonathan Baume; Baroness Angela Browning; Richard Thomas; Mike Weir; Lord Larry Whitty and John Wood.

- for two years from your last day in office you should not advise Teneo or its partners or clients on the terms of, or with regard to the subject matter of, a bid or contract with, or relating directly to the work of the UK Government; and
- for two years from your last day in ministerial office, you should not advise Teneo or its clients on work with regard to any policy you had specific involvement or responsibility for as Secretary of State at the DWP, or where you had a relationship with the relevant client during your time as Secretary of State at the DWP.

17. 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.

18. 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.*"

19. 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; and 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.

20. 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.

21. 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.

22. 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 Amber Rudd