



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: Mr Paul Kissack

1. The Committee has been asked to consider an application from Mr Kissack, Director General for Strategy and Change for Department for Environment, Food and Rural Affairs (Defra), on taking up an appointment with Joseph Rowntree Group.
2. As Director General at Defra Mr Kissack was responsible for supporting Ministers and Senior Executive Team leading the organisation, setting strategy and providing communications, analytical and legal services.
3. Mr Kissack's last day in post was 10 July 2020 and his last day in Crown service is 7 August 2020.

Appointment Details

4. Mr Kissack sought the Committee's advice on taking up a paid and full-time role with Joseph Rowntree Group (JRG) as Chief Executive
5. Mr Kissack told the Committee the JRG comprises of:
 - The Joseph Rowntree Housing Trust (JRHT) – a registered housing association and care provider in York and the north-east of England.
 - The Joseph Rowntree Foundation (JRF) – an independent social change organisation working to solve poverty in the UK. It is a think tank and campaigning organisation.

Both JRF and JRHT are non-profit organisations. The website states that JRHT is a registered housing association and care provider in York and north-east England. It is working with the JRF to inspire social change. The JRF website says it is an independent social change organisation working to solve UK poverty. The JRF manages around 2,500 homes, half of which are located in the village of New Earswick, York. The rest are spread across North East England. It carries out research and analysis and campaign work on social and economic policy issues relating to poverty. It uses research, policy, collaboration and practical solutions to action change.

6. Mr Kissack informed the Committee that he applied for this advertised role. As Group Chief Executive he will be responsible for the overall strategic leadership of the Group (reporting to a Board of Trustees), comprising both the Housing Trust and the Foundation.

It will be a fairly standard charity CEO role, for a medium-sized charity operating predominantly in York and the north-east of England. He said this will include:

- sound financial management of a large foundation (c £400m), ensuring high standards in our services and complying with regulatory standards (e.g. Social Housing Regulator, CQC, Charity Commission)
- ensuring the work of the Foundation is high quality and of high impact
- representing both the Trust and Foundation publicly and with senior local stakeholders and commissioners.

7. Mr Kissack told the Committee he expected states this role will likely involve some contact with government. The JRHT has regular contact with Government and independent regulators. JRF (one of the organisations within the Group) is a think tank and campaigning organisation. He says its mission - to end poverty and reduce inequalities - is one which '*... any Government would publicly support, reducing regional inequalities in particular was a central plank of the current Government's manifesto for example*'. He says JRF would certainly scrutinise any Government's approach and lobby for changes where it feels changes are needed. It has a reputation for working closely with other think tanks and academia and, **if invited**, with Government is generally calm and credible voice: which is how he would wish it to continue while he is Group CEO.

8. Mr Kissack informed the Committee he had no contact with JRG during his time in service and had no involvement in policy decisions or development during his time in service. He also highlighted that he has never worked for the departments that held responsibility for the sector in which JRG operates in. He said the only small chance of overlap with policy was from his time at the Department of Education (2014-2017) but that is likely to be relatively minimal and is not a priority focus of the Foundation. Further, there is no relationship between Defra and JRG as such he had no involvement in awarding contracts or funding.

9. The Defra was contacted about this application confirming the details he provided. It further said it had no concerns regarding this appointment and is satisfied that there are no conflicts of interest or perceived conflicts of interest, should this appointment be agreed.

The Committee's consideration

10. The Committee¹ noted that his role is not directly related to his time in office. It particularly noted he had no dealings with the organisation whilst in office; and it is aware of no reason it might be perceived this appointment is a reward for decisions or actions taken in office.

11. The Committee also noted as a former Director General he may have general access to policy and information that could be perceived to benefit JRG. However, he has not had access or involvement with any relevant policy in his recent position in Crown service and his proposed work is unrelated to his recent positions. The Committee considered his time at the DfE might have some overlap with his proposed role with JRG, but noted this was over three years ago. Therefore, the Committee considered the risk he could offer an unfair advantage to JRG through his access to sensitive information is low. However, the Committee would also draw his attention to the ban on using privileged information.

12. The Committee considered whether Mr Kissack's proposed contact with the Government in his proposed role would be proper. He noted there may be occasions

¹ This application for advice was considered by Sir Alex Allan; Jonathan Baume; The Rt Hon Lord Pickles; Richard Thomas; Mike Weir; Lord Larry Whitty; Dr Susan Liautaud and John Wood

where the government might want to engage with JRG on policy issues relating to this sector. The Committee considered the nature of the company was relevant, JRG is a charity focussed on social change and therefore there is limited scope for unfair advantage. However, the Committee also recognised there are other organisations operating in this space. In the circumstances it did not consider this proposed contact would be improper should the Government seek to ask for such engagement. However, the Committee would draw Mr Kissack's attention to the lobbying ban imposed below, which makes it clear he should not use his contacts in government to the unfair advantage of JRG.

13. Further, the restriction below on providing advice on the terms of a bid or contract relating directly to the work of the UK Government prevents him from providing an unfair advantage to JRG in respect of any future work with the UK Government.

14. The Prime Minister accepted the Committee's advice that, under the Government's Business Appointment Rules, Mr Kissack's role with Joseph Rowntree Group should be subject to the following conditions:

- that he should not draw on (disclose or use for the benefit of himself or the organisations to which this advice refers) any privileged information available to him from his time in Ministerial office;
- for two years from his last day in Crown service, he should not become personally involved in lobbying the UK Government on behalf of the Joseph Rowntree Group (including parent companies, clients, subsidiaries and partners). This would not prevent him from discussing policy matters on behalf of the Joseph Rowntree Group with Ministers or officials should he be invited to do so by the UK Government. However, it would prevent him from making use, directly or indirectly, of your government and/or Ministerial contacts to influence policy, secure funding/business or otherwise unfairly benefit of Joseph Rowntree Group (including parent companies, subsidiaries, partners and clients); and
- for two years from his last day in Crown service he should not involve himself in work on or advice to the Joseph Rowntree Group, its partners or subsidiaries, in relation to the terms of bids or contracts relating directly to the work of the UK Government.

15. 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.

16. 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."

17. I would be grateful if you would ensure that we are informed as soon as Mr Kissack's role is live, or if it is announced that he will do so (I enclose a form for this purpose). We shall otherwise not be able to deal with any enquiries, since we do not release information about appointments which have not been taken up or announced, and this could lead to a false assumption being made about whether he had complied with the rules.

18. I should also be grateful if you would ask that Mr Kissack informs us if he proposes to expand or otherwise change the nature of his role, depending on the circumstances, it may be necessary for him to make a fresh application.

19. Once Mr Kissack's role is live and/or he has announced this is the case, we will publish this letter on the Committee's website and in the relevant annual report.

Isabella Wynn

Committee Secretariat