



## **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 with I (X) Investments.

### The Committee's role and remit

2. As you will be aware, 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.

### The Application

5. You sought the Committee's advice on taking up a paid and part time position as a Senior Advisor with I (X) Investments. You found out about the role through a personal contact.

6. I (X) Investments is a Multi-strategy impact investing platform that aims to address key areas for social impact such as renewable energy, affordable housing and tech and information. The companies it holds are primarily American and Canadian. It is owned by Guggenheim partners, a large global investment and advisory financial services firm.

7. You stated your role would involve working with the company's board, CEO and senior management to focus on developing and managing strategic relationships with private equity firms and impact investment platforms in the UK. You would also support the Sustainable Future initiative in its formation and operation; a project which was established by the Prince's Foundation and aims to generate investment from the world's leading families in causes with social impact and high returns.
8. You advised the Committee you did not meet with I (X) Investments whilst in office as either at the Home Office or the Northern Ireland Office. You further stated you did not have any involvement in any relevant policy development or decisions that would have affected I (X) Investments and no commercial or contractual responsibilities relating to I (X) Investments.
9. You also informed the Committee that you have been appointed as Independent Advisor to the Prime Minister on the Grenfell. You stated that this was advisory and explicitly independent of the Government.
10. The Home Office and Northern Ireland Office were contacted about your application and confirmed the information as you provided.
11. In regards to your continuing role as an independent advisor to the PM as this involved continued contact with Government, the Ministry for Housing, Communities and Local Government (MHCLG) were consulted. MHCLG confirmed it there were no known connections between I (X) Investments and the Grenfell Tower Public Inquiry; you have not met with I (X) Investments or any social housing providers in the course of your role as independent advisor; nor have you been provided with access to any confidential information pertaining to social housing policy (such as the unpublished White Paper) and found no evidence of a conflict.

#### The Committee's consideration

12. The Committee<sup>1</sup> considered the department's responses confirming you had no contact with I (X) Investments or involvement in relevant policy. It therefore assessed the risk that this may have been offered this role as a reward for actions taken in office as low.
13. The Committee noted as a former Minister you may have general access to policy and information that could be perceived to benefit I (X) Investments. However, you have not had access or involvement with any relevant policy in your recent ministerial role and your proposed work is unrelated to your recent ministerial positions.
14. The Committee noted your ongoing role as Independent Advisor to the Prime Minister on Grenfell. The Committee gave weight to MHCLG's view on this matter, noting it had no concerns in relation to any relationship with I (X) Investments; with regard to your access to information. The Committee also notes that this role is strictly independent from Government and advisory.
15. Overall, the Committee considered the risk you could offer an unfair advantage to I (X) Investments as a result of information gained in office is low. The Committee would though, draw your attention to the privileged information ban which prevents you from drawing on any such information.

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<sup>1</sup> Your application was considered by Sir Alex Allan; Jonathan Baume; Lord Eric Pickles; Richard Thomas; Mike Weir; Lord Larry Whitty; Dr Susan Liautaud and John Wood.

16. The Committee noted a generalised risk that you may utilise your Government network to the unfair benefit of I (X) Investments. Though there is no proposed contact with Government in your role so the risk is low the Committee would nevertheless draw your attention to the lobbying ban preventing you from contacting and lobbying Government on behalf of I (X) Investments.

17. The Committee therefore recommends that this appointment be made subject to the following conditions:

- You should not draw on (disclose or use for the benefit of yourself or the persons or organisations to which this advice refers) any privileged information available to you as a Minister or in any capacity in which you continue to work with the UK Government;
- for two years from your last day in Ministerial office, you should not become personally involved in lobbying the UK Government on behalf of the I (X) Investments (including parent companies, 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 those you advise under your independent consultancy (including parent companies, subsidiaries and partners);
- for two years from your last day in office you should not advise I (X) Investments (including parent companies, subsidiaries and partners) 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.

18. 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 Ministerial Code/Civil Service Code or otherwise.

19. 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.*"

20. I should be grateful if you would inform us as soon as you take up this appointment, or if it is announced that you will do so. 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 Ministerial Code. Similarly, I should be grateful if you would inform us if you propose to extend or otherwise change your role with the organisation as depending on the circumstances, it might be necessary for you to seek fresh advice.

21. 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.

Rt Hon The Lord Pickles

The Rt Hon Nick Hurd