



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

G/7 Ground Floor, 1 Horse Guards Road SW1A 2HQ

Telephone: 020 7271 0839

Email: [acoba@acoba.gov.uk](mailto:acoba@acoba.gov.uk)

Website: <http://www.gov.uk/acoba>

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1. You asked for the Committee's advice about taking up an appointment with BBOXX Ltd.

### The Committee's role and remit

1. 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.
2. 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 sought the Committee's advice on taking up a paid and part-time role with BBOXX Ltd (BBOXX) as a Senior Advisor.

6. You state BBOXX provides affordable, clean energy solutions. Its website states BBOXX designs, manufactures, distributes and finances solar systems to improve access to energy across Africa and the developing world. It states BBOXX helps the developing world to climb the Energy Ladder and with BBOXX products, customers have the ability to have a western energy experience off-the-grid and in rural areas.

7. You said you expected that your role will involve advising the company on specific projects such as the development of their political and multilateral engagement strategy, as well as supporting direct engagement with key stakeholders, including overseas governments. You told the Committee that you will have no involvement in lobbying British Ministers or officials for any action that will benefit the company financially. However, you said given that the company operates in a space (access to clean energy) that is very relevant to Climate Change policy and delivery of the Sustainable Development Goals, you may be involved in sector/thematic events or policy discussions that involve UK Ministers and officials. However you confirmed they will not be specific to the Company.

8. You informed the Committee you had no contact with BBOXX in your most recent role with the Northern Ireland Office (NIO). However, you noted that as Minister for Department for International Development, DFID, (between 2015 and 2016) you had minimal contact with the company and any decisions you took as a Minister on programmes was for the benefit of the broader sector/agenda. You are not aware of any decisions you took which benefited BBOXX Ltd directly or exclusively.

9. You further informed the Committee you had no involvement in policy decisions in your recent role but do state as Minister for DfID you oversaw work to broaden and accelerate access to energy in sub Saharan Africa. You further said members of the BBOXX senior management have on occasion met representatives of DFID and BEIS. BBOXX has an ongoing relationship with CDC<sup>1</sup> with which it is in discussions in relation to potential debt/funding opportunities to BBOXX group companies in Africa and also for developing a relationship with Grid Works. In terms of Grants from the UK Government, BBOXX is in discussions with UK Innovate in relation to an Energy Catalyst round 6 Grant but no decision has been taken.

10. The Northern Ireland Office was contacted about this application confirming the details you provided.

### The Committee's consideration

11. This role is not directly related to your recent time in office though the Committee<sup>2</sup> recognised as Minister at DfID you led much of the Government work in this area and met with BBOXX. The Committee has therefore given consideration to the risk, under the Business Appointment Rules, that this appointment may be seen as a reward for your time in office. The Committee considered it relevant that a number of years have passed since you held a ministerial role with DfID. Therefore, there has been a significant gap between your responsibility in this area and you taking up this role. In these circumstances, the Committee considered the risk you took action or made decisions in office in expectation of this work is low.

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<sup>1</sup> CDC is a public limited company owned entirely by the UK Government and in particular the Department for International Development. Its objective is to support growth and jobs that lift people out of poverty and to make a financial return which it invests into more businesses.

<sup>2</sup> This application for advice was considered by Sir Alex Allan; Johnathan Baume; Baroness Browning; Terence Jagger; Richard Thomas; Mike Weir, Lord Larry Whitty; Dr Susan Liautaud; John Wood.

12. The Committee noted as a former Minister you may have general access to policy and information that could be perceived to benefit BBOXX. 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. Therefore, the Committee considered the risk you could offer an unfair advantage to BBOXX low. The Committee would also draw your attention to the privileged information ban.

13. The Committee noted that you may interact with Ministers at events and conferences, where they might be in attendance. You noted there may be occasions where the government might want to engage with BBOXX on policy issues and the Committee did not consider this would be improper should the Government seek to ask for such engagement. However, the Committee considered it would not be appropriate for you to instigate engagement with Ministers or officials on behalf of your new employer. The lobbying ban below makes it clear that you must not improperly make use of your contacts in Whitehall/Government.

14. Taking into account these factors, in accordance with the Government's Business Appointment Rules, the Committee advises this appointment with BBOXX Ltd 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, its Arms Length Bodies or any government-owned body on behalf of BBOXX Ltd (including parent companies, subsidiaries and partners). This would not prevent you from discussing policy related to BBOXX Ltd with Ministers or officials should you be invited to do so by the UK Government. However, it would prevent you from making use, directly or indirectly, of your government and/or Ministerial contacts to influence policy, secure funding/business or otherwise unfairly benefit of BBOXX Ltd (including parent companies, subsidiaries, partners and clients); and
- for two years from your last day in office you should not advise BBOXX Ltd 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, its Arms' Length Bodies or any government-owned body.

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 should be grateful if you would inform us as soon as you take up this appointment with Access 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.

18. 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.

19. 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 Nick Hurd