



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: Lord Ian Duncan of Springbank

1. The Committee has considered your application to work with the Confederation of Forest Industries as its Chair.

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 sought the Committee's advice on taking up a paid part time role as Chair for the Confederation of Forest Industries (Confor). The role was advertised.

7. Confor is a trade body representing the forestry sector. Its website states its aim is to *'to support sustainable forestry and wood-using businesses through political engagement, market promotion and supporting our members' competitiveness.'* It is a not-for-profit organisation that works and lobbies on behalf of the private forestry and wood sector.

8. The role is for the new Chair of Confor. You stated this role's main functions would be to:

- Support and advise the Chief Executive
- Lead the Management Board
- Guard the interests of the members by ensuring that the association pursues its agreed objectives
- Deal with any grievances against the Chief Executive
- Preside over the AGM and lead the association's representation at meetings

9. You said the role would likely require contact with the Government - given Confor's work this would most likely be the Department of Food and Rural Affairs (DEFRA), but possibly your former department, the Department for Business and Industrial Strategy (BEIS). However, you stated the principal lead on these matters would be the CEO rather than yourself as Chair.

10. You informed the Committee you had no contact with Confor during your time in office and had no involvement in policy decisions or development during your time in office that would have impacted Confor. You also stated you did not make any commercial or contractual decisions that would have affected Confor.

11. Your former departments Northern Ireland Office, the Scottish Office and BEIS were contacted about this application confirming the details you provided. All stated no further concerns regarding this appointment. BEIS confirmed you did not work on policy of specific relevance under your ministerial portfolio and that you have no access to sensitive information, such as unannounced policy.

The Committee's consideration

12. The Committee noted that whilst there is a broad overlap, this role with Confor is not directly related to your responsibilities whilst in office as Parliamentary Under Secretary of State for Climate Change. It particularly noted you had no dealings with the organisation whilst in office; and it is aware of no reason it might be perceived this unpaid appointment is a reward for decisions or actions taken in office.

13. The Committee noted that you may have had general access to policy and information that could be perceived to benefit any organisation, including Confor. However, your former departments confirmed you have not had access to information; nor involvement with any specific policy that would risk you offering an unfair advantage to Confor. Therefore, the risk associated with your access to sensitive information is low. However, the Committee would also draw your attention to the ban on using privileged information from your time in office.

14. The Committee noted you propose to have some contact with the Government in this role. One of the organisation's main focus is to lobby for the interests of its members. The Committee noted this is a not-for-profit organisation which represents a sector focussing on sustainability that is broadly aligned with Government goals with regards to Net Zero. However, all former Ministers are prevented from lobbying the Government for two years

after leaving office to mitigate the risks you would be seen to offer your employer an unfair advantage in this regard. The Committee considered it would not be improper for you to have contact with the Government to discuss matters aligned with Government policy, but **not** where your contact could be perceived to be lobbying the Government. The Committee would draw your attention to the lobbying ban imposed below, which makes it clear you should not use your contacts in government to the unfair advantage of Confor.

15. Further, the restriction below on providing advice on the terms or subject matter of a bid or contract relating directly to the work of the UK Government prevents you from providing an unfair advantage to Confor in respect of any future bid for funding from the UK Government as a result of your time in office as a Minister.

16. In accordance with the Government's Business Appointment Rules, the Committee advises this appointment be 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; and
- for two years from your last day in Ministerial office, you should not become personally involved in lobbying the UK Government, Scottish Government or Irish Executive or their arm's length bodies on behalf of the Confederation of Forest Industries (including parent companies, subsidiaries and partners). This would not prevent you from discussing policy matters on behalf of the Confederation of Forest Industries 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 the Confederation of Forest Industries (including parent companies, subsidiaries, partners and clients); and
- for two years from your last day in office you should not advise the Confederation of Forest Industries 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, Scottish Government or Irish Executive or their arm's length bodies

17. 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 Lords.

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 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 would be grateful if you would ensure that we are informed as soon as you take up your role or Confor announces it. 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.

21. Once you have taken up your role/it has been announced we will publish this letter on the Committee's website and in the relevant annual report.

The Rt Hon the Lord Pickles

The Rt Hon the Lord Duncan of Springbank