

*From the Chair*



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

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You approached the Committee about taking up an appointment as a Senior Fellow with Policy Exchange Ltd.

The Committee's role and remit

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.

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.

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

## The Application

You sought the Committee's advice on taking up the position of Senior Fellow with Policy Exchange Ltd (Policy Exchange). Policy Exchange is a think tank and an educational charity.

You said this would be a part time appointment, involving 2 days of work per month. You said the role will be to provide strategic advice and guidance and produce policy papers on matters such as post Brexit trade policy and national security and extremism. You confirmed the role would not include contact with, or lobbying of, your former department, the Department for Transport (DfT), or the Government more widely.

You confirmed you had no official dealings with Policy Exchange during your time in office; were unaware of any contractual or non-contractual relationship between DfT and Policy Exchange; and had no dealings or access to commercially sensitive information about Policy Exchange's competitors. DfT was contacted about this application. It confirmed the details you provided above, and stated it has no concerns about you taking up the appointment.

## The Committee's consideration

The Committee<sup>1</sup> noted, from the information provided by both you and your former department, that you did not meet with Policy Exchange and were not involved in policy or funding/contractual decisions about Policy Exchange while in office. The Committee therefore assessed the risk of this appointment being seen as a reward for decisions made in office as low.

When considering your application the Committee took into account that Policy Exchange is a think tank and therefore has a general interest in policy. Therefore there is a risk you could have had access to general policy information, not yet in the public domain, that could be seen to benefit Policy Exchange. Therefore, the Committee would draw your attention to the conditions below which prevent you from using privileged information from your time in office.

As is the case for all former Ministers, the Committee noted that you would have had access to a wide range of contacts across Whitehall and within the Government. Therefore the conditions below make it clear that you may not make use of your contacts gained in office to the unfair advantage of Policy Exchange. Further, whilst this is not part of your role, The Committee considered it appropriate, as it does in many case, to apply a condition that prevents you advising on bids and contracts should Policy Exchange wish to work with the Government in the future.

Taking into account the specific facts in this case, in accordance with the Government's Business Appointment Rules, the Committee advises the appointment with Policy Exchange 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;

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<sup>1</sup> This application for advice was considered by Sir Alex Allan; Jonathan Baume; Baroness Angela Browning; Dr Susan Liataud; Terence Jagger; Richard Thomas; Lord Larry Whitty; Mike Weir and John Wood.

- for two years from your last day in Ministerial office, you should not become personally involved in lobbying the UK Government on behalf of Policy Exchange Ltd (including parent companies, subsidiaries and partners), nor should you make use, directly or indirectly, of your government and/or Ministerial contacts to influence policy or secure funding/business or otherwise unfairly benefit Policy Exchange Ltd (including parent companies, subsidiaries, partners and clients); and
- for two years from your last day in office you should not advise Policy Exchange 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

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 or otherwise.

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."*

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 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 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.

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.

The Baroness Browning

Ms Nusrat Ghani MP