



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: Rt Hon Sir David Lidington

1. You sought advice from the Advisory Committee on Business Appointments (the Committee) under the Government's Business Appointments Rules for Former Ministers (the Rules) on taking up a commission to work with Cicero/AMO under your Independent Consultancy.

The Committee's role and remit

2. The purpose of the Rules is to protect the integrity of the Government. Under the Rules, the Committee's remit is to consider the risks associated with the actions and decisions you made during your time in office, alongside the information and influence you may offer clients, based on the information provided by you and your former department.

3. The Committee considered whether this appointment was unsuitable given your former ministerial role, but the Committee must also consider the information provided by you and your previous department about your dealings in this area whilst Minister of State for the Cabinet Office. The Committee has advised that a number of conditions be imposed to mitigate the potential risks to the Government associated with this commission under the Rules; this does not imply the Committee has taken a view on the appropriateness of this commission for a former Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office in any other respect.

4. The Ministerial Code sets out that former ministers must abide by the Committee's advice. It is an applicant's personal responsibility to manage the propriety of any appointment. Former ministers of the Crown, and Members of Parliament, are expected to uphold the highest standards of propriety and act in accordance with the 7 Principles of Public Life.

Appointment Details

5. You sought advice on working for Cicero Group/AMO (Cicero) on behalf of Dell Technologies (Dell). The website states Cicero is a full-service communications and market research agency. It said it designs and delivers '*...award-winning corporate, brand,*

political and regulatory campaigns across all major business sectors from our offices in London, Brussels and Dublin'. Dell Technologies is an American multinational technology company. It provides digital products/solutions and services.

6. You are proposing to advise Cicero/Dell in reaction to Cicero's work with Dell on stimulus tracking and government affairs work. Your role would be to provide advice to directors and senior managers.
7. With reference to your time in office, you confirmed:
 - You had no official contact with Cicero, but acted as a guest speaker at small dinners or breakfasts attended by about a dozen businesses which Cicero hosted. You noted these took place during the annual Conservative Party Conference where you spoke in general terms about the government's policy on European affairs and the economy.
 - You had no official dealings with Dell Technologies though there is a chance they may have been present at one or more of many business events you spoke at.
 - You have no involvement in relevant policy or commercial decisions, including no access to commercially sensitive information.
8. The Cabinet Office confirmed it has no concerns about you taking up this work. You were responsible for coordinating overall government policy on outsourcing for the delivery of public services which is published policy (the Outsourcing Playbook) and it is not aware of any sensitive information you may hold. It has no record of you meeting with either company and confirmed you had no access to commercially sensitive information. The Cabinet Office said its records show:
 - no large public sector contracts (those of greater value than £10,000) with Cicero.
 - Dell has £16,796 of spend with the public sector (which the Cabinet Office considered to be a very small amount).
 - Dell is a supplier on two Crown Commercial Service frameworks: Technology Projects & Associated Products, and Technology Products 2.
 - You were not responsible for decisions on commercial frameworks.

The Committee's Consideration

9. You described your independent consultancy as providing strategic advice and briefing to directors and senior managers, including, but not limited to, analysis of political developments both in the United Kingdom and at European and international level. The Committee considered this commission to be broadly in keeping with the terms of your independent consultancy.
10. The Committee noted you had no contact with Cicero or Dell whilst in office, did not award any contracts to the company or make any decisions that would have specifically affected either company. Therefore it considered the risk that this work may be a reward for actions taken whilst in office is low.
11. The Committee considered there is a risk with regards to your contacts within government made during your time as a minister and the influence you may provide through this, particularly given Cicero would be offering advice on Government affairs. The lobbying condition in place on your independent consultancy prevents you from offering an unfair advantage in this regard. Further, the conditions in place on your independent

consultancy prevent you from assisting or advising on the procurement of any Government work Cicero and/or Dell.

12. The Cabinet Office had no concerns about your access to sensitive information, such as unannounced policy that might be of advantage to Cicero/Dell, though any inherent risk here is mitigated by the conditions below.

13. In accordance with the Government's Business Appointment Rules, the Committee advises this role with **Cicero/AMO and Dell Technologies** be subject to the same conditions as your independent consultancy:

- that you should not draw on (disclose or use for the benefit of yourself or the organisation to which this advice refers) any privileged information available to you from ministerial office. In the context of this general provision, the Committee considers you should specifically avoid giving those you advise under your independent consultancy, or its subsidiaries, partners or clients, privileged insight into the Brexit related issues, insofar as it as it pertains to the negotiating position of the UK Government and other parties to the negotiations prior to the date upon which you left ministerial office;
- for two years from your last day in ministerial office, you should not become personally involved in lobbying the Government on behalf of those you advise under your independent consultancy (including clients, 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 clients, parent companies, subsidiaries and partners);
- for two years from your last day in ministerial office, you should not provide advice to any company or organisation on the terms of, or with regard to the subject matter of, a bid with, or contract relating directly to the work of the UK Government; and
- for two years from your last day in ministerial office, before accepting any commissions for your independent consultancy and or/before extending or otherwise changing the nature of your commissions, you should seek advice from the Committee. The Committee will decide whether each commission is consistent with the terms of the consultancy and consider any relevant factors under the Business Appointment Rules.

14. 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.

15. 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."

16. We should be grateful if you would ensure that we are informed as soon as you take up this position, 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 which have not been taken up or announced, and this could lead to a false assumption being made about whether you have complied with the Rules.

17. You must also inform the Committee if you propose to extend or otherwise change the nature of this commission as, depending on the circumstances, it may be necessary for you to make a fresh application.

18. Once this commission has been publicly announced or is live we will publish this letter on the Committee's website, and where appropriate, refer to it in the relevant annual report.

The Rt Hon Lord Pickles

Rt Hon Sir David Lidington