



## 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 with Finito Education Ltd under your independent consultancy, as a Mentor.

#### 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.

#### The application

5. You sought advice on taking up work as a Mentor for Finito Education Ltd (Finito), a mentoring and coaching provider. Its website states it helps first-time job hunters make the transition from education to employment; and helps them gain the necessary skills to move forward onto the first stages of a career in business. It offers one-to-one mentoring, coaching and guidance.

6. You said this role will involve occasional assignments, providing mentoring and coaching to executives looking for a career change and first-time job hunters on how to prepare themselves for the employment market.

7. You further stated:

- You did not meet Finito during his time in office
- You were not involved in relevant policy decisions or development
- You were not involved in awarding contracts or funding to Finito
- There was no relationship between your former department and Finito
- You did not meet with competitors of Finito
- You did not have access to sensitive information regarding the competitors

8. The Cabinet Office confirmed:

- You did not meet with Finito whilst in office.
- It had no information to suggest Finito held any significant contracts with the Government.
- It did not believe you made any policy decisions specific to Finito whilst in office; nor did you have access to any sensitive information with regards to unannounced policy or commercial information on its competitors.

#### Committee's consideration

9. The Committee considered this commission to be broadly consistent with the description of your independent consultancy, which is described providing strategic advice and briefing to directors and senior managers.

10. When considering this application the Committee took into account you and the Cabinet Office confirmed you did not attend any meetings with Finito, nor involvement in any policy decisions that affected the company. The Committee is not aware of any reason it might be perceived this appointment is a reward for decisions or actions taken in office.

11. Based on the information from the Cabinet Office, the Committee considered there was no specific risk attached to your access to information. The Committee also noted you left office over a year ago.

12. However, there are inherent risks attached to any work you take up given your access to information and contacts gained whilst in office. The Committee considered the conditions attached to your consultancy appropriately mitigate these risks.

13. In accordance with the Government's Business Appointment Rules, the Committee recommends that your appointment with **Finito Education Ltd** 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 organisations to which this advice refers) any privileged information available to you from your time in 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, the Civil Service Code 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. I should be grateful if you could let me know when you take up this commission, or if it is announced that you will do so. This will enable the Committee to 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