



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

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

May 2020

1. You approached the Committee about taking up an appointment as a trustee with the charity Action Against Gambling Harm.

The Committee's role and remit

2. 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.
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 an unpaid, part time role as a trustee with the charity Action Against Gambling Harm (AAGH). AAGH is a charity set up by Lord Chadlington, following an independent committee, in order to oversee

the best use of funds allocated by the top 5 gambling companies in the UK to promote safer gambling.

6. You said you were approached directly by Lord Chadlington about the appointment. You stated your role would be to ensure the charity carries out its key functions including: research, education and training, and managing the resources of the charity responsibly including assessing and managing risk.
7. As AAGH had not been established whilst you were in office the Committee noted you could not have had dealings with it whilst in office. You confirmed you had no dealings with organisations that could be seen as competitors with AAGH during your last two years in office or access to commercially sensitive information about these organisations. You stated there was no contractual relationship between your former department and AAGH.
8. The Department for Work and Pensions (DWP) was consulted and confirmed the details you provided were correct. It further confirmed you did not have any meetings with Lord Chadlington in your capacity as Secretary of State; and you had no access to relevant commercially sensitive information.

Committee's consideration

9. When considering this application the Committee¹ took into account that this appointment has no connection with your ministerial roles as Secretary of State at either the DWP, or the Home Office. It particularly noted that you had no dealings with the AAGH, a new entity, or Lord Chadlington as Secretary of State and it is aware of no objective reason it might be perceived this appointment is a reward for decisions or actions taken or made in office.
10. The Committee assessed it is unlikely you are aware of any specific information that might unfairly assist AAGH given your role and responsibilities whilst in office were unrelated and the time that has lapsed (it has been approximately 8 months since you left ministerial office).
11. Given your role and profile as a former Secretary of State, there is a risk it could be perceived your contacts might assist AAGH unfairly. Therefore the Committee imposed the conditions below to make it clear that any use of your contacts gained in Government/Whitehall to AAGH's advantage would be inappropriate.
12. Taking in to account these factors, in accordance with Government's Business Appointment Rules, the Committee advises this appointment be subject to the following conditions:

¹ This application for advice was considered by Sir Alex Allan; Jonathan Baume; Dr Susan Liautaud; Rt Hon Lord Pickles; Richard Thomas; Mike Weir; Lord Larry Whitty and John Wood.

- 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;
 - for two years from your last day in Ministerial office, you should not become personally involved in lobbying the UK Government on behalf of Action Against Gambling Harm (including 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 Action Against Gambling Harm (including parent companies, subsidiaries, partners and clients).
 - for two years from your last day in office you should not advise Action Against Gambling Harm 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 or its arm's length bodies.
13. 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.
14. 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."*
15. I should be grateful if you would inform us as soon as you take up this role, 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.
16. 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.
17. 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 Rt Hon Lord Pickles

Rt Hon Amber Rudd