



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

Room G/8, 1 Horse Guards Road, London, SW1A 2HQ

Telephone: 020 7271 0839

Email: acoba@acoba.gov.uk

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

November 2020

1. You sought the Committee's advice on taking up a paid, part time role with Internet Matters as Chair. You confirmed you had taken up this appointment on the 1st September 2020, before the Committee received this application.
2. The Government's Business Appointment Rules apply by virtue of the Ministerial Code, paragraph 7.25 of which states that Ministers must '*seek advice from the independent Advisory Committee on Business Appointments (ACoBA) about any appointments or employment they wish to take up within two years of leaving office. Former Ministers must ensure that no new appointments are announced, or taken up, before the Committee has been able to provide its advice.*'
3. You wished to apologise to the Committee for accepting this role without seeking its approval first. You explained to the Committee you had accepted the invitation to Chair Internet Matters verbally some time ago and delayed your start date due to other pressures on your time. You said you were intending to apply to the Committee during this period and failed to do so in the '*...mistaken belief that as long as nothing was announced publicly [you] had time to put the matter right*'. You informed the Committee you would not make any announcement about the role until you hear the decision the Committee has made.
4. To fulfil the remit given to it by the Government, the Committee needs to be able to consider an application fully and freely before offering its advice. It is impossible to do this in a way that will command public confidence if an appointment has already been announced and/or taken up.
5. The Committee noted this is an organisation that is related to your ministerial responsibilities. The Committee noted DCMS confirmed you met with Internet Matters at stakeholder events and your policy decisions will have affected the sector, not specifically Internet Matters, though may have been of relevance. You did request that Internet Matters sit on the Executive Board of the new UK Council for Internet Safety in 2018. DCMS noted details of its online harms policy have been developed since you left office in July 2019 and said it does not believe you would have any knowledge of unannounced Government policy that could give Internet Matters an unfair advantage in this role.
6. The Committee therefore recognises the risks associated with this application are low, and your apology for the oversight on this occasion. Nonetheless, it finds it

unacceptable that you made your application retrospectively. Although this appears to have been in error, this is a clear breach of the Rules and as required by the Ministerial Code.

7. The Committee would take this opportunity to remind you to ensure that any potential future employer is fully aware of your duties to seek and receive final advice before taking any action to formalise an appointment or put the information in the public domain.

The Rt Hon Lord Pickles

Margot James