



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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September 2020

BUSINESS APPOINTMENT APPLICATION: Lord Ian Duncan of Springbank

1. The Committee has considered your application to work with the Charlotte Street Partners as a Consulting Partner.

The Committee's role and remit

2. It is the Committee's role to advise on any 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.

3. 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.

4. 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.

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

Appointment Details

6. You sought the Committee's advice on taking up a paid, part time role as Consulting Partner for Charlotte Street Partners.

7. Charlotte Street Partners describes itself as a company which advises on long-term reputation and brand management, crisis and special situations, employee engagement and media and political relations. They offer services across internal and external communications including in sustainability strategy, financial and corporate communications and executive coaching and counsel.

8. You stated you would be providing strategic advice on developments within the EU-particularly in the field of environmental affairs, the current political landscape and constitutional matters. You said you would also be offering training in public speaking, persuasion, negotiation and forensic analysis/debate.

9. You stated the role would not involve any contact with the Government and noted the role was drawing on your experience from previous roles before Government, working public affairs and as an MEP.

10. You informed the Committee you had no contact with Charlotte Street Partners during your time in office and had no involvement in policy decisions or development during your time in office that would have impacted Charlotte Street Partners. You also stated you did not make any commercial or contractual decisions that would have affected Charlotte Street Partners.

11. Your former departments, the Northern Ireland Office, the Scottish Office and the department for Business Energy and Industrial Strategy were contacted about this application. Each has sight of the details you provided above and none had any concerns with regard to you taking up this appointment.

The Committee's consideration

12. The Committee noted that whilst there is an overlap given the nature of Charlotte Street Partners' work, you confirmed you had no official dealings with Charlotte Street Partners whilst in office and made no decisions with regard to the company in office. None of your former departments raised any concerns in this regard and the Committee is aware of no reason it might be perceived this appointment is a reward for decisions made or actions taken in office.

13. The Committee considered as with all cases, you may have had access to policy or other sensitive information generally that could be perceived to benefit Charlotte Street Partners or its clients. The Committee further noted the unknown risks associated with Charlotte Street Partners' client base. These clients could be organisations you met in office or where you were involved in policy decisions or formulation that affected the client. The Committee concluded that to fully mitigate the risk it would be necessary that a condition is applied preventing you from advising on any policy that you had a material role in developing or determining, or where you had official contact with the client whilst in office. The Committee would also draw your attention to the ban on using privileged information from your time in office.

14. As a former minister you will have a wide network of contacts in government/ Whitehall. Therefore, the Committee would draw your attention to the condition below, applied to all former ministers, which prevents you from lobbying any UK Government or executive you worked with in office, including indirectly. It would also be inappropriate for

you to advise Charlotte Street Partners (and its clients) on contracts and bids for government work, to prevent any unfair advantage in this regard.

15. In accordance with the Government's Business Appointment Rules, the Committee advises this appointment be subject to the following conditions:

- 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, Scottish Government or Northern Ireland Executive or their arm's length bodies on behalf of Charlotte Street Partners (including parent companies, subsidiaries partners and clients). 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 Charlotte Street Partners (including parent companies, subsidiaries, partners and clients);
- for two years from your last day in office you should not advise Charlotte Street Partners or its partners or clients on the terms of a bid or contract with, or relating directly to the work of the UK Government, Scottish Government or Northern Ireland Executive or their arm's length bodies; and
- for two years since your last day in office, you should not advise Charlotte Street Partners or its clients on work with regard to any policy which you had a material role in developing or determining as Parliamentary Under Secretary of State for Climate Change, Scottish Office or Northern Ireland, or where you had a relationship with the relevant client in these roles.

16. The Committee also notes that in addition to the conditions imposed on this appointment, there are separate rules in place with regard to your role in the House of Lords.

17. 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.

18. 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."

19. I would be grateful if you would ensure that we are informed as soon as you take up your role or Charlotte Street Partners announce it. 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 he had complied with the rules.

20. Once you have taken up your role/it has been announced we will publish this letter on the Committee's website and in the relevant annual report.

The Rt Hon the Lord Pickles

The Rt Hon the Lord Duncan of Springbank