



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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1. You sought the Committee's advice on taking up a commission with Chadlington Consultancy Limited under your independent consultancy.

The Committee's role and remit

2. As you will be aware, 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:

- 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
- an employer could make improper use of official information to which a former Minister has had access; or
- 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.

Commission details

5. You wish to take up a paid, part time role with Chadlington Consultancy Limited (Chadlington Consultancy), under your consultancy. This work has been specifically

described as working on issues of addiction, specially through establishing a new charitable body to tackle gambling harms. You told the Committee this work will be with a newly formed charity called Action Against Gambling Harm. In July 2019 the five largest gambling companies in the UK agreed to contribute £100m in instalments between 2020 and 2023 and 1% of annual revenues thereafter, to safer gambling initiatives. To decide how the money should be managed, a committee chaired by Lord Chadlington was set up and it decided to establish the Action Against Gambling Harm charity. You were approached by Lord Chadlington to take on this work through his consultancy - Chadlington Consultancy.

6. You informed the Committee you did not have any official dealings with, nor were you involved in any policy decisions or developments that could be seen to affect Chadlington Consultancy.

7. The Permanent Secretary at the Home Office confirmed the details of your application and has no concerns about you taking up this commission under your independent consultancy.

The Committee's consideration

8. The Committee¹ noted that this commission is consistent with the description of your consultancy which you described as giving advice related to loneliness and the connected issues, including addiction.

9. The Committee noted that this commission is not directly related to your time in office. Neither of your former departments (the Home Office and the Department for Health and Social Care) have the policy responsibility for Gambling, which sits with the Department for Culture, Media and Sport); and the work here related to a charity that is in the process of being set up. Therefore, the Committee considers the risk of this appointment being seen as a reward for decisions made in office is low.

10. The Committee considered that by virtue of your role, as a former Minister, it could be perceived you have access to general sensitive information and would remind you of the privileged information ban that applies to all former ministers on leaving office, to mitigate the risks associated with your access to information.

11. As with any former Minister, you will have contacts within the UK Government. This is particularly relevant as Chadlington Consultancy has asked for your advice in relation to Action Against Harm, which may seek funding from the UK Government in future, though the Committee recognises it is being set up as a vehicle to manage a levy paid by the gambling industry. Therefore, the Committee would therefore draw your attention to the conditions attached to your consultancy which prevent you from making use of contacts gained during your time in office to the unfair advantage of your clients; and the ban on you advising your clients in relation to a bid or contract with the UK Government.

12. Taking into account the specific facts in this case, in accordance with the Government's Business Appointment Rules, the Committee advises your work with

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

Chadlington Consultancy Limited 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 Ministerial office;
- for two years from your last day in Ministerial office, you should not become personally involved in lobbying the UK Government on behalf of those you advises under your independent consultancy (including parent companies, subsidiaries and partners), nor should you make use, directly or indirectly, of your government and/or Ministerial contacts to influence policy or secure funding/business or otherwise unfairly benefit those you advises under your independent consultancy (including parent companies, subsidiaries, partners and clients);
- for two years from your last day in 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 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. (This does not apply for one-off speaking engagements, but you should seek the Committee's advice if in doubt of the nature of the work and whether it first this description).

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 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 appointment, 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 Ministerial Code. Similarly, I should be grateful if you would inform us if you propose to extend or otherwise change your commission as depending on the circumstances, it might be necessary for you to seek fresh advice.

16. Once this 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.

Seema Kennedy

The Baroness Browning