



## **OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS**

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1. You approached the Committee for advice on taking up an appointment with Liftshare Ltd as the Chair of the Advisory Board.

### 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:

- 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.

### The Application

5. You sought the Committee's advice on taking up a paid, part-time position as the Chair of the Advisory Board at Liftshare Ltd (Liftshare). You informed the Committee Liftshare is a car share with trusted, reviewed and rated members. It is a fast growing car-sharing start-up in Norfolk, founded by a young entrepreneur, Ali Clabburn, from your Mid Norfolk constituency. Liftshare provides car-share schemes for companies, events, and large scale organisations with large car-based employees. Its mission is to '*...make car-sharing as normal as recycling*'.

6. You said as this company grows, the founder and CEO is aware he will need to develop his internal governance and has asked you to chair a new advisory board of leading thinkers and experts in the field - to help support the company's growth and international expansion. You said your proposed role will include:

- chairing the Liftshare advisory board
- helping recruit Key Opinion Leaders (KOLs)
- chairing meetings
- helping shape Liftshare's agenda

7. You said you do not expect this role to involve any contact with government, this role is an internal role helping the company move from a small start-up to a scale-up business.

8. You advised the Committee you believe a representative of Liftshare attended one of many round tables with emerging companies in the transport space which you attended as a minister. You said you did not make any commercial or contractual decisions affecting Liftshare while in office. Nor did you have any involvement in relevant policy development or decisions. You also said you did not meet with competitors, nor did you have access to sensitive information on these competitors.

9. You also informed the Committee that you are currently an adviser to the Prime Minister for the Taskforce on Innovation, Growth and Regulatory Reform in your role as an MP backbencher.

10. The Department for Transport (DfT) was contacted regarding your application. DfT confirmed the details you gave in your application and confirmed a representative from Liftshare attended the launch of the 2019 T-TRIG competition in September 2019. This involved you chairing a roundtable with transport start-ups to discuss the future of mobility and the role of small and medium sized enterprises. The department also said Liftshare is a stakeholder who has responded to a number of recent consultations and attended workshops run by the department since you have left office (for example, a workshop on Shared Mobility in 2019, and workshops in the Transport Decarbonisation Plan in 2020).

11. DfT informed the Committee you approved DfT running approximately £30,000 in funding for the T-TRIG 2019 competition. This competition awarded funds

to a number of start-ups, including Liftshare (with Appyway). However, the department confirmed you were not involved in the decision making process on who received the funding. DfT confirmed the winners of the competition were judged by officials, to agreed processes, with the outcome sent to you for information only.

12. DfT did not have any concerns with you taking up this work and recommended the standard conditions.

### The Committee's consideration

13. The Committee<sup>1</sup> noted there is a general overlap with your role as Minister for Transport. You met with Liftshare while in office on one occasion and other transport start-up organisations were present. You were responsible for signing off overall funding to a competition in this sector, and Liftshare were successful in receiving funding. However, the Committee placed weight in DfT's confirmation you were not involved in the decision making process - who was awarded funding was decided by officials following due process. Therefore, whilst there is an overlap, there is no suggestion you made decisions or took action in office in expectation of this role.

14. Given your role as Minister of State at DfT and your ongoing role as an adviser for the Taskforce on Innovation, Growth and Regulatory Reform, you may have access to sensitive information that would present an unfair advantage to Liftshare, especially if there is an overlap with your responsibilities in office. However, the department confirmed you had no access to relevant sensitive information. Further, it noted the amount of time that has now passed since you were in office (14 months). The Committee considered your ongoing duty of confidentiality and the conditions below which prevent you from drawing on your privileged information helps to mitigate any residual risk.

15. As above, there is a current funding relationship between Liftshare and your former department, DfT. As such, the Committee noted there was a risk you could be perceived to use your contacts and influence across government to unfairly benefit Liftshare, especially if you were to be involved in any future bid for funding or contracts from the UK Government. Therefore, the Committee would draw your attention to the below conditions preventing you from lobbying and advising on contracts and bids. These conditions make it clear that you should not use your contacts to influence government to the unfair advantage of Liftshare.

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<sup>1</sup> This application for advice was considered by Jonathan Baume; Andrew Cumpsty; Isabel Doverty; Sarah de Gay; The Rt Hon Lord Pickles; Richard Thomas; Mike Weir; and Lord Larry Whitty. Dr Susan Liataud was unavailable.

16. In accordance with the government's Business Appointment Rules, the Committee advises this appointment with **Liftshare Ltd** 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 from your time in ministerial office or in any capacity in which you continue to work with the UK government;
- for two years from your last day in ministerial office, you should not become personally involved in lobbying the UK government on behalf of Liftshare Ltd (including parent companies, subsidiaries, partners and clients); nor should you make use, directly or indirectly, of your contacts in the government and/or ministerial contacts to influence policy, secure business/funding or otherwise unfairly advantage Liftshare Ltd (including parent companies, subsidiaries, partners and clients); and
- for two years from your last day in office you should not provide advice to Liftshare Ltd 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.

17. 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 as a member of the House of Commons.

18. 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.

19. 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.*" This Rule is separate and not a replacement for the Rules in the House.

20. 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. 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 role with the organisation as depending on the circumstances, it might be necessary for you to seek fresh advice.

21. 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.

The Rt Hon Lord Pickles

George Freeman MP