



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>

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1. You approached the Committee about taking up an appointment as a Senior Board Adviser for the International Group LTD.

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 and part time position as a Senior Board Adviser for the International Group LTD. The website states that the International Group (IG) is a private family business founded in the UK in 1964. You stated that it operates in the construction and commissioning of property development and leisure hospitals. The company states it has five business divisions:

- International Group - international property developer. The Group has acquired and developed projects in the following sectors: Leisure, Hotel, Residential, Farming and Commercial.
- International Hospitals Group - healthcare services companies operating globally in: feasibility studies, consultancy, design, construction, equipping, commissioning, management, recruitment and training staff for hospitals and other healthcare facilities.
- Stoke Park - founded in 1908 as the UK's first Country Club, IG notes it is a multi award-winning Hotel, Spa and Country Club.
- International Group Management - providing solutions and reducing risk for developers of high quality sports stadia and venues, lifestyle, city centre and sporting members' clubs, spas and luxury hotels.
- eGames Group- manages the commercial and sponsorship rights of The eGames – an international video game competition

6. You state this role will be to provide general advice to the board in respect of the company's risk and strategy, and to lend assistance to its international contracted relationships where appropriate. You do not expect this role to involve contact with the Government.

7. You advised the Committee that during your time in office: you did not meet with IG or its competitors; you had no official dealings with IG; were not involved in policy decisions or development that could be seen to affect IG; had no access of sensitive information; and there is no relationship between your former department and IG.

8. The Foreign and Commonwealth Office (FCO) was also contacted in regards to this appointment. The FCO confirmed all of the above and has no concerns with you taking up this appointment.

The Committee's consideration

9. When considering your application, the Committee¹ considered whether this appointment could be perceived as a reward for decisions taken in office. You confirmed that in your previous role as a Minister of State for FCO you did not meet with IG and made no policy decision that would have affected them, further, though IG may work with governments, there is no relationship between IG and your former department. As such, the Committee did not consider it could reasonably be perceived you were offered this role as a reward for decisions made in office.

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

10. The Committee noted that you were not involved in policy development that could be seen to affect IG and the risks around your access to information are low. However, the Committee noted that you may have knowledge of policy in a general sense which could be perceived to offer an unfair advantage to the IG. Further, there is some risk in regards to the contacts you will have built up in office, especially as IG's website states it has worked with various governments. However, any inherent risks are sufficiently mitigated by conditions below which prevent you from: advising on bids and contracts which relate to the UK Government; using privileged information gained from your time in ministerial office; and lobbying government, including through the use of contacts made in office.

11. In accordance with the Government's Business Appointment Rules, the Committee advises this appointment as a Senior Board Adviser for the International Group LTD will be subject to the following conditions:

- 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 the International Group Ltd (including parent companies, subsidiaries, partners and clients); nor should you make use, directly or indirectly, of your contacts in the Government and/or Whitehall to influence policy, secure business/funding or otherwise unfairly advantage the International Group Ltd (including parent companies, subsidiaries, partners and clients); and
- for two years from your last day in office you should not advise International Group Ltd 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.

12. 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.

13. 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."*

14. 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

From the Chair

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

15. 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 Baroness Browning

The RT Hon Sir Alan Duncan