



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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1. You approached the Committee for advice on taking up an appointment as an associate for Property House Marketing.

The Committee's role and remit

2. 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 an advisor and consultant for Property House Marketing.

6. Property House Marketing is a communications services business for the property industry. Its website states it works throughout sales support, corporate communications and community engagement.

7. You told the Committee your role will be to advise and chair meetings. You stated this role is unlikely to include contact with the Government.

8. You advised the Committee you neither met with Property House Marketing; nor made any policy or contractual decisions relevant to Property House Marketing while in office. You also said you did not meet with competitors, nor did you have access to sensitive information on these competitors.

9. Your former department, the Department for Education (DfE), was contacted about this application. It confirmed you did not meet with Property House Marketing while in office; you were not involved in decisions that affected Property House Marketing nor its competitors; and you did not have access to sensitive information that would confer an unfair advantage to Property House Marketing. It further confirmed you did not have any meetings with competitors of Property House Marketing.

10. The department confirmed it does not have any concerns regarding this appointment.

The Committee's consideration

11. When considering your application, the Committee took into account that this has no direct overlap with your time in office. You and your former department confirmed you did not meet with Property House Marketing while in office. Further, you made no decisions regarding Property House Marketing or its competitors. Therefore the risk is low that this role was offered as a reward for actions taken while in office.

12. When considering your application, the Committee noted the inherent risk that as Minister you would have general access to sensitive information and contacts within Government that could provide an unfair advantage to any company. However, the Committee noted that the department raised no concerns regarding your access to sensitive information, and that you do not plan to have contact with the Government in your proposed role.

13. Nevertheless, the Committee would draw your attention to the conditions below preventing you from making use of privileged information or using your contacts across government, including its Arm's Length Bodies, to the unfair advantage of Property House Marketing.

14. The Committee also noted there may be potential risks associated with the unknown nature of Property House Marketing's clients. Whilst the Committee notes the business does not operate within the education sector, the Committee considered it would be appropriate to impose an additional condition to prevent you from advising Property House Marketing's clients where it involves working on matters you had involvement with in office, mitigating the inherent risks here.

15. In accordance with the Government's Business Appointment Rules, the Committee advises this appointment as an advisor for **Property House Marketing** 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 or its Arm's Length Bodies on behalf of Property House Marketing (including parent companies, clients, subsidiaries and partners). Nor should you make use, directly or indirectly, of your government or arm's length bodies and/or ministerial contacts to influence policy, secure funding/business or otherwise unfairly benefit Property House Marketing (including parent companies, clients, subsidiaries, partners and clients);
- for two years from your last day in office you should not advise Property House Marketing (including parent companies, clients, subsidiaries and partners) 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 or its Arm's Length Bodies; and
- for two years from your last day in ministerial office, you should not advise Property House Marketing (including parent companies, clients, subsidiaries and partners) on work with regard to any policy you had specific involvement or responsibility for as Minister of State at the Department for Education, or where you had a relationship with the relevant client during your time as Minister of State at the Department for Education.

16. 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 Ministerial Code/the Civil Service Code or otherwise.

17. 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.*"

18. 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.

19. 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

The Rt Hon Anne Milton