



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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May 2021

1. You approached the Advisory Committee on Business Appointments (the Committee) under the government's Business Appointments Rules for former ministers (the Rules) seeking advice on taking up an appointment as COP 26 Co-Chair for Policy Exchange. The material information taken into consideration by the Committee is set out in Annex A.
2. The purpose of the Rules is to protect the integrity of the government. Under the Rules, the Committee's remit is to consider the risks associated with the actions and decisions made during time in office, alongside the information and influence a former minister may offer Policy Exchange.
3. The Ministerial Code sets out that ministers must abide by the Committee's advice. It is an applicant's personal responsibility to manage the propriety of any appointment. Former ministers of the Crown, and Members of Parliament, are expected to uphold the highest standards of propriety and act in accordance with the 7 Principles of Public Life.

The Committee's advice

4. When considering this application, the Committee¹ took into account this role as COP Co-Chair is unpaid². Generally, the Committee's experience is that the risks related to unpaid roles are limited. The purpose of the Rules is to protect the integrity of the government by considering the real and perceived risks associated with former ministers using privileged access to contacts and information to the

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

² By unpaid the Committee means that no remuneration of any kind is received for the role. Applicants must declare where it is agreed or anticipated they may receive remuneration or some other compensation at some stage in the future.

benefit of themselves or those they represent; and to mitigate the risks that individuals may make decisions or take action in office in expectation of rewards, on leaving government. These risks are significantly limited in unpaid cases due to the lack of financial gain to the individual.

5. The Committee took into account that you did not meet with Policy Exchange while in office and there is no relationship between Policy Exchange and your former department. The Committee noted it is likely that trade bodies or other think-tanks may have attended events which you were present, however, you did not make any decisions regarding these organisations or Policy Exchange. Therefore, the Committee considered the risk you could be seen to have been offered this role as a reward for decisions made, or actions taken in office, was low.

6. The Committee noted as a former Secretary of State there is an inherent risk you could be perceived as having access to privileged information and knowledge, which could unfairly benefit Policy Exchange. However, the unpaid nature of this appointment limits the real and perceived risk of you making improper use of information you had access to while in office for your personal benefit. Further, 15 months have passed since you were in office.

7. The Committee noted you continue to represent the government as Early Years Healthy Development Adviser at the Department for Health and Social Care and would remind you of your ongoing duty of confidentiality in relation to information you had, and continue to have, access to.

8. The Committee also noted there is an inherent risk your contacts and influence within government could offer Policy Exchange an unfair advantage. However, as above, the unpaid nature of this appointment limits the real and perceived risk of you making improper use of contacts within government for your personal benefit. Further, the Committee noted your role does not involve contact with government.

9. As above, the Committee recognised that the risks in this unpaid appointment are limited. The Committee did not consider this appointment raises any particular proprietary concerns under the government's Business Appointment Rules. The standard conditions below, preventing you from drawing on your privileged information and using your contacts to the unfair advantage of Policy Exchange, will sufficiently mitigate the risks in this case.

10. Taking into account these factors, in accordance with the government's Business Appointment Rules, the Committee advises this appointment with **Policy Exchange** 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 Policy Exchange (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 benefit Policy Exchange (including parent companies, subsidiaries, partners and clients); and
- for two years from your last day in ministerial office you should not undertake any work with Policy Exchange (including parent companies, subsidiaries, partners and clients) that involves providing advice 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.

11. 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.

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

14. I should be grateful if you would inform us as soon as you take up this role, 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 Rules and the Ministerial Code.

15. Please also inform us if you propose to extend or otherwise change the nature of your role as, depending on the circumstances, it may be necessary for you to make a fresh application.

16. Once the 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. Andrea Leadsom MP

Annex A - Material information

The role

1. You said Policy Exchange '*are an educational charity whose mission is to develop and promote new policy ideas that will deliver better public services, a stronger society and a more dynamic economy*'. Its website states Policy Exchange conducts empirical research falling under three main themes: Jobs and Growth; Poverty and Social Mobility and Public Services. Examples of their research that have been taken on by government include Free Schools, Pupil Premium and directly elected police commissioners. Speakers have included General David Petraeus (former Director of the Central Intelligence Agency) and Jose Maria Aznar (former Prime Minister of Spain).
2. You stated you will be working on a series of events and papers in the run up to COP 26. This will be '*highlighting the UK's leading position in reducing carbon emissions and exploring new policy suggestions to accelerate the current road map*'.

Dealings in office

3. You stated you neither met with or made decisions regarding Policy Exchange while in office. You noted trade bodies and think tanks may have been present at events you attended, however you made no decisions on these organisations.
4. You also said you did not have access to sensitive information relevant to Policy Exchange.

Department Assessment

5. BEIS confirmed the details given in your application and stated it had no relationship with Policy Exchange.
6. The department had no concerns with regards to this application.