



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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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 a paid role as a member of the Advisory Board with the Phoenix Institute. The material information taken into consideration by the Committee is set out in the below annex.
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 the Phoenix Institute.
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 Consideration

4. The Committee¹ took into consideration that you did not have any official contact with the Phoenix Institute whilst in office and you did not make any policy or contractual decisions that would have specifically affected the Phoenix Institute. The risk that this commission is perceived as a reward for actions taken in office is therefore low.
5. The Committee noted this role with the Phoenix Institute does overlap with your time as Secretary of State at the Department for Work and Pensions (DWP). As such there is a risk you could have access to information that could provide an unfair advantage to the Phoenix Institute. However, the Committee gave weight to

¹ This application for advice was considered by Andrew Cumptsy; Sarah de Gay; Isabel Doverly; Jonathan Baume; The Rt Hon Lord Pickles; Dr Susan Liautaud; Richard Thomas; Mike Weir; Lord Larry Whitty.

the departments' confirmation it did not consider there to be risks relating to your access to information and noted the 21 months that have now passed since you left ministerial office. Alongside these mitigating factors and the condition below preventing you from drawing on your privileged information the Committee considered the risk is sufficiently limited.

6. The Committee would like to draw your attention to the below conditions which prevent you from lobbying the UK government, making improper use of your contacts, advising on contracts and bids related to the UK government.

7. In accordance with the government's Business Appointment Rules, the Committee advises this role with **the Phoenix Institute** 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 office;
- for two years from your last day in ministerial office, you should not become personally involved in lobbying the government on behalf of the Phoenix Institute (including clients, parent companies, subsidiaries and partners). Nor should you make use, directly or indirectly, of your government and/or ministerial contacts to influence policy, secure funding/business or otherwise unfairly benefit the Phoenix Institute (including clients, parent companies, subsidiaries and partners); and
- for two years from your last day in ministerial office, you should not provide advice to the Phoenix Institute (including clients, parent companies, 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.

8. 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.

9. 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/Civil Service Code or otherwise.

10. 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."

11. I should be grateful if you would inform us as soon as you take up this work 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.

12. 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.

Rt Hon The Lord Pickles

The Rt Hon Amber Rudd

Annex

The role

1. You informed the Committee that the Phoenix Institute is a new initiative being set up by the Phoenix Group (Phoenix Group is the UK's largest long-term savings and retirement business) to look at "The 100 year Life". It will be similar to a think tank and will consider the significance of savings and well being in general as part of increased longevity..

2. You said you will be one of 5 advisors meeting 3 to 4 times a year to consider the research, conclusions and actions that the new Institute will propose. You said you will be working with other members of the Advisory Board to consider the priorities for ensuring that the 100 year life is properly considered and part of society's planning. The board will be commissioning research and interpreting conclusions and will be making public statements and endeavouring to influence the key drivers to ensure the public can enjoy the possibility of the 100 year life.

3. You do not expect your role to involve contact with government.

Dealings in office

4. You stated you did not have contact with the Phoenix Group while you were in office. You stated that you had no involvement in policy or contractual decisions whilst in office that would have specifically impacted the Phoenix Group. You also said it does not directly touch on the work she did in government at the DWP. You further confirmed you did not meet with competitors of the Phoenix Group the Phoenix Group or have access to sensitive information about competitors of the Phoenix Group.

Department Assessment

5. The DWP was consulted on this appointment and confirmed the details you provided. It said, given the passage of time since you were the Secretary of State for DWP and that you would not be lobbying Government, it has no concerns about her taking up this role.