



## OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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1. You sought the Committee's advice on taking up a commission with Community Fibre.

### Commission details

#### **Community Fibre Ltd**

2. You sought to take up a paid commission with Community Fibre Ltd (Community Fibre), an organisation you described as '*the largest provider of Fibre-to-the-Home broadband in London*'. Community fibre has a focus on connecting council, housing association and Build to Rent developments, with an interest in bringing high speed connectivity to under-served parts of the city. You stated that, acting as a member of the Board, you will '*determine the business's long term strategic direction*' to support the business in '*building relationships with local authorities, housing associations and Build to Rent landlords*'.
3. You stated that as part of your former role as Chief of Staff to the Prime Minister you sat on an NSC board where one of Community Fibre's competitors, Huawei were discussed, however did not have dealings with any specific companies or trade bodies and did not make any decisions on Community Fibre or any of its competitors while in post.
4. The Cabinet Office confirmed the details of this application. It noted that as Chief of Staff you would have seen a wide range of information in post, including that relating to housing policy from your time in post. However, stated that this was not a prominent part of your portfolio at No.10 and that the '*currency of this information has reduced significantly, given the time that has passed*' and with a new administration in post. It also noted that such information is protected by the privileged information ban and your obligations under the Official Secrets Acts. Moreover, that this is a strategic role not prominent in your portfolio when in Government. No concerns were stated with you taking up this commission provided the usual conditions which prevent using privileged information, advising on a bid or contract in relation to and also prevent lobbying the Government are applied.

### Committee's consideration

5. The Committee<sup>1</sup> considered this commission fits within the description of your independent consultancy previously described as working within current affairs; public policy and delivering occasional speeches.
6. The Committee noted you had no official dealings with Community Fibre whilst at No.10. Additionally, you stated and the Cabinet office confirmed, you made no specific decisions regarding Community Fibre or their respective competitors while in post. The Committee considered there was no evidence this role was offered as a reward for decisions taken in office at No.10.
7. The Cabinet Office stated no concerns with you taking up this work subject to conditions already placed on your consultancy. However it noted that given your seniority, you would have had access to privileged information that could confer an unfair advantage. The Committee considered this would include information on housing policy, however in agreement with the Cabinet Office noted the length of time passed since your time in post and the appointment of a new administration within this time, allows for such information to have moved on substantially. Nevertheless, the Committee would draw your attention to conditions which apply below, and make it clear you must not draw on any privileged information from your time in office; and which that it would be inappropriate for you to lobby the Government for the commercial benefit of organisations.
8. Taking into account these factors, in accordance with the Government's Business Appointment Rules, the Committee advises your commissions with **Community Fibre Ltd** be subject to the conditions attached to your independent consultancy:
  - that you should not draw on (disclose or use for the benefit of yourself or the organisation to which this advice refers) any privileged information available to you from Crown service. In the context of this general provision, the Committee considers you should specifically avoid giving your clients (including parent companies, subsidiaries and partners), privileged insight into Brexit related issues, insofar as it as it pertains to the negotiating position of the UK Government prior to the date upon which you left Crown service office;
  - for two years from your last day in Crown service, you should not become personally involved in lobbying the UK Government on behalf of your clients (including parent companies, subsidiaries and partners); nor should you make use, directly or indirectly, of your contacts in Government and/ or Crown service to influence government policy, or secure business or funding on their behalf
  - for two years from your last day in Crown service, you should not undertake any work as a consultant that involves providing advice to any company organisation 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; and
  - for two years from your last day in Crown service, before accepting any commissions and/ or before extending or otherwise changing the nature of any commission, you should seek advice from the Committee. The Committee will decide whether each commission is consistent with the terms of the consultancy and consider any relevant factors under the Business appointment Rules.

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

9. 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 in the House of Lords.
10. 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.
11. 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."
12. I should be grateful if you could let me know when you take up this commission, or if it is announced that you are to do so. This will enable the Committee to publish this letter on the Committee's website, and where appropriate, refer to it in the relevant annual report.

Yours sincerely

Andrea Benjamin  
**Committee Secretariat**