



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: Jonathan Slater, commission with Federation Education Development (FED) under his Independent Consultancy.

1. You sought advice from the Advisory Committee on Business Appointments (the Committee) under the government's Business Appointments Rules for former Crown servants (the Rules) on taking up a role with the Federation Education Development (FED) under your independent consultancy. The material information taken into consideration by the Committee is set out in the 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 an applicant's time in office, alongside the information and influence a former Crown servant may offer the FED. The Committee has advised that a number of conditions be imposed to mitigate the potential risks to the government associated with this appointment under the Rules; this does not imply the Committee has taken a view on the appropriateness of this appointment in any other respect.
3. The Rules¹ set out that Crown servants must abide by the Committee's advice. It is an applicant's personal responsibility to manage the propriety of any appointment. Former Crown servants 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. You set up an independent consultancy to work on areas drawing on your generic skills and experience. You described it as focussed on advisory work

¹ Which apply by virtue of the Civil Service Management Code, The Code of Conduct for Special Advisers, The Queen's Regulations and the Diplomatic Service Code.

for local government and the Committee² considered this commission with FED falls broadly within the scope and advice previously offered on your consultancy.

5. When considering this application, the Committee noted the FED was yet to be established whilst you were in post.. Therefore, the risk you were offered this role as a reward for decisions made in office is low.
6. The department(s) confirmed it is likely you would have had information relating to insight into policy development that could provide an unfair advantage if used. It was also noted you did not have access to contractual or commercial information in addition to your confirmation this role will not include lobbying of the UK government. Further, you have an ongoing duty to confidentiality - The conditions attached to your consultancy preventing use of privileged information, lobbying, improper use of contacts and advising on a contract in relation to the UK government sufficiently mitigate any risks here.
7. The Committee advises, under the Government's Business Appointment Rules, that your commission with the Federation Education Development be subject to the conditions of your consultancy:
 - he should not draw on (disclose or use for the benefit of himself or the persons or organisations to which this advice refers) any privileged information available to him from his time in Crown service;
 - for two years from his last day in Crown service, he should not become personally involved in lobbying the UK government on behalf of those he advises under his independent consultancy (including parent companies, subsidiaries, partners and clients); nor should he make use, directly or indirectly, of his contacts in the Government and/or Crown service to influence policy, secure business/funding or otherwise unfairly advantage those he advises under his independent consultancy (including parent companies, subsidiaries, partners and clients);
 - for two years from his last day in Crown service he should not provide advice to any company or organisation 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; and
 - for two years from his last day in Crown service, before accepting any commissions for his independent consultancy and or/before extending or otherwise changing the nature of his commissions, he 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;

² This application for advice was considered by; Richard Thomas; Mike Weir; Larry Whitty; Isabel Doherty; Sarah de Gay and The Rt Hon Lord Pickles. Andrew Cumpsty, Jonathan Baume and Susan Liautaud were unavailable.

8. 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.
9. 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*'.
10. You must inform us as soon as you take up this work, or it is announced you will do so. Once the appointment has been publicly announced or taken up, we will publish this letter on the Committee's website.
11. Please also inform us if you propose to extend or otherwise change the nature of this role as, depending on the circumstances, it may be necessary for you to make a fresh application.

Yours Sincerely,

Andrea Benjamin
Committee Secretariat

Annex - Material information

The role

1. You requested to take on work under your independent consultancy, established to work on areas drawing on your generic skills and experience. You requested to take on a commission with the FED, providing advisory work on education.
2. The Federation Education Development website states FED is dedicated to promoting '*a long-term vision and plan for education in England. In the spirit of partnership, we provide an independent and neutral space for policy influencers from education, business, politics and beyond to shape the future*'. They work with government, business, education and other stakeholders, discussing how the education system can deliver for children, tackling needs of the economy, '*the challenges of Brexit and the impact of a world in flux*'.

Core partners, supporters and sponsors include: City & Guilds, Youth Employment UK and the National Literacy Trust.

3. You provided the following information:
4. *'FED is working on a wide range of stakeholders on the development of long-term, bottom-up vision for education, to be 'owned' by the sector, not by any particular Government'. Working groups for teachers, youth workers, academics, private sector and charity workers 'are developing different aspects of this vision for the FED' and your role will be to:*
 - Work with chairs of the groups to help on a joined up work programme for the next year
 - Facilitate discussions between stakeholders on the UK's four countries
 - Facilitate discussions between the FED and OECD³ education team
5. You confirmed that advice will not be on questions of government policy and will instead help participants (none of which are government or civil servants) to think strategically.
6. Your work will have the sole focus of development with a long-term vision designed beyond the timeframe of a specific parliament or government and as such will not include requests from the government (funding or otherwise) and will not include neither lobbying of or contact with HMG.

Department Assessment

7. The Department for Education (DfE) and Cabinet Office were consulted on this application and confirmed the details you provided, adding:
 - There is no relationship between the DfE and FED;
 - You had insight into policy development in education, however given the nature of FED's work being long-term thinking and setting strategic vision, has no concerns on this should the privileged information be applied;
 - The organisation has no direct competitors and you did not have access to commercially sensitive information that would give the organisation an unfair advantage;
 - You confirmed Carl Ward, Chair of FED, talks to parliamentarians across the political spectrum among others within his role, though you have not been asked for involvement in this;

³ The Organisation for Economic Co-operation and Development (OECD) is an international organisation working to build policies for *'better lives'*. They work with governments, policy makers and citizens on establishing evidence-based international standards and finding solutions to a range of social, economic and environmental challenges from fostering strong education; improving economic performance, creating jobs and fighting international tax evasion. Click [here](#) for further information.

- Stated no concerns with this appointment - Recommended the standard conditions usually applied to someone of your seniority be imposed, taking into account the privileged information, lobbying ban and reminder of your ongoing duty to confidentiality.