



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: Lord Frost of Allenton CMG, former Minister Of State in the Cabinet Office, appointment with Policy Exchange.

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 Senior Fellow with Policy Exchange. 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 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.

4. It should also be noted that in addition to the conditions imposed on this appointment under the government's Business Appointment Rules, there are separate rules in place with regard to your role as a member of the House of Lords.

The Committee's consideration of the risk presented

5. The Committee¹ took into consideration that you did have official contact with Policy Exchange whilst in office but you had similar interactions with other think tanks. Your former department also confirmed you did not make any policy or contractual decisions that would have specifically affected Policy Exchange. The

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

risk that this appointment is perceived as a reward for actions taken in office is therefore low.

6. The Committee noted that as the former Minister Of State in the Cabinet Office there is an inherent risk you could be perceived as having access to relevant privileged information and knowledge, which could unfairly benefit Policy Exchange. However, the Committee noted the nature of the organisation and it aims to help the government deliver policy and agenda. This limits the real and perceived risk of you making improper use of information you had access to while in office for your personal benefit and you have an ongoing duty of confidentiality.

7. The Committee also noted there are risks associated with your contacts and influence within government, this is especially relevant as there is a relationship between Policy Exchange and government. The Committee noted that your role will not include any contact with your former department or government more widely.

The Committee's advice

8. The Committee did not consider this appointment raises any particular proprietary concerns under the government's Business Appointment Rules. Whilst there are inherent risks associated with your access to sensitive information and contacts, the standard conditions below, preventing you from drawing on your privileged information and using your contacts to the unfair advantage of your new employer, will sufficiently mitigate the risks presented in this case.

9. In accordance with the government's Business Appointment Rules, the Committee advises this role with **Policy Exchange** 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 office;
- for two years from your last day in ministerial office, you should not become personally involved in lobbying the government or any of its Arm's Length Bodies on behalf of Policy Exchange (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 Policy Exchange (including clients, parent companies, subsidiaries and partners); and
- for two years from your last day in ministerial office, you should not provide advice to Policy Exchange (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 or any of its Arm's Length Bodies.

10. The advice and the conditions under the government's Business Appointment Rules relate to your previous role in government only; they are separate to rules administered by other bodies such as the Office of the Registrar of Consultant Lobbyists or the Parliamentary Commissioner for Standards. It is an applicant's personal responsibility to understand any other rules and regulations you may be subject to in parallel with this Committee's advice.

11. 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.

12. 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.*"

13. 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.

14. 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.

Lord Frost of Allenton CMG

Annex

The role

1. You wish to take up a paid part time role as a Senior Fellow with Policy Exchange. The website states Policy Exchange is ‘the UK’s leading think tank’. They 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 research predominantly falls under three main themes:
 - Jobs and Growth
 - Poverty and Social Mobility
 - Public Services

2. You said you will provide strategic guidance and written input to Policy Exchange’s work across a range of subject areas, covering foreign and domestic policy. You also informed the Committee you will provide commentary on agreed topics for the national print and broadcast media, and on social media; peer reviewing proposals, research reports and other written material by the Policy Exchange team in areas of specific interest; speaking at Policy Exchange events; attending fundraising meetings from time to time; and suggesting potential sponsors.

3. You informed the Committee your role would not involve contact with government.

Dealings in office

4. You stated you had dealings from time to time with Policy Exchange as a Minister as with other Westminster think tanks. You said he also spoke at an event sponsored by Policy Exchange at the 2021 Party Conference on 3 October and at a streamed discussion (with the Secretary of State for Northern Ireland) on 8 July. You also confirmed you wrote the foreword to a Policy Exchange piece on the history of the Brexit negotiations on 1 November. You also said you had dealings with most Westminster think tanks on the centre right in a similar way. For example you said you spoke at a Centre for Brexit Policy event at the 2021 Party Conference; gave the closing speech at the Centre for Policy Studies (CPS) annual conference on 22 November; at a stakeholder dinner for the Institute for Economic Affairs in early December etc.

5. You confirmed there is a normal relationship between a Department and a major think tank. But said you are not aware of any contractual relationship.

6. You also confirmed you did not make any contractual or policy decisions specific to Policy Exchange; nor did you have access to information that could provide you with an unfair advantage.

Department Assessment

7. The Cabinet Office was consulted on this appointment and confirmed the details you provided. It confirmed most, if not all, of the privileged information held by Lord Frost during his time as a Minister is now obsolete due to the progression of policy and even more notably, discussions and negotiations on the NI Protocol now being led by Foreign, Commonwealth and Development Office.

8. It has no concerns about you taking up this role.