



## OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

Room G/08, 1 Horse Guards Road, London, SW1A 2HQ

Telephone: 020 7271 0839

Email: [acoba@acoba.gov.uk](mailto:acoba@acoba.gov.uk)

Website: <http://www.gov.uk/acoba>

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### **BUSINESS APPOINTMENT APPLICATION: Baroness Sugg, Parliamentary Under Secretary of State at the Foreign, Commonwealth & Development Office. Appointment with Malaria No More UK.**

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 Chair of Board of Trustees for Malaria No More UK. The material information taken into consideration by the Committee is set out in the annex below.
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 Malaria No More UK.
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. When considering this application, the Committee<sup>1</sup> took into account this role as Chair of Board of Trustees is unpaid. 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 benefit of themselves or those they represent; and to mitigate the risks that individuals may make decisions or take action in office to in expectation of rewards, on leaving government.

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

These risks are significantly limited in unpaid cases due to the lack of financial gain to the individual.

5. The Committee noted Malaria No More UK works to influence governments and international organisations however, you confirmed you would have no contact with the government.

#### The Committee's advice

6. As above, the Committee recognised the risks in this unpaid appointment are limited. This role has no overlap with your time in office and the FCDO confirmed it has no concerns with you taking up this appointment. 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 in this case.
7. Taking into account these factors, in accordance with the Government's Business Appointment Rules, the Committee advises this appointment with Malaria No More UK 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;
  - for two years from your last day in ministerial office, you should not become personally involved in lobbying the UK or its arms' length bodies on behalf of Malaria No More UK (including parent companies, subsidiaries, partners and clients); nor should you make use, directly or indirectly, of your contacts in the government and/or Crown service to influence policy, secure business/funding or otherwise unfairly advantage Malaria No More UK (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 Malaria No More UK (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 or its arms' length bodies.
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 Lords.
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 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.*' This Rule is separate and not a replacement for the Rules in the House.
11. 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.
12. 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.
13. 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 Lord Pickles

## **Annex - Material information**

### The role

1. You seek to join Malaria No More UK in an unpaid, part-time role as Chair of Board of Trustees.
2. You said Malaria No More UK is a Charity to work to end malaria. The website states it aims to end malaria by:
  - influencing decision makers from governments, international bodies and leading corporations;
  - collaborating with and supporting partners on the front line and in the policy arena; and
  - Raising awareness in political corridors, the press and more

3. You said you would join the Board of Trustees as Chair. Responsibilities include leading board meetings, overseeing strategy, ensuring good governance and working with CEO and senior leadership team to further the aims of the charity – to end malaria in a generation.
4. You said this appointment would not include any contact or dealings with your former department or government more generally.

#### Dealings in office

5. You said you did not have any involvement with Malaria No More UK whilst in office. You confirmed you did not have access to sensitive information relevant to Malaria No More UK and did not meet with competitors of Malaria No More UK.

#### Department Assessment

6. The Foreign, Commonwealth & Development Office confirmed the details you provided, stating they have no concerns with this appointment and recommended that the standard restrictions be attached.