



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: Dr Munira Mirza, former Director of No. 10 Policy Unit, Cabinet Office. Application to establish Civic Future.

1. Dr Munira Mirza 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 her proposal to establish a new not-for-profit venture called Civic Future. The material information taken into consideration by the Committee is set out in the annexe.
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 Dr Mirza's time in office, alongside the information and influence a former Crown servant may offer Civic Future.
3. 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 a former Crown servant setting up a not-for-profit initiative such as Civic Future in any other respect.
4. 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 consideration of the risk presented

5. Dr Mirza said Civic Future's main activity will be to offer fellowships each year on a competitive basis, involving participation in seminars, visits and conferences, and the possibility of a limited number of paid work placements in relevant organisations such as think tanks or media companies. She stated that Civic Future will also offer a programme of events for people working in public life such as *'politicians, special advisers, civil servants, officials or non-executive members of public sector bodies, academics and journalists'*.

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

6. As Dr Mirza is setting up a new organisation and has declared she is not seeking funding for this venture from anyone she had involvement with in office, the risk this venture could be seen as a reward for decisions or actions taken in office is low.
7. It would not be improper for Dr Mirza to set up a not-for-profit venture which draws on her generic skills and experience she gained from her time in Crown service. The Committee² considered the risk Civic Future could be considered to gain from her privileged insight that is unavailable to its competitors as a result of her time in office. Whilst she will have had oversight of a wide range of information and policy, there is no direct overlap with her access to sensitive information. The Cabinet Office was not aware of any specific information that was of risk and considered the 8 months that have passed since her time in office and the changes in administration since she left office significantly reduced the risk associated with the advice.
8. Given her role at the centre of government, there are risks associated with her influence. Dr Mirza said she will not be seeking contact with the government as part of her role. However, she did state that she might seek to organise ticketed events where civil servants, special advisors, politicians and public sector officials may attend. It would be improper for her to use her contacts in office to the unfair benefit of her initiative, including in relation to setting up and attendance at these events.
9. Dr Mirza said she will be seeking funding from philanthropic donations from individuals and foundations. There is a risk this could be perceived as Dr Mirza using the contacts she made in government in order to fund CF. Dr Mirza is aware of this risk and stated that she will *'not seek funding from any individual or organisation that I have met as a result of my time in government, or with any individual or organisation that is currently engaged in a public sector contract or seeking to gain one'*.
10. It is also relevant that Dr Mirza developed skills and experience in the education sector from her previous public sector roles, in particular, whilst she was Deputy Mayor of London for Education and Culture.

The Committee's advice

11. The Committee would draw Dr Mirza's attention to the conditions below, specifically the conditions which prevent her from making use of her contacts in office to unfairly benefit Civic Future in seeking funding/business for this new venture. The Committee determined the remaining risks can be appropriately mitigated by the conditions below. These make it clear Dr Mirza cannot make use of her access to privileged information or influence gained from her time in Crown service to the unfair advantage of her new venture.
12. The Committee advises under the government's Business Appointment Rules that Dr Mirza's role in setting up and running Civic Future should be subject to the following conditions:
 - she should not draw on (disclose or use for the benefit of herself or the persons or organisations to which this advice refers) any privileged

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

information available to her from her time in Crown service;

- for two years from her last day in Crown service, she should not become personally involved in lobbying the UK government or any of its arm's length bodies on behalf of Civic Future (including parent companies, subsidiaries, partners and clients); nor should she make use, directly or indirectly, of her contacts in government and/or Crown service to influence policy, secure business/funding or otherwise unfairly advantage Civic Future (including parent companies, subsidiaries, partners and clients);
- for two years from her last day in Crown service, she should not work on or provide advice to Civic Future, its partners or subsidiaries, 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; and
- for two years from her last day in Crown service, she should not become personally involved in lobbying contacts she has developed during her time in office and in other governments and organisations for the purpose of securing funding or business for Civic Future (including parent companies, subsidiaries and partners)

13. The advice and the conditions under the government's Business Appointment Rules relate to an individual's 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 they may be subject to in parallel with this Committee's advice.
14. 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.
15. 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*'.
16. As with all Special Advisers, the Committee makes this recommendation on the understanding that, if Dr Mirza has not already done so, she must confirm in writing to her department that she recognises that she continues to be bound by the provisions of the criminal law (including the Official Secrets Act) which protect certain categories of information, and by her duty of confidentiality owed to the Crown.
17. Dr Mirza must inform us as soon as this new initiative is live or is announced. 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 Dr Mirza has complied with the Rules. Dr Mirza must also inform us if she proposes to extend or otherwise change the nature of her charity as, depending on the circumstances, it may be necessary for her to make a fresh application.

18. Once this has been publicly announced or set up, we will publish this letter on the Committee's website, and where appropriate, refer to it in the relevant annual report.

Yours sincerely,

Oli Purnell
Committee Secretariat

Annex - material information

Background

1. Prior to working for No 10 Dr Munira Mirza worked in an education focused role between 2012-2016 as Deputy Mayor of Education and Culture for London. This included leading the delivery of a £40m investment programme in education and youth.
2. Dr Mirza said she intends to establish a new not-for-profit initiative which aims to encourage talented people in the UK to enter public life and further the values of liberal democracy. To do this, Civic Future will offer *'relevant education, leadership training, guidance and networking opportunities to people from diverse backgrounds'*.
3. Dr Mirza said that Civic Future's main activity will be offering Fellowships each year on a competitive basis, involving participation in seminars, visits and conferences, and the possibility of a limited number of paid work placements in relevant organisations such as think tanks or media companies. Dr Mirza also hoped that Civic Future will offer a wider programme of events for people working in public life such as *'politicians, special advisers, civil servants, officials or non-executive members of public sector bodies, academics and journalists'*.
4. Dr Mirza said that *'neither I or the organisation will be lobbying government'* in this role and that if the initiative decided to develop commercial services, such as training programmes, Dr Mirza will comply with any rules prohibiting her from seeking contracts with public sector bodies during the period the business appointments apply
5. Dr Mirza said that during her role as Director of the No. 10 Policy Unit she was *'...not engaged in or shaped any government policy or activity which is directly relevant to this initiative or could be perceived as creating a conflict of interest'*. Dr Mirza stated she did not have any contact with competitors, nor did she have access to privileged information.

The Role

6. Dr Mirza said that she would be a Company Director and Chief Executive with her role

covering all aspects of setting up and running this new organisation, including fundraising. She stated there will be two other company directors she did not meet during her time in office.

7. She said the initiative will be funded mostly from philanthropic donations from individuals and foundations, or come from earned revenue streams such as ticketed events or sponsorship. MM stated that she will *'...not seek funding from any individual or organisation that I have met as a result of my time in government, or with any individual or organisation that is currently engaged in a public sector contract or seeking to gain one'*.

Department Assessment

8. The Cabinet Office (CO) provided its views on this application, confirming the details provided.
9. The CO stated there is no departmental relationship with the proposed employer as Dr Mirza intends on setting up a new organisation.
10. The CO confirmed that Dr Mirza did not have contact with competitors, that she did not have access to privileged information, and that she did not make any contractual or commercial decisions that would affect Civic Future. The CO added that since she left government several months ago there had been changes in leadership and it was therefore of the view that the risk of her holding relevant and unannounced policy information was vastly reduced. The CO also added that the nature of the proposed organisation, a self-established, not-for-profit organisation, reduced these risks further.
11. The CO noted this proposed new organisation is within the education sector, an area in which Dr Mirza has a skill-set from her background before joining government.
12. The CO stated there is a concern around the ticketed speaker events which MM suggested might be part of Civic Future's revenue model- should it be perceived as gaining from the relationships she built in government. The CO suggested that this can be mitigated by reminding MM of her duty to use official channels of communication when contacting government officials.
13. The CO recommended the following conditions:
'should not draw on privileged information
2 year lobbying ban on behalf of the charity
a reminder of the importance of using official contact information when approaching potential donors (not gained during the course of government duties)
2 year ban on seeking government contracts
a reminder that a new application will need to be made if the strategic objectives of the organisation change substantively'