



**OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS**

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**BUSINESS APPOINTMENT APPLICATION: Rt Hon Brandon Lewis CBE MP, former Lord Chancellor and Secretary of State for Justice. Paid appointment with Woodlands Schools Limited.**

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 Director at Woodlands Schools Limited. 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 Woodlands Schools Limited.
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 of the risks presented

4. You did not meet with Woodlands Schools Limited, nor did you make any decisions at either the Ministry of Justice (MoJ) or the Northern Ireland Office (NIO) specific to Woodlands Schools Limited. The Committee<sup>1</sup> considered the risk that you were offered this role as a reward for decisions or actions taken in post is low.

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<sup>1</sup> This application for advice was considered by Jonathan Baume; Andrew Cumpsty; Isabel Doverly; Sarah de Gay; Richard Thomas; Mike Weir. The Rt Hon The Lord Pickles was recused from this application in line with ACOBA's published Code of Practice. This letter contains the Committee's advice, arrived at without his input and which he is sending in his capacity as Chair of the Committee.

5. The Committee noted there are inherent risks regarding your general access to information and influence within government as a result of your time as a minister. The risks are limited given there is no direct overlap between your government service and this proposed role. It is also relevant that you are returning to the same role you held with Woodlands Schools Limited before becoming a minister in 2012.

#### The Committee's advice

6. The Committee did not consider this appointment raises any particular propriety 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.
7. As the former Lord Chancellor and Secretary of State for Justice, a member of Cabinet, you are subject to the standard three-month waiting period.
8. In accordance with the government's Business Appointment Rules, the Committee advises this role with **Woodlands Schools Limited** 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 government or its arm's length bodies on behalf of Woodlands Schools Limited (including parent companies, subsidiaries, partners and clients); nor should you make use, directly or indirectly, of your contacts in the government and/or ministerial office to influence policy, secure business/funding or otherwise unfairly advantage Woodlands Schools Limited (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 Woodlands Schools Limited (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 arm's length bodies.
9. The advice and the conditions under the government's Business Appointment Rules relate to your previous roles 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

your personal responsibility to understand any other rules and regulations you may be subject to in parallel with this Committee's advice.

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 Ministerial 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*'. This Rule is separate and not a replacement for the Rules in the House.
12. You must inform us as soon as you take up employment with this organisation, 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. 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 rejoin Woodlands Schools Limited in a paid, part-time role as a Director - advising on company growth opportunities.
2. Woodlands Schools Limited is a group of private, co-educational, primary schools and nurseries in rural Essex. The schools are Great Warley, Hutton Manor and Little Acorns and Lower Kindergarten. You said that this is a family business.

3. You informed the Committee you were previously a Director of Woodlands Schools Limited until 2012, at which time you gave up the position upon becoming a minister.

#### Dealings in office

4. You advised the Committee you did not meet with Woodlands Schools Limited as a minister whilst in office. Further, you said you did not have any involvement in any policy development or decisions that would have been specific to Woodlands Schools Limited; you had no relevant commercial or contractual responsibilities relating to them; nor did you have access to sensitive information.

#### Department assessment

5. Both the Ministry of Justice and the Northern Ireland Office confirmed the details you provided. It was noted this is a family-run business which you stepped down from whilst in office, with your wife remaining involved. The departments confirmed there is no direct overlap with your time in office and had no concerns with this appointment.