



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: The Rt Hon Matt Hancock MP, former Secretary of State for Health and Social Care. Unpaid establishment of the Centre for Neurodiversity.

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 a director of a newly established organisation of the Centre for Neurodiversity. 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 the Centre for Neurodiversity in setting it up.

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 Commons.

The Committee's consideration

5. When considering this application, the Committee¹ took into account this role as Director 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

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

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

6. You propose that you have contact with the government in this role and the Committee considered this would be appropriate given your former position in government. You noted the mission of the organisation is to engage the government to improve policy in this area, which is in line with your ongoing Parliamentary campaign -including a Private Members' Bill and regular correspondence with ministers on this issue. The Committee considered the nature of the organisation is relevant; the Centre for Neurodiversity is a not-for-profit focussed on better identification of and support for dyslexic children. The Committee recognised that your proposed contact with the government is in your role as a Member of Parliament and therefore subject to the rules governing your activities in Parliament and that it would be transparent in nature.

The Committee's advice

7. In the circumstances, the Committee did not consider this proposed contact with government would be improper or contrary to the lobbying ban, given it is part of your ongoing work as a Member of Parliament and aligns with the priorities of the UK government. However, the Committee would draw your attention to the conditions below, which make it clear any proposed contact must not reasonably be perceived as lobbying on behalf of any commercial interest.

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 in this case.

9. Taking into account these factors, in accordance with the government's Business Appointment Rules, the Committee advises this appointment to establish **the Centre for Neurodiversity** be subject to the following conditions:

- You can draw on skills and experience gained from your time in office. However you must not, at any time, draw on any privileged information gained in office. Any contact with the government, directly or indirectly, must only be where it could not reasonably be perceived as lobbying on behalf of any commercial interest; and
- You must not work or advise on any bids to secure governmental funding or contracts. You may only work on or advise on the subject matter of contracts the Centre for Neurodiversity may have with the government (or related matters), provided you do not draw on any privileged information or contacts from your time in office.

10. The advice and the conditions under the government's Business Appointment Rules relate to his 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 his personal responsibility to understand any other rules and regulations he 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 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.' This Rule is separate and not a replacement for the Rules in the House.

13. You must 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.

14. You must 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.

15. 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 establish a new not-for-profit organisation, the Centre for Neurodiversity. You said it will help empower neurodivergent individuals in education, the criminal justice system and business – extending your parliamentary campaign for dyslexic children. You said you plan to fund this organisation through private fundraising from other neurodiversity campaigners.
2. You said as a Director you would ‘...*receive no income from this business whatsoever*’. You said you will fundraise to help projects which aim to help neurodivergent people to deal with the challenges and make the most of their talents. You said this will take up no time over and above your existing parliamentary campaign.
3. You informed the Committee campaigning is the purpose of the organisation and that campaigning for better identification of and support for dyslexic children is your main Parliamentary campaign. You said you have a Private Members’ Bill before the House on this subject, regularly ask questions and meet ministers to discuss this matter. You said the mission is to engage the

government on this issue to improve policy in this area - noting it is a public interest campaign.

Dealings in office

4. As a newly formed organisation you said you had no involvement with the Centre for Neurodiversity whilst in office and did not make any decisions specifically affecting the organisation. You confirmed you did not have access to any specifically relevant sensitive information and did not meet with competitors of the Centre for Neurodiversity.

Department assessment

5. The Department of Health and Social Care (DHSC) confirmed the details you provided.
6. DHSC said you were a champion of neurodiversity and of matters relating to neurodiverse individuals in your time as Secretary of State for Health and Social Care. It said you were supportive of policies which improved outcomes and experiences of neurodiverse people from public services. While these policies would have impacted the neurodiverse community and raised the profile of neurodiversity, they would not have directly impacted the proposed organisation.
7. The department stated that given the aim of the organisation they did not consider there were competitors, but did state you met with other organisations which had related aims and other charities. Further, you had access to information and intelligence about neurodiversity whilst in office. However, it confirmed you had no access to sensitive information that could offer an unfair advantage.
8. The department confirmed it had no concerns and recommended the standard conditions be applied to this unpaid appointment.