



## OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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### **BUSINESS APPOINTMENTS APPLICATION FOR ADVICE: The Rt Hon Robert Buckland KC, former Secretary of State for Wales and Lord Chancellor and Secretary of State for Justice, unpaid appointment with the Harvard Kennedy School.**

1. You sought advice from the Advisory Committee on Business Appointments (the Committee) under the Government's Business Appointments Rules for Former Ministers (the Rules) on an unpaid role you want to take up with the Harvard Kennedy School (Harvard). The material information taken into consideration by the Committee is set out in the 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 you may offer Harvard.
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 advice

4. When considering this application, the Committee<sup>1</sup> took into account this appointment is unpaid<sup>2</sup>. Generally, the Committee's experience is that the

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

<sup>2</sup>By unpaid the Committee means that no remuneration of any kind is received for the role. Applicants must declare where it is agreed or anticipated they may receive remuneration or some other compensation at some stage in the future.

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 joining outside organisations. Those risks include: using privileged access to contacts and information to the benefit of themselves or those they represent. The Rules also seek to mitigate the risks that individuals may make decisions or take action in office 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.

5. As above the Committee recognised that the risks in this unpaid appointment are limited. There is no specific overlap with your responsibilities in office and your proposed role; and the Ministry of Justice (MOJ) (which advised on this role previously) nor the Welsh Office which confirmed it has no concerns with you taking up this appointment.
6. The Committee did not consider this appointment raises any particular proprietary concerns under the government's Business Appointment Rules. While 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 Harvard, will sufficiently mitigate in this case.
7. Further, as the former Secretary of State for Justice, a member of Cabinet, you are subject to the standard three month waiting period.
8. Taking into account these factors, in accordance with the Government's Business Appointment Rules, the Committee advises this appointment with the Harvard Kennedy School be subject to the following conditions:
  - a waiting period of three months from your last day in ministerial office;
  - 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 arm's length bodies on behalf of the Harvard Kennedy School (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 the Harvard Kennedy School (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 the Harvard Kennedy School (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 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/House of Lords Commissioners for Standards. It is an individual's personal responsibility to understand any other rules and regulations they may be subject to in parallel with this Committee's advice.
10. You must inform us as soon as you take up employment with this organisation. Similarly you must 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.
11. Once the appointment has been publicly announced or taken up, we will publish this letter on the Committee's website.

## **Annex - Material information**

### The role

1. You seek to join Harvard in an unpaid, part-time role as a Senior Fellow at the Mossavar-Rahmani Center for Business and Government, Harvard Kennedy School.
2. You said you will be '*conducting research and writing papers on the ethical dimension of AI and justice and the challenge it poses to rule of law standards globally.*' This will include working with experts in the UK and US, with remote and face to face sessions and also a tutorial role with Harvard students.

### Dealings in office

3. You did not give any evidence that you met with, or made decisions regarding Harvard or their competitors while in post.

### Department Assessment

4. The department confirmed the details you provided and confirmed it has no concerns regarding this application.