

From the Chair



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: The Rt Hon Sir Jake Berry MP, former Minister Without Portfolio. Paid application to join TalkTV (News 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 a paid role as Presenter for TalkTV.
2. The purpose of the Rules is to protect the integrity of the government. The Committee has considered the risks associated with the actions and decisions made during your time in office, alongside the information and influence you may offer TalkTV. The material information taken into consideration by the Committee is set out in the annex.
3. The Committee's advice is not an endorsement of the appointment - it imposes a number of conditions to mitigate the potential risks to the government associated with the appointment under the Rules.
4. 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

5. The Cabinet office confirmed that you made no decisions in office, whether policy, regulatory or commercial, that were specific to TalkTV. Therefore, the Committee¹ considered the risk that you could be seen to have been offered this role as a reward, was low.
6. As a former Minister Without Portfolio, there are inherent risks associated with your privileged access to information and contacts which may be seen to be of general use to any media company. The risk associated with your access to information is limited given the transparent nature of this role and the time that has passed since you had access to sensitive information (over 12 months).

The Committee's advice

7. The Committee did not consider joining TalkTV as a presenter to raise any particular concerns under the government's Rules, provided it is subject to the conditions below. However, the Committee would remind you it is your responsibility to manage the propriety of the specific pieces of work undertaken with TalkTV. In particular, as a former minister you must be careful not to offer any unfair insight as a result of your access to information and potential influence in government - which the conditions below seek to mitigate.
8. Taking into account these factors, in accordance with the government's Business Appointment Rules, the Committee advises this appointment with **TalkTV** 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 TalkTV (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 TalkTV (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 TalkTV (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.

¹ This application for advice was considered by Andrew Cumpsty; Isabel Doverty; Sarah de Gay; The Rt Hon Baroness Jones of Whitchurch; The Rt Hon Lord Eric Pickles; and Mike Weir.

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. You are reminded that all Members of Parliament have a separate ban on paid lobbying under the Parliamentary Code of Conduct, whilst they remain a sitting MP². 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.
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 from and not a replacement for the Rules in the House.

You must inform us as soon as you take up employment with this organisation(s), or if it is announced that you will do so. 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.

12. Once the appointment(s) 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

² Advice on your obligations under the Code can be sought from the Parliamentary Commissioner for Standards

Annex - Material information

The role

1. TalkTV is a British free-to-air opinion-oriented television and radio channel owned and operated by NewsUK and launched in April 2022.
2. In your paid, part-time role as Presenter, you stated you will host a chat show about current affairs and politics. You added that Sir following appearances and one off hosting of shows to cover absence, Talk TV approached you directly about potentially hosting a show. You confirmed you will not have contact with government as part of your role.

Dealings in office

3. You advised the Committee that you were not involved in policy or regulatory decisions, nor had access to sensitive information specific to TalkTV during your time in office.

Departmental Assessment

4. The Cabinet Office confirmed the details you provided in your application.
5. The Cabinet Office confirmed it does not have a relationship with TalkTV - however it added that TalkTV will have numerous open channels of communications across Government, from asking for comments, information or quotes, to requesting for political officials to appear on programming. TalkTV is regulated by Ofcom, and its area of policy is overseen by DCMS.
6. The Cabinet Office did not have concerns with your appointment, noting that:

'...such media roles are considered lower risk, given their public, transparent nature, and lack of overlap with commercial activity'
7. The Cabinet Office recommended the standard conditions.