



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: Allegra Stratton, former Prime Minister's COP26 spokesperson, Cabinet Office, application to establish an independent consultancy.

1. Allegra Stratton, formally the Prime Minister's COP26 spokesperson (and previous to that the Prime Minister's Press Secretary) 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 an independent consultancy - focussing on net zero. 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 Ms Stratton's time in office, alongside the information and influence a former Crown servant may offer their consultancy and its future clients.
3. The Committee¹ considered whether this consultancy was unsuitable given its focus on net zero and Ms Stratton's former role as the Prime Minister's Spokesperson on COP26. The Committee also considered the information provided by the department. The Committee has advised that a number of conditions and a waiting period 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 Prime Minister's COP26 spokesperson setting up this consultancy in any other respect.

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

4. The Rules set out that Crown servants must abide by the Committee's advice². 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

Consultancy

5. Ms Stratton proposes to set up a consultancy focusing on advising companies how they can get to net zero. She described the consultancy as
 - offering advice on energy, environment and climate change issues;
 - helping various small firms pioneer as yet unproven low carbon technology and assisting them build their reputations and demonstrate their worth;
 - work with think tanks to use the example of the 'Eskom deal'³ with South Africa', which was agreed at COP26, as a model for helping emerging economies transition to net zero.
6. It would not be improper for Ms Stratton to operate a consultancy which draws on generic knowledge, skills and experience gained from her time in government. In this case, the consultancy is narrowly drawn on net zero which is the specific area Ms Stratton was working on. She therefore had access to sensitive information and insight into the government's approach to net zero whilst in office. Given her proximity to this information and to decision makers at No.10, she could offer her consultancy and its clients unfair access to information and influence.
7. There are significant mitigating factors here, most notably, Ms Stratton was not responsible for regulatory or policy decisions on net zero. Further, as noted by the Cabinet Office, much of the relevant policy is in the public domain following the COP26 Summit in November 2021; and Ms Stratton is bound by the Official Secrets Act and an ongoing duty of confidentiality.
8. This advice provides Ms Stratton consent only to set up a consultancy, subject to a number of conditions. It does not give her consent in relation to any possible future clients. She must seek advice in relation to each client, so that risks can be assessed and it will need to be demonstrated by her and the Cabinet Office that the work would be appropriate under the Rules.
9. The Committee considered this consultancy should be made subject to a six month waiting period from her last day in Crown service to put a gap between her time at No.10 and her offering advice so closely related to her role in office.

² Which apply by virtue of the Civil Service Management Code, The Code of Conduct for Special Advisers, The Queen's Regulations and the Diplomatic Service Code.

³ The 'Just Energy Transition Partnership' between the United States, Britain, France, Germany, and the European Union. It is designed to lower South Africa's emissions targets under the Paris Agreement through the early retirement of coal plants; building cleaner energy sources; and support for coal-dependent regions. <https://www.gov.uk/government/news/joint-statement-international-just-energy-transition-partnership>

The conditions below help to mitigate the risks by placing a significant gap between Ms Stratton's access to information and her establishing this consultancy and prevent her from drawing on privileged information; lobbying contacts gained in government service; and working on bids and contacts with the UK government.

Future commissions

10. Ms Stratton must seek advice from the Committee for each commission she wishes to accept. Whether the conditions set out below can sufficiently mitigate the risks presented by any future commission will depend on the specific details of each piece of work. Any failure to seek advice before accepting work would be a breach of the Rules and treated as such - including reporting breaches to the government.
11. The Committee will want to carefully consider the suitability of this work and may advise that additional conditions and a further waiting period is required. Conditions alone may not be sufficient to mitigate the risks presented in which case the Committee may advise the work is unsuitable⁴ to take up within the two years the Rules apply. The Committee will consider such risks on a case by case basis.
12. All potential clients must be notified of this advice and when seeking work/new clients Ms Stratton must adhere to the conditions below. Under the government's Business Appointment Rules, the Committee advises that this **Independent Consultancy**, should be subject to the following conditions:
 - a waiting period of six months from her last day in Crown service (6 months from 12 January 2022);
 - 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 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 those she advises under her independent consultancy (including parent companies, subsidiaries, partners and clients); nor should she make use, directly or indirectly, of her contacts in the government and/or Crown service contacts to influence policy, secure business/funding or otherwise unfairly advantage those she advises under her independent consultancy (including parent companies, subsidiaries, partners and clients);
 - for two years from her last day in Crown service, she should not provide advice to on behalf of those she advises under her independent consultancy (including parent companies, subsidiaries, partners and clients) on the terms of, or with

⁴ Should an applicant subsequently take up or announce this work ACOBA will publish relevant information.

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 in external organisations (including other governments) for the purpose of securing business for her consultancy or its clients (including parent companies, subsidiaries and partners).
 - for two years from her last day in Crown service, before accepting any commissions for her independent consultancy and or/before extending or otherwise changing the nature of the commissions, she should seek advice from the Committee. The Committee will decide whether each commission is consistent with the terms of the consultancy and consider any relevant factors under the Business Appointment Rules.
13. The advice and the conditions under the government's Business Appointment Rules relate to Ms Stratton'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. You must inform us as soon as Ms Stratton takes up employment with this organisation, or if it is announced that will do so, either by returning the enclosed form or by emailing the office at the above address. 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 Ms Stratton has complied with the Rules.
17. Please also inform us if Ms Stratton proposes to extend or otherwise change the nature of her role as, depending on the circumstances, it may be necessary for her to make a fresh application.

18. 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.

Cat Marshall
Committee Secretariat

Annex - Material information

1. Ms Stratton wishes to set up a 'net zero consultancy' focusing on how companies can get to net zero. The consultancy will offer advice on energy, environment and climate change issues. She would also like the consultancy to:
 - help various small firms pioneer as yet unproven low carbon technology and assist them build their reputations and demonstrate their worth.
 - Work with think tanks. Ms Stratton said *'I believe the Eskom deal with South Africa, agreed at COP26, is a model for how emerging economies will transition to net zero and I would like to help build the momentum for other countries to follow suit. My time working for the Prime Minister on COP26 left me convinced of both the urgency in dealing with climate change; and that it will be deals like Eskom that will help us all hit the global targets agreed at Glasgow.'*
2. Ms Stratton explicitly confirmed to the Cabinet Office that this role would not include representation to government nor lobbying government on behalf of her clients. Ms Stratton has no clients in the pipeline for the company but will look to find some as soon as ACOBA allows.
3. The Cabinet Office provided the following views on this application:
 - As the application concerns setting up a new consultancy it is unlikely to be perceived as a reward.
 - The Cabinet Office noted that net zero policy is led by BEIS, though it has crossover with Cabinet Office's remit for COP26.
 - Ms Stratton held a senior role at COP26 and No.10, and for this reason she had access to a wide range of high-level policy and departmental information across all government business.
 - There is a significant policy area overlap with the applicant's previous role in COP26, where she helped shape the Prime Minister's strategy, formulated communications plans, briefed journalists and made media appearances and speeches to promote COP26 and the government's net zero priorities.
 - In her role on COP26 she predominantly had access to policy documents on the UK's approach to COP26 and international climate change.

COP26 has now passed and the policies implemented, so it is unlikely these documents or decisions would be of use to future clients.

- There is a 'very high likelihood' that Ms Stratton had access to privileged, relevant information during her time in role, which could benefit clients unfairly.
 - There is a risk in relation to her contacts from her time in office.
4. The Cabinet Office recommended that each prospective client come to the Committee for advice as is usual in such applications. It recommended a waiting period of no more than 6 months '*...before the consultancy can be established and clients can be sought, but recognise that ACOBA will be better placed to provide independent advice on this matter. The length of this waiting period takes into account the relatively short time the applicant spent in role (9 months), the access the applicant had to privileged information in the COP role which is not in the public domain. It is also based on the significant overlap between the consultancy's focus and the applicant's previous role, which increases risk levels. We also recommend a reminder of the applicant's ongoing duty of confidentiality.*'