



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

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February 2024

**BUSINESS APPOINTMENT APPLICATION: Lord Darren Mott OBE, former Government Whip in the House of Lords. Paid appointment with Finito Education Limited.**

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 taking up an appointment with Finito Education Limited (Finito) as a Mentor.
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 a former Government Whip in the House of Lords may offer Finito. 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. There is no known overlap with your time as a minister and Finito's work. You did not meet with Finito Education Limited during your time as a minister, nor did you make any decisions specific to them whilst in office. Therefore, the

Committee<sup>1</sup> considered the risk this appointment could reasonably be perceived as a reward for decisions made or actions taken in office is low.

6. As a former minister, there are inherent risks associated with your access to privileged information contacts and influence within government. The risks are limited given there is no direct overlap between your role in government and your proposed role.

### **The Committee's advice**

7. The Committee did not consider this appointment raises any particular proprietary concerns under the government's Rules, subject to the conditions below. The risks noted above in relation to your access to information and influence are appropriately mitigated by the standard condition. In particular, they prevent you from drawing on your privileged information, contacts and influence within government to the unfair advantage of Finito.
8. In accordance with the government's Business Appointment Rules, the Committee advises this role with **Finito Education 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 Finito Education Limited (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 Finito Education 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 Finito Education 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.

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<sup>1</sup> This application for advice was considered by Andrew Cumpsty; Sarah de Gay; Isabel Doverly; Hedley Finn OBE; The Rt Hon Baroness Jones of Whitchurch; The Rt Hon Lord Pickles; Michael Prescott; and Michael Weir. David Konotey-Ahulu CBE was unavailable.

9. The advice and the conditions under the government's Business Appointment Rules relate to an individual's previous role in government only; they are separate from rules administered by other bodies such as the Office of the Registrar of Consultant Lobbyists, the Parliamentary Commissioner for Standards and the Registrar of Lords' Interests<sup>2</sup>. You are reminded that as a Member of the House of Lords you are prevented from any paid lobbying under the House of Lords Code of Conduct. 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 Civil Service 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 this role, or if it is announced that you will do so. 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.
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 Eric Pickles

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<sup>2</sup> All Peers and Members of Parliament are prevented from paid lobbying under the the House of Commons Code of Conduct and the Code of Conduct for Members of the House of Lords. Advice on your obligations under the Code can be sought from the Parliamentary Commissioners for Standards, in the case of MPs, or the Registrar of Lords' Interests, in the case of peers.

## **Annex - Material Information**

### The role

1. According to its website, Finito states it offers one-to-one mentoring, coaching and guidance to school leavers, university graduates, college leavers, mature or overseas students. You stated that Finito helps school and college leavers, graduates and international students to find a meaningful career. You added that Finito also assists candidates with career changes.
2. In your paid, part-time role as Mentor, you described your responsibilities involve:
  - mentoring candidates
  - liaising with other mentors; and
  - attending Finito's meetings and events.
3. You confirmed your role will not involve any contact or dealings with the government.

### Dealings in office

4. You advised the Committee that had no official dealings with Finito whilst in office. You said you did not have any involvement in policy, regulatory or commercial decisions that would have been specific to the company.

### Departmental Assessment

5. The Cabinet Office confirmed the details you provided, including that:
  - a. there is no direct overlap with your role in office;
  - b. you made no policy decisions relating to Finito; and
  - c. it considers there is a low risk associated with your access to information in office.