

OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS



Room G/08, 1 Horse Guards Road, London, SW1A 2HQ

Telephone: 020 7271 0839

Email: acoba@acoba.gov.uk

Website: <http://www.gov.uk/acoba>

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BUSINESS APPOINTMENTS APPLICATION FOR ADVICE: The Rt Hon Chloe Smith MP, former Secretary of State for the Department of Science, Innovation, and Technology and previously Secretary of State and Minister of State for the Department for Work and Pensions. Unpaid appointment with the Royal National Institute for Deaf People.

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 Royal National Institute for Deaf People (RNID).
2. The purpose of the Rules is to protect the integrity of government. Under the Rules, the Committee's remit is to consider the risks associated with the actions and decisions made during your time in office, alongside the information and influence a former minister may offer RNID. The material information taken into consideration by the Committee is set out in the annex.
3. The Committee has advised that a number of conditions be imposed to mitigate the potential risks to government associated with this appointment under the Rules. The Committee's advice is not an endorsement of this application in any other respect.
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. When considering this application, the Committee¹ took into account this role is unpaid². 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 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 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. As Secretary of State and Minister of State at the Department for Work and Pensions, there is some overlap with RNID's work and your time in office. DWP confirmed you made decisions of relevance in office, but not specific to RNID and considered the risk associated with your access to information is low. The unpaid nature of this appointment limits the real and perceived risk of you making improper use of information you had access to while in office for your personal benefit.

The Committee's advice

7. 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.
8. Taking into account these factors, in accordance with the government's Business Appointment Rules, the Committee advises this appointment with the **Royal National Institute for Deaf People** 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 the Royal National Institute for Deaf People (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

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.

²By 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.

business/funding or otherwise unfairly advantage (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 Royal National Institute for Deaf People (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, the Parliamentary Commissioner for Standards and the Commissioner for Standards³. You are reminded that as a Member of Parliament you have a separate ban on paid lobbying under the Parliamentary 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. You must inform us as soon as you take up employment with this organisation, or if it is announced that you will do so and we will publish this letter on our website. Any failure to do so may lead to a false assumption being made about whether you had complied with the Rules.
 11. 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.
 12. Once the appointment has been publicly announced or taken up, we will publish this letter on the Committee's website

The Rt Hon Lord Pickles

Annex - Material information

The role

1. The RNID is a charitable organisation that supports people in the UK who have experienced hearing loss or deafness. Its website said that it works with

³ All Peers and Members of Parliament are prevented from paid lobbying under the Parliamentary 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 commissioners for standards

communities and partners across many sectors including health, employment, research and government to improve the lives of deaf people.

2. You informed the Committee that in May 2023, you were approached by the chief executive and chairman of RNID with the suggestion that you should become a Trustee following upcoming board vacancies.
3. RNID's website states its board of Trustees is responsible for agreeing RNID's strategy and has overall control of the charity. The role of Trustee is unpaid and part time (6-12 days per year). You noted that the proposal to become a trustee occurred while you were a minister at the Department for Science, Innovation, and Technology (DSIT), but in a private and informal meeting - not in your ministerial capacity. During that meeting, you were clear that restrictions would apply and agreed that you should not be consulted regarding any short-term discussions relating to policy whilst still in ministerial office.

Dealings in office

4. You said you led the British Sign Language Act 2022 (private member's bill process) whilst a minister at the Department for Work and Pensions (DWP) and received training from RNID in basic British Sign Language. You also worked frequently with the charity as part of a group of charities representing disabled people. DWP officials were present throughout. The decisions in which you were involved significantly affected the interests of deaf people, but not the charity directly.
5. You noted that you have worked with the charity over time, as a minister and as a constituency MP, e.g. working with it on its campaign 'Subtitle it!' which included meeting the Secretary of State DCMS along with a policy representative from the charity (25 April 2023).

Department assessment

6. DWP, the Cabinet Office, and DSIT were consulted on this application.
7. DWP confirmed that you met with RNID as part of DWP's engagement with a BSL campaign at a roundtable on 9 February 2022; and during the Disability Charities Consortium. DWP said it has a relationship with RNID because some RNID contacts are members of its engagement board for *Transforming Support: The Health and Disability White Paper* and as a stakeholder more widely, including via the Charities Consortium. DWP also has a contract with RNID to support DWP employees who are deaf or have hearing loss- this DWP has spent £2.4m since 2015. DWP confirmed you were not involved in this contact.
8. DWP confirmed you were involved in policy and regulatory decisions during your time at DWP. It explained that shortly before you took office as Minister for Disabled People (MfDP), the British Sign Language Act (the Act) was introduced to parliament - and subsequently received royal assent during your

time in office. As part of the Act, BSL was recognised as a language and this would have affected RNID. For example, guidance on the promotion of BSL may affect RNID, but this has not yet been drafted and DWP said there is no suggestion that you could influence it. You also made policy decisions relating to *Transforming Support: The Health and Disability White Paper*⁴ during your time in office but the White Paper was not published until after you left office; and the White Paper affects RNID no more than it does other stakeholders.

9. DSIT confirmed the information you provided. The departments recommended the standard conditions should apply.

⁴<https://www.gov.uk/government/publications/transforming-support-the-health-and-disability-white-paper/transforming-support-the-health-and-disability-white-paper>