

From the Chair



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: Jonathan Gullis MP, former Parliamentary Under Secretary of State at the Department for Education. Application to establish a podcast.

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 establishing a podcast titled "Inside Whitehall". The material information taken into consideration by the Committee is set out in the annex below.
2. The Committee has advised that a number of conditions be imposed to mitigate the potential risks to the government associated with this appointment under the Rules; this is not an endorsement of this appointment in any other respect.
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 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

4. The Committee¹ noted that you did not meet with 5654 & Company, the company funding the podcast, whilst in office and the Department for Education (DfE) confirmed you made no decisions of relevance. Therefore, the Committee considered the risk you could be seen to have been offered this role as a reward for decisions made, or actions taken in office, was low.
5. As a former minister there are inherent risks associated with your privileged access to information and contacts which may be seen to be of general use to

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

any media company. The risk associated with your access to information and influence is limited given the transparent nature of this role.

The Committee's advice

6. The Committee did not consider establishing a podcast 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 within the podcast. In particular as a former minister, you must be careful when discussing the inner workings of Whitehall and government to not to offer any unfair insight as a result of your time as minister - which the conditions below seek to mitigate.
7. Taking into account these factors, in accordance with the government's Business Appointment Rules, the Committee advises this appointment to establish a podcast 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 5654 & Company or the resulting podcast (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 5654 & Company or the resulting podcast (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 5654 & Company or the resulting podcast (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.
8. 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. It is your personal responsibility to understand any other rules and regulations you may be subject to in parallel with this Committee's advice.
9. 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.

10. 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
11. 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. 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.
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

Annex - Material information

The role

1. You said you are seeking to launch a podcast with a friend, James Starkie, titled “Inside Whitehall”. This would be done voluntarily on your own time. You explained the equipment, editorial time etc will be funded by the company Mr Starkie co- founded, 5654 & Company, to the maximum value of £10,000, which will be added on the Commons Registrar.
2. 5654 & Company is a consultancy founded to help companies earn reputation. It states it works with businesses making a contribution to the UK.
3. You told the Committee you may be inviting some Ministers to come and talk on the podcast about their role as a Minister, their day to day working life, how a Department works/is run.
4. You also informed the Committee that as a Member of Parliament he used the services of 5654 & Company for support on a national campaign you ran to lift the ban on grammar schools, following a donation. However this was before your time as Minister - the work concluded in April 2022. This is transparently reported on your register of interest².

Dealings in office

² <https://members.parliament.uk/member/4814/registeredinterests>

5. You said that during your time in office you did not meet with the 5654 & Company and made no decisions of relevance here.
6. You confirmed you did not have access to information that could provide an unfair advantage.

Department Assessment

7. The DfE confirmed the details provided in your application and stated it had no concerns regarding your application. DfE did wish to remind you (and your contributors) that they need to follow the Ministerial Code in what they say on the podcast.