

*From the Chair*



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

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**BUSINESS APPOINTMENT APPLICATION: Lord Theodore Agnew of Oulton, former Minister for Efficiency and Transformation at the Cabinet Office and His Majesty's Treasury. Paid appointment to join UnHerd Ventures Ltd and UnHerd Ltd.**

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 Chair of UnHerd Ventures Ltd and UnHerd Ltd (Unherd).
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 UnHerd. 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 present**

5. You did not meet with UnHerd, nor did you make any decisions at either HM Treasury (HMT) or the Cabinet Office specific to UnHerd. The Committee<sup>1</sup> considered the risk that you were offered this role as a reward for decisions or actions taken in post was low.

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

6. The Committee noted there are inherent risks regarding your general access to information as a result of your time as a minister. The risks are limited given there is no direct overlap between your government service and this proposed role. It is also relevant that you have been out of government for more than 20 months, providing a gap between your access to information and you taking up this role.
7. As a former minister, there are inherent risks associated with your contacts and influence within government. The Committee noted your role is internal to the organisation's governance board and does not involve contact with government.

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

8. The Committee did not consider this appointment raises any particular proprietary concerns under the government's Rules. There are inherent risks associated with your access to sensitive information and contacts which the standard conditions below appropriately mitigate. In particular, they prevent you from drawing on your privileged information and using your contacts and influence within government to the unfair advantage of UnHerd.
9. In accordance with the government's Business Appointment Rules, the Committee advises this role with **UnHerd Ventures Ltd and UnHerd Ltd** 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 UnHerd Ventures Ltd and UnHerd Ltd (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 UnHerd Ventures Ltd and UnHerd Ltd (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 UnHerd Ventures Ltd and UnHerd Ltd (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.
10. The advice and the conditions under the government's Business Appointment Rules relate to your previous roles 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.

11. 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.
12. 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.
13. You must inform us as soon as you take up employment with this organisation, 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.
14. 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 Pickles

## **Annex - Material Information**

### The role

1. In your paid, part-time role as Chair of UnHerd Ventures Ltd and UnHerd Ltd, you described your responsibilities as leading in the growth and strategic direction of the companies.
2. You stated UnHerd Ventures Ltd is a holding company, which is the parent company of UnHerd Ltd - an online news site. Its website states UnHerd aims to do two things: '*to push back against the herd mentality with new and bold thinking, and to provide a platform for otherwise unheard ideas, people and places*'.

3. You confirmed your role will not involve contact with government.

#### Dealings in office

4. You advised the Committee you did not meet with UnHerd as a minister whilst in office. Further, you said you did not have any involvement in any policy development or decisions that would have been specific to UnHerd; had no relevant commercial or contractual responsibilities; nor access to sensitive information.

#### Departmental Assessment

5. Both HMT and CO confirmed the details you provided.
6. Neither HMT nor CO have a departmental relationship with UnHerd.
7. Neither HMT and CO had concerns regarding your access to sensitive information and recommended the standard conditions be applied to this appointment.