



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: Amber de Botton, former Director of Communications at No.10, Cabinet Office. Paid appointment with the UK Governance Project.

1. Ms de Botton 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 taking up a role with the UK Governance Project as a Consultant.
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 Ms de Botton's time in office, alongside the information and influence a former Director of Communications at No 10 may offer the UK Governance Project. 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 Rules¹ set out that Crown servants must abide by the Committee's advice. 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.

¹ Which apply by virtue of the Civil Service Management Code, The Code of Conduct for Special Advisers, The King's Regulations and the Diplomatic Service Code.

The Committee's Consideration

5. There is no relationship between the UK Governance Project and the Cabinet Office, nor was Ms de Botton involved in any policy, regulatory or funding decisions specific to the organisation. Therefore, the Committee² considered the risk that this appointment could be considered a reward was low.
6. As the former Director of Communications at No.10, Ms de Botton would have had access to sensitive information which may be seen to benefit any company she chooses to join. The Committee considered it significant that this is a general risk; her former department is not aware of any particular information she had access to which would raise a risk under the Rules ;and three months have passed since she last had any access to information in office.
7. As the former Director of Communications at No.10, there are risks associated with Ms de Botton's influence and network of contacts within government which could unfairly assist the UK Governance Project. In particular the Committee noted the organisation may seek to influence the government to adopt the recommendations of its report. Ms de Botton confirmed her role will not involve any contact with the UK government; her role is internally focused on helping the organisation on its communications in the media; and this is a short-term role and so the risks are limited. It is significant that this is a communications role, and after a relatively short time in government service Ms de Botton is returning to work that relates to her long held career in the media and communications.

The Committee's advice

8. There are risks associated with her general access to sensitive information and potential influence within government - though the Committee did not consider this appointment raises any particular proprietary concerns under the government's Rules.
9. The conditions outlined below seek to prevent the improper use of information and contacts to the unfair advantage of the UK Governance Project. These appropriately mitigate the risks in this appointment.

² This application for advice was considered by Dawid Konotey-Ahulu CBE, Andrew Cumpsty; Sarah de Gay; Isabel Doverty; Hedley Finn OBE; The Rt Hon Baroness Jones of Whitchurch; The Rt Hon Lord Pickles; Michael Prescott; and Mike Weir.

10. In accordance with the government's Business Appointment Rules, the Committee advises Ms de Botton appointment with the **UK Governance Project** should be subject to the following conditions:
- she should not draw on (disclose or use for the benefit of himself or the persons or organisations to which this advice refers) any privileged information available to him 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 the UK Governance Project (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 the UK Governance Project (including parent companies, subsidiaries, partners and clients); and
 - for two years from her last day in Crown service, she should not provide advice to the UK Governance Project (including parent companies, subsidiaries, partners and clients) 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 any of its arm's length bodies.
11. The advice and the conditions under the government's Business Appointment Rules relate to your 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' Interests³. 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.
12. 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.
13. 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*

³ All Peers and Members of Parliament are prevented from paid lobbying under 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

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."

14. You must inform us as soon as Ms de Botton takes up employment with this organisation, or if it is announced that Ms de Botton will do so. Please also inform us if Ms de Botton 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.
15. 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.

Yours sincerely

Xante Chalwell
Committee Secretariat

Annex - Material Information

The role

1. Ms de Botton said that the UK Governance Project is a charity. She said the purpose of the project is to make practical recommendations to improve governance within the UK's central institutions of government, thereby improving the quality of government and underpinning democracy. Its website confirms the project is neutral as regards to political parties and its output will be available to all three main UK parties on an equal basis. It aims for rapid implementation by the government formed after the next General Election.
2. Ms de Botton said that her role will entail providing media planning advice to the project on how to launch their report. She may also do some copy editing of the report.
3. Ms de Botton said she has worked in the media over the past 20 years and will be using the skills and experience gained in this career to execute her role with the UK Governance Project. Prior to joining No.10 she was the Head of UK News and Head of Politics respectively at ITV and she was Deputy Head of Politics at Sky News.⁴

⁴ <https://www.linkedin.com/in/amberdebotton/?originalSubdomain=uk>

4. Ms de Botton said that her role will have no contact or dealings with government. Further she said that the report's findings will be presented to all three main political parties and that she will not be offering any advice on engagement with government and that the project is not a commercial organisation.

Dealings in office

5. Ms de Botton advised the Committee that she did not make any policy or regulatory decisions specific to the UK Governance Project, nor did she meet them whilst in office.

Departmental Assessment

6. The Cabinet Office confirmed the details provided and said:
 - It does not have a relationship with the UK Governance Project.
 - It noted that given the UK Governance Project will provide analysis and recommendation on changes on governance within the UK on a cross-party basis; the project may touch on constitutional or local government changes which fall within the remit of responsibility of the Cabinet Office.
 - Ms de Botton would have had access to sensitive information, but it considered this information to be unlikely to provide a competitive advantage considering the UK Governance Project intends to inform UK policymaking on a cross-party basis.
7. The Cabinet Office recommended the standard conditions, and suggested Ms de Botton be reminded of her duty to maintain confidentiality of privileged information that she was exposed to during her time in government.