



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: Dame Melanie Dawes, Permanent Secretary for Ministry of Housing, Communities and Local Government between March 2015 - February 2020

1. Dame Melanie, former Permanent Secretary for the Ministry of Housing, Communities and Local Government, has 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 an appointment she wishes to take up with the Church of England, Racial Justice Commission (RJC), as a Commissioner. The material information taken into consideration by the Committee is set out in Annex A.
2. The purpose of the Rules is to protect the integrity of the government. Under the Rules, the Committee's remit is to consider the risks associated with the actions and decisions made during time in office, alongside the information and influence a former Crown servant may offer the RJC.
3. The Rules 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.

The Committee's advice

4. When considering this application, the Committee¹ took into account this role as a Commissioner 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

¹ This application for advice was considered by Jonathan Baume; Andrew Cumpsty; Sarah de Gay; Isabel Doverty; Richard Thomas; and Mike Weir. Dr Susan Liautaud and Lord Larry Whitty were absent. The Rt Hon Lord Pickles was recused.

² By 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.

with former Crown servants using privileged access to contacts and information to the benefit of themselves or those they represent; and 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.

5. The Committee took into account that Dame Melanie did not meet with the Church of England, RJC while in post. There is a stakeholder relationship with the Church of England and Dame Melanie's former department in that the Ministry of Housing, Communities and Local Government sponsored relations on behalf of the government with all faith groups, including the Church of England. Additionally, the Church of England has received grant funding, for example, for its interfaith work. However, the Committee noted that both Dame Melanie and the departments stated she had no direct involvement in this. It was also noted that she made no decisions specific to the organisation.

6. As above, the Committee recognised that the risks in this unpaid appointment are limited. The Committee did not consider this appointment raises any particular proprietary concerns under the government's Business Appointment Rules. The standard conditions below, preventing Dame Melanie from drawing on her privileged information and using her contacts to the unfair advantage of her new employer, will sufficiently mitigate the risks in this case.

7. Taking into account these factors, in accordance with the government's Business Appointment Rules, the Committee advises this appointment with the **Church of England, Racial Justice Commission** be subject to the following conditions:

- she should not draw on (disclose or use for the benefit of herself or the persons or organisations to which this advice refers) any privileged information available to her 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 on behalf of the Church of England (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 to influence policy, secure business/funding or otherwise unfairly advantage the Church of England (including parent companies, subsidiaries, partners and clients); and
- for two years from her last day in Crown service she should not undertake any work with the Church of England (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.

8. Dame Melanie must inform us as soon as she takes up employment with the Church of England, Racial Justice Commission, or if it is announced that she will do so and we will publish this letter on our website.

9. Any failure to do so may lead to a false assumption being made about whether she has complied with the Rules.

10. Dame Melanie must inform us if she 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.

Yours sincerely

Andrea Benjamin
Committee Secretariat

Annex A - Material information

The role

1. The Church of England is the parent company of the Racial Justice Commission. Dame Melanie noted the Commission was appointed '*...in response to the Anti-racism Taskforce report, Lament to Action. The purpose of the Commission will be to set out a compelling agenda for change, in careful gospel driven discernment, balancing the needs of individuals, communities, and society, maximising opportunities, and ensuring fairness for all.*' She stated she has been asked to join as a Commissioner - an unpaid role, involving 1 - 1.5 days of work per month.

2. Dame Melanie stated: '*The Commission will report every six months on progress against the steps the Church is taking to improve racial justice. It will listen and learn from the process of participative engagement, and consider detailed quantitative data and qualitative evidence, commissioning new research and inviting submissions where necessary and engaging with stakeholders and conversation partners across and beyond the Church.*' There is no proposed contact with the government in this role.

Dealings in office

3. Dame Melanie stated she was not involved in making policy or regulatory decisions regarding her proposed employer. Dame Melanie stated MHCLG sponsored relations on behalf of HMG with all faith groups and this would have included the Church of England. She stated it is possible the Church of England

received grants from MHCLG for its interfaith work, however she was not involved in the decisions on these grants and all were made by ministers with support of the relevant officials.

Department Assessment

4. The Cabinet Office confirmed the details Dame Melanie provided in her application. The department had no concerns with regards to this application and gave the below comments:
 - *‘The applicant has stated she was not involved in the decisions on these grants, as all decisions were made by ministers with the support of the relevant officials.’*
 - *‘We have received confirmation from MHCLG that the applicant was not directly involved with the decision making relating to the granting of funding to the Church of England.’*
 - *‘The applicant was approached directly by the Archbishops, to undertake a non remunerated role as a commissioner due to her expertise on D&I, and in particular race. The role will scrutinise the Church of England’s policies, practices and culture in relation to racial justice. The Commission will report to the Archbishops every six months during the three-year period, with recommendations to help the Archbishops fulfil their commitments to identify, respond to, and root out systemic racism in the Church’.*
 - *‘The applicant has advised that her role as commissioner will not involve lobbying HMG.’*
5. The Cabinet Office recommended the applicant be reminded not to use privileged information to benefit her new employer, and to respect her ongoing duty of confidentiality.