



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

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**BUSINESS APPOINTMENT APPLICATION: The Rt Hon Robert Halfon, former Minister of State for Skills, Apprenticeships and Higher Education for the Department for Education. Paid appointment with Candestic Limited.**

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 a Senior Advisor at Candestic Limited (Candestic).
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 Candestic as a former minister in education. 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 presented

5. Candestic is a consulting firm operating in sectors including healthcare, pharma and life sciences, medtech, education, defence, security, telecoms. It provides services in: due diligence, operational plans, strategic consulting,

digital consulting. You told the Committee<sup>1</sup> that Candestic focuses on solving 'real world' operational problems. You seek to join Candestic as a Senior Advisor, advising clients on strategy across sectors, rather than focusing only in education, and carrying out business development.

6. The Department for Education (DfE) confirmed that decisions you made as minister were sector-wide and affected the higher education, further education and apprenticeship sectors as a whole. You did not meet, or otherwise have contact with, Candestic while in office. Therefore, the Committee considered the risk that you were offered this role as a reward for decisions made or actions taken in office is low.
7. As a former education minister, there is general overlap between your time in office and your role with Candestic, which works in education as well as other sectors. You will have had access to information about the policy options and decisions being worked on within DfE, before you left office. Such information could, or be seen to, provide Candestic and/or its clients with unfair insight. The Committee considered there are factors that mitigate your access to information on policy:
  - a. You have been out of office for four months, and have not had access to information during that time.
  - b. Though you may have insight into possible options from before leaving office, you cannot know what policy decisions the current government will make.
  - c. your role will involve working across multiple sectors - not just education and you plan to provide advice on your broad understanding of how the sector functions, rather than specific, policy-related advice.
8. In addition, DfE told the Committee that you have access to information about the financial health of – and risks facing – the higher education sector, both as a whole and as regards specific institutions. Candestic is an advisory firm with unknown clients.
9. There is a risk that you will be able to offer Candestic an unfair advantage by virtue of your network of contacts from your time as a minister, and the possible influence you have within DfE. You told the Committee that your role will not involve contact with government and whilst you said lobbying was not something the company has an interest in, you also made Candestic aware that you will not lobby government on its behalf.

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<sup>1</sup> This application for advice was considered by Andrew Cumpsty; Isabel Doherty; Hedley Finn OBE; Sarah de Gay; Dawid Konotey-Ahulu CBE DL; The Rt Hon Lord Eric Pickles; Michael Prescott; and Mike Weir.

10. Your time at DfE working in the education sector may have afforded you access to privileged contacts in the private sector or other governments. The Committee considered that there is a risk that this network could be used to obtain new business for Candestic.
11. The risks associated with your access to information and influence are most likely to arise if you advise on matters which directly overlap with the commercial information outlined above by DfE and/or your portfolio in office.
12. The Committee therefore sought confirmation from Candestic that your role will be appropriately ring fenced to prevent this. Candestic informed the Committee it understands and accepts this advice and will ring fence your role accordingly. It said that any contact with any new party will be first checked against the restrictions to prevent any overlap.

### The Committee's advice

13. The Committee is cognisant of the risks associated with your access to information and the unknown nature of Candestic's clients. The Committee has recommended a limitation be placed on your role to prevent you from working on matters you were specifically involved with in office, organisations with whom you had a relationship as a minister, and providing advice on higher education institutions. The Committee recognised that education is a wide sector and there are matters separate to institutions providing higher education, and outside of your portfolio. This advice does not preclude you from advising on education matters outside of these restrictions.
14. The Committee considered it significant that five months had passed since you last had access to privileged information; this role is not focussed on education; and Candestic has confirmed compliance with the advice and government's Rules.
15. The conditions below seek to prevent you from making improper use of privileged information, influence and contacts gained from your time in ministerial office, for the unfair advantage of Candestic and its clients.
16. In accordance with the government's Business Appointment Rules, the Committee advises this appointment with **Candestic Limited** 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 any of its arm's length bodies on behalf of Candestic Limited (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 Candestic Limited (including parent companies, subsidiaries, partners and clients);
- for two years from your last day in ministerial office, you should not provide advice to on behalf of Candestic Limited (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;
- for two years from your last day in ministerial office, you should not become personally involved in lobbying contacts you developed during your time in office in other governments and organisations for the purpose of securing business for Candestic Limited; and
- for two years from your last day in office, you must not advise Candestic Limited or its clients on:
  - Higher Education institutions;
  - any policy which you had a material role in developing or determining as a minister; or
  - organisations you had a formal relationship with during your time as Minister of State for Skills, Apprenticeships and Higher Education.

17. The advice and the conditions under the government's Business Appointment Rules relate to your previous role in government only; there are separate 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' Interests.<sup>2</sup> 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.

18. 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

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<sup>2</sup> All Peers and Members of Parliament are prevented from paid lobbying under the 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

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.

19. 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.”*
20. 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. Please 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.
21. 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. Candestic is a consulting firm operating in sectors including healthcare, pharma and life sciences, medtech, education, defence, security, telecoms. It provides services in commercial and operational due diligence, operational plans (e.g. restructuring, divestiture, acquisition), strategic consulting (e.g. assisting with decision-making processes), digital consulting (e.g. optimising processes and supporting growth of data-based companies such in AI, machine learning, data collection and analytics), and tech-enabled strategic planning (e.g. finding software solutions). Candestic works with private equity funds, private investors and their portfolio companies, healthcare corporations, and public sector organisations such as the NHS.
2. You said that your paid, part-time role will involve solving 'real world problems'. You said that your role will work across all sectors, not just education, and your responsibilities will include:
  - Promoting Candestic to potential clients.
  - Participating in potential client meetings and conferences as requested.
  - Contributing sector expertise as requested.
  - Asking questions to determine potential risks in strategy.

You said your role will not involve contact with government or lobbying, and that you are not expected to advise on the specifics of your previous government portfolio - but in more general terms. You noted that the company is not interested in lobbying government, but you have also made it clear to them that you cannot take part in any such activity by virtue of the government's Rules.

### Employer Confirmation

3. Candestic was asked to confirm adherence to the Committee's advice. Candestic said that it '*...understands and accepts the conditions set out in the letter and will abide accordingly. [Candestic] will implement a process by which any contact on behalf of Candestic with a new party will be checked against the restrictions to ensure that the activities and entities listed in your restrictions are ringfenced accordingly.*'

### Dealings in office

4. You said that you did not meet with Candestic in office and that you did not make any policy, regulatory or commercial decisions relevant to it. You said

that you did not have any access to sensitive information that could provide Candesic with an unfair advantage.

#### Departmental assessment

5. The Department for Education (DfE) were consulted on this application, and told the Committee the following:
  - You made decisions impacting the education sector, specifically higher education, further education, and apprenticeships. You did not make any decisions (policy, commercial, regulatory) specific to Candesic.
  - In respect of your oversight of the higher education sector, you made overall policy funding decisions. For example in relation to the Strategic Priorities Grant and Adult Education Budget.
  - There is no departmental relationship with Candesic.
  - You did not meet with Candesic in office.
  - You do not have any access to information specific to Candesic. However, DfE noted that within the Higher Education space, you will have had access to privileged and commercially sensitive information regarding the financial health of, and risks facing, the higher education sector. This includes specific institutions at financial risk, and briefings on risks to the sector, which could provide insights not available publicly.
  
6. DfE recommended that this appointment be approved subject to the standard conditions.