

*From the Chair*



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

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August 2024

**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 GK Strategy.**

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 Strategic Advisor in Education, Skills, and Social Mobility at GK Strategy.
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 GK Strategy as a former minister. 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. GK Strategy describes itself as '*a leading political advisory firm*'. It works across multiple sectors, including health, education, professional and financial

services, emerging markets and other highly regulated sectors. It is registered as a consultant lobbyist with the Office of the Registrar for Consultant Lobbyists (ORCL). You said you will not provide advice focused on your ministerial portfolio. Though you seek to join GK Strategy as a strategic advisor for education, skills and social mobility, you said you would work across sectors rather than focus only on the education sector. Your role will include advising on political trends, training staff and clients on how parliament works and providing strategic advice to current clients and potential new clients. You confirmed your role will have no contact with government, nor any involvement in GK Strategy's lobbying activities.

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, GK Strategy while in office. Therefore, the Committee<sup>1</sup> 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 with responsibility for skills, higher education and apprenticeships, there is overlap between your time in office and your role with GK Strategy. As such, there are risks associated with your access to information, because you will have had access to information about the policy options and decisions being carried out within DfE before you left office. Such information could, or be seen to, provide GK Strategy and/or its clients with insights into the possible future direction of policy. The Committee noted that there are factors that mitigate your general access to information on policy:
  - a. you have been out of office for four months, and have not had access to information since that time. You cannot know what policy decisions the current government may make, though you may have insight into possible options from before leaving office.
  - b. 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. Additionally, 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 for specific institutions, which is not publicly available. GK Strategy is an advisory firm and therefore the nature of your work and with which clients, is unknown. The risks associated with your access to information are most likely to arise if you advise on matters which directly

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

overlap with this commercially sensitive information, or your portfolio in office. The Committee therefore sought confirmation from GK Strategy that your role will comply with the government's Rules and the Committee's advice. GK Strategy agreed to ring fence your role and fully comply with the advice. It said that in order to do so, it will provide training to all staff on complying with the conditions, and that you will not be involved in any current or potential clients or client matters which could conflict with this advice.

9. Your network of contacts from your time as a minister, and the possible influence you have within DfE and government may offer GK Strategy and its clients unfair access and influence, given that GK Strategy is a lobbying firm. You told the Committee that your role will not involve contact with government and that you have made GK Strategy aware that you will not lobby government on its behalf.
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 GK Strategy.

#### The Committee's advice

11. The Committee is cognisant of the risks associated with your access to information and the unknown nature of GK Strategy'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 any matters relating to higher education institutions. This will not prevent you from advising on general political trends or the education sector more broadly, but on matters you were materially responsible for in office. The Committee also considered that it was necessary for GK Strategy to confirm compliance with the advice. The Committee gave weight to the employer's confirmation that your role will be ring fenced and the conditions fully adhered to.
12. The remaining risks can be appropriately mitigated by the conditions below, which seek to prevent you from making improper use of information, influence and contacts gained from your time in ministerial office, for the unfair advantage of GK Strategy and its clients.
13. In accordance with the government's Business Appointment Rules, the Committee advises this appointment with **GK Strategy** 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 GK Strategy (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 GK Strategy (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 GK Strategy (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 GK Strategy; and
- for two years from your last day in office, you must not advise GK Strategy 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.

14. 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.

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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

15. 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.
16. 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.*"
17. 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.
18. 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. GK Strategy is a strategic advice and communications firm. It describes itself as 'a leading political advisory firm'. The website states that it helps investors, business leaders and organisations build relationships in the political, regulatory and policy work, and get into politics, and work with high growth businesses, sector leaders and private equity and their investee companies. It advises on transactions, building relationships and managing political risk. It works in mergers and acquisitions and operates across health, education, professional and financial services, and emerging markets and highly regulated sectors.
2. It is registered as a consultant lobbyist with Office of the Registrar for Consultant Lobbyists, and represents a range of clients from APPGs to Warner Bros Discovery - the media and entertainment group. It also submits its clients to the Public Relations and Communications Association (PRCA), meaning its client list is in the public domain.
3. In your paid, part-time role as a Strategic Advisor in Education, Skills and Social Mobility, you said that your responsibilities will include:
  - Advising on political trends, outlook and policy issues; and drafting content on your perspective on the political outlook.
  - Staff training and mentoring/client training - relating to how the political system works generally, how select-committees work and training for media or committee appearances.
  - Presenting to management teams, exhibitions / speaking events.
  - Attending quarterly Board Meetings as required.
  - Advising on mergers and acquisitions.
  - Providing strategic counsel to potential new business and current clients.
4. You said that this role will involve working across all sectors - not just education; and you will have no contact with government, nor lobbying of government. You said the restrictions placed on you as a former minister have been made clear to GK Strategy.

### Employer confirmation

5. GK Strategy confirmed to the *Committee that it '...agrees to comply with the guidance in full as provided. In order to comply with this guidance –*

- [GK Strategy] *will brief and provide training to all staff on complying with the guidance*
- [GK Strategy] *will not involve [Mr] Halfon in any current or potential clients or client matters which could be considered as a breach and therefore provide appropriate ringfences for his role'*

#### Dealings in office

6. You said that you did not meet with GK Strategy 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 GK Strategy with an unfair advantage.

#### Departmental assessment

7. 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 GK Strategy.
  - 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 GK Strategy.
  - You did not meet with GK Strategy in office.
  - You do not have any access to information specific to GK Strategy. 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.
8. DfE recommended that this appointment be approved subject to the standard conditions plus a limitation on your role to mitigate the risks arising out of the unknown nature of GK Strategy's clients and your access to privileged information.