



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: Adam Smith, former Chief of Staff to the Chancellor of the Exchequer at HM Treasury. Publishing a fee paid blog online.

1. Mr Smith approached the Advisory Committee on Business Appointments (the Committee) under the government's Business Appointments Rules for Former Crown Servants (the Rules) seeking advice on publishing a regular blog hosted on Substack.
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 Mr Smith's time in office, alongside the information and influence he may offer. The material information taken into consideration by the Committee is set out in the annex below.
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.

The Committee's consideration of the risks presented

5. Mr Smith has been writing ad hoc articles on Substack and wishes to publish a blog on a regular, long term basis. He said that these articles, commenting on economic policy, will be published on Substack and charge a subscription fee.

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.

His income from the blog is derived wholly from those subscribers, not from the platform provider. Revenue streams to Substack are on a commission basis and therefore depend on subscribers to his newsletter.

6. This is a newly established blog, and HM Treasury (HMT) confirmed that Mr Smith did not have involvement in any decisions specific to this work. The Committee² considered the risk that this appointment could reasonably be perceived as a reward for decisions made or actions taken in office is low.
7. As the former Chief of Staff and Special Adviser on policy to the Chancellor there are inherent risks associated with Mr Smith's privileged access to information and contacts which may be seen to be of general use to any media or publication entity. These risks are limited in this case, given the material used will be published online.

The Committee's advice

8. The Committee did not consider establishing a blog on Substack to raise any particular propriety concerns under the government's Rules, provided it is subject to the conditions below. However, the Committee would remind Mr Smith that it is his responsibility to manage the propriety of the specific work undertaken. In particular, he must be careful when discussing the inner workings of Whitehall and government, to not offer any privileged insight as a result of his time in office – which the conditions below seek to mitigate.
9. The Committee advises, under the government's Business Appointment Rules, that this appointment to publish a blog, hosted on **Substack Inc.** should be subject to the following conditions:
 - he 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 his time in Crown service;
 - for two years from his last day in ministerial office, he should not become personally involved in lobbying the government or its arm's length bodies on behalf of the blog (including parent companies, subsidiaries, partners and clients); nor should he make use, directly or indirectly, of his contacts in the government and/or Crown service to influence policy, secure business/funding or otherwise unfairly advantage the newsletter or

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

Substack Inc (including parent companies, subsidiaries, partners and clients); and

- for two years from his last day in Crown service, he should not undertake any work with the blog or Substack Inc (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 government or its arm's length bodies.
10. The advice and the conditions under the government's Business Appointment Rules relate to Mr Smith's 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' Interests.³ 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.
 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 Civil Service 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.*"
 13. Mr Smith must inform us as soon as he takes up this role, or if it is announced that he will do so. He must also inform us if he proposes to extend or otherwise change the nature of his role as, depending on the circumstances, it may be necessary for him 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.

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 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.

Yours sincerely

Shaneez Mithani
Committee Secretariat

Annex - Material Information

The role

1. Mr Smith informed the Committee that he wishes to publish a blog on Substack, access for which he would charge a fee. He said that this will comment on economic policy. Mr Smith has previously written ad hoc articles on his Substack page and seeks to make this a long-term publication subscription based service. Mr Smith confirmed his role will not involve contact with the UK government.

Dealings in office

2. Mr Smith advised the Committee that during his time in office he:
 - did not meet with Substack;
 - did not make any policy decisions relevant to Substack or his blog; and
 - did not have access to relevant sensitive information.

Department Assessment

3. HMT confirmed the details Mr Smith provided. HMT noted the sensitive information he would have had access to as the Chancellor's most senior adviser, and recommended the standard conditions be applied.