



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

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The Rt Hon Pat McFadden MP  
Chancellor of the Duchy of Lancaster and  
Minister for Intergovernmental Relations

18 December 2024

Dear The Rt Hon Pat McFadden MP

I am writing to you in my capacity as Chair of the Advisory Committee on Business Appointments (ACOBA) regarding a failure to follow the government's Business Appointment Rules (the Rules) by Mr Mark Jenkinson, included in the annex.

The Committee is independent, with a remit to consider applications received under the Rules, consider the risks and advise on the conditions that should apply.

The Business Appointment Rules (the Rules) are set by the government, with the policy owned by the Cabinet Office. The requirement for former ministers to seek and abide by ACOBA's advice is set out clearly in the Ministerial Code, including specifically that: '*...Former Ministers must ensure that no new appointments are announced, or taken up, before the Committee has been able to provide its advice.*'

Mr Jenkinson has acknowledged that he should have sought advice and has apologised for his failure to do so. He has no reasonable excuse for the failure.

There are currently no consequences of sanctions for breaches of the government's Rules. The government owns both the Rules and their enforcement. It is now a matter for you to decide what appropriate action to take.

It is the Committee's policy to act transparently, including making public any failure to follow the Rules that it is made aware of.

A handwritten signature in black ink that reads "Lord Pickles". The signature is written in a cursive, slightly slanted style.

**The Rt. Hon Lord Pickles**

Copied to: The Rt Hon Nick Thomas-Symonds MP, Minister for the Cabinet Office;  
Darren Tierney Director General, Propriety and Ethics, Cabinet Office.

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## Annex - Previous correspondence

1. Letter from The Rt Hon Lord Pickles to Mr Jenkinson, 18 December 2024



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By email

Dear Mark,

Thank you for your recent correspondence to the Advisory Committee on Business Appointments (ACOBA) enclosing your applications for advice. This included applications for advice on establishing an independent consultancy, Redghyll Ltd and taking up work with Nuvia.

You applied for ACOBA's advice on Redghyll Ltd and Nuvia, after starting these roles. You listed your directorship of Redghyll on your linkedin profile as starting in July 2024; and you took up work with Nuvia, as a paid Technical Author, in September 2024.

Under the government's Business Appointment Rules (the Rules), as set out in the Ministerial Code, you are required to seek and await final advice before taking up or announcing any appointments or employment for two years after leaving office. Alongside your application, you attached a letter to ACOBA acknowledging that you had not sought advice and apologising for failing to do so. This correspondence is annexed below.

The government's Rules exist to protect the integrity of government. Failure to seek advice before commencing work is a clear and unambiguous breach of the Rules.

ACOBA's long-established practice is not to provide retrospective advice and report breaches to the government. You must seek advice from ACOBA on all work, roles

or positions for two years from the date of your work termination from the government. Failure to do so would be a further breach. You must continue to follow the Rules and apply for advice on any future work you plan to take up under your consultancy Redghyll Ltd.

Please see the correspondence enclosed, reporting this matter to the government, as the owners of the Rules. In line with ACOBA's commitment to transparency, the exchange of correspondence will be published on our website.



The Rt Hon Lord Pickles

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2. Letter from Mark Jenkinson to The Rt Hon Lord Pickles dated 4 October 2024

Dear Lord Pickles,

I have today sought retrospective advice on appointments, and pre-advice on the others in the usual manner. I must apologise for not following the guidance initially.

I do not recall, nor can I find any evidence of, receiving the letter from ACOBA to departing ministers. That aside, I fully accept that it was my responsibility to understand that the rules applied to me as a departing Assistant Government Whip. It was not my intention to circumvent the rules, or to cause the committee any additional work.

I apologise wholeheartedly to you and the other members of the committee for this oversight, and the committee can be assured that future appointments will be submitted in line with the guidance.

Yours ever

Mark Jenkinson