



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION FOR ADVICE: Sir Alex Chisholm, former Chief Operating Officer for the Civil Service and Permanent Secretary for the Cabinet Office. Unpaid appointment with the European Policy Forum.

1. Sir Alex 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 unpaid appointment he wishes to take up as a Committee Member for the European Policy Forum.
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 Sir Alex's time in office, alongside the information and influence the former Permanent Secretary at the Cabinet Office could offer a think tank. 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 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

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

5. When considering this application, the Committee² took into account this appointment as a Committee Member is unpaid.³ 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 with former ministers joining outside organisations. Those risks include: using privileged access to contacts and information to the benefit of themselves or those they represent. The Rules also seek 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.

6. As the former Chief Operating Officer for the Civil Service and Permanent Secretary for the Cabinet Office, Sir Alex had access to a wide range of privileged information. It has been over eight months since he left office, providing a gap between his role in government and his role with the European Policy Forum.

7. There are inherent risks that a senior official offering a network and influence within government might be used to assist any organisation unfairly, which would raise risks under the Rules if it was used to provide unfair access to, and influence within, government.

The Committee's advice

8. The Committee did not consider this appointment raises any particular concerns under the government's Rules, subject to the standard conditions. These make it clear that Sir Alex cannot make use of his access to privileged information, contacts or influence gained from his time in Crown service to the unfair benefit of the European Policy Forum. These conditions appropriately mitigate the risks identified above.

9. The Committee's advice in accordance with the government's Business Appointment Rules is that this role with the **European Policy Forum** be subject to the below 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;

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

³ 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.

- for two years from his last day in Crown service, he should not become personally involved in lobbying the UK government or any of its arm's length bodies on behalf of European Policy Forum (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 contacts to influence policy, secure business/funding or otherwise unfairly advantage European Policy Forum (including parent companies, subsidiaries, partners and clients); and
- for two years from his last day in Crown service, he should not provide advice to European Policy Forum (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 the UK government or its arm's length bodies.

10. The advice and the conditions under the government's Business Appointment Rules relate to Sir Alex's previous roles 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' Interests⁴. 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 Ministerial Code/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. Sir Alex must inform us as soon as he takes up this work or if it is announced that he will do so. Similarly, he must inform us if he proposes to extend or otherwise change his role with the organisation as depending on the circumstances, it might be necessary for him to seek fresh advice.

⁴ 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.

14. Once this appointment has been publicly announced or taken up, we will publish this letter on the Committee's website.

Jess Barrow

Committee Secretariat

Annex- material information

The role

1. European Policy Forum is a network of academics, public servants and industrialists who meet to discuss ideas about a strategic policy issue, usually with a guest speaker. It has a particular mission to develop the better regulation agenda and has produced pioneering studies promoting the design, effective use and subsequent audit of impact assessments.
2. Sir Alex wishes to take up an unpaid, part-time role as a Committee Member for the European Policy Forum. Sir Alex said that his role will involve contributing to discussions- for about four meetings per year. His role will not include any contact with government.

Dealings in office

3. Sir Alex said that he did not make any policy, regulatory or commercial decisions related to the European Policy Forum in office, nor did he have access to any privileged information that could confer a particular advantage. Sir Alex said that although he did not meet with the organisation in office, he spoke as a guest at a conference organised by its sister organisation- The Infrastructure Forum.

Departmental assessment

4. The Cabinet Office said that Sir Alex did not make any decisions in office specific to the European Policy Forum. However, Sir Alex previously had accountability for delivery of future Borders and EU exit no deal preparations, so while he was not a direct decision-maker he certainly had involvement in decisions which are likely to have affected some EPF members. The most significant period, though, was during Brexit, and time has passed since then. Other areas of new regulation or policy for which the Cabinet Office had responsibility, such as the Procurement Bill, are more recent.

5. The Cabinet Office said that as with all think tanks, it is possible that Sir Alex may have received policy communications from the prospective employer and potential competitors during his time in service. However, this is highly unlikely to be commercially sensitive or valuable, and any shared information is likely to be in the public domain as part of the think tanks' published work or position. It noted Sir Alex's knowledge does not extend to the new administration, but he will still have considerable knowledge of the mechanics and strategic workings of the government and Civil Service.
6. The Cabinet Office said that Sir Alex attended events organised either European Policy Forum or its sister organisation on two occasions:
 - A dinner organised by The Infrastructure Forum on 5 June 2018⁵
 - A dinner with its Advisory Council arranged by the European Policy Forum on 9 January 2024
 - It noted he did not speak on matters of government policy.
7. The Cabinet Office recommended standard conditions.

⁵ <https://assets.publishing.service.gov.uk/media/5bc590c040f0b6386354ac9b/beis-senior-officials-hospitality-april-june-2018.csv/preview>