

*From the Chair*



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

Room G/08, 1 Horse Guards Road, London, SW1A 2HQ

Telephone: 020 7271 0839

Email: [acoba@acoba.gov.uk](mailto:acoba@acoba.gov.uk)

Website: <http://www.gov.uk/acoba>

December 2024

**BUSINESS APPOINTMENT APPLICATION: Baroness Joanna Penn, former Parliamentary Under Secretary of State in the Department for Levelling Up, Housing and Communities. Unpaid appointment with Crisis UK.**

1. You sought advice from the Advisory Committee on Business Appointments (the Committee) under the government's Business Appointments Rules for Former Ministers (the Rules) on an unpaid role you want to take up as with Crisis UK as a Trustee.
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 Crisis UK. 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. When considering this application, the Committee<sup>1</sup> took into account this appointment as Trustee is unpaid<sup>2</sup>. 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. The Ministry for Housing, Communities and Local Government (MHCLG)<sup>3</sup> confirmed you were not involved in policy or commercial decisions specific to Crisis UK. As such, the risk that this appointment could reasonably be perceived as a reward for decisions or actions taken in office is low.
7. There are inherent risks associated with any former minister's access to information, network of contacts and influence in government. Though there is a overlap between your former department's work and this charity, MHCLG does not consider you to possess sensitive information that may confer an unfair advantage to Crisis UK.
8. You noted there may be times when government chooses to attend events hosted by the Crisis UK. Where contact is instigated by government departments/officials it would not be contrary to the lobbying ban - which is imposed on all former ministers for two years on leaving office.

## The Committee's advice

9. The Committee considered that the risks in this application can be sufficiently mitigated by the standard conditions below, which seek to prevent you from making improper use of privileged information, contacts and influence to the unfair advantage of Crisis UK.

---

<sup>1</sup> 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; The Baroness Thornton and Mike Weir. Dawid Konotey-Ahulu CBE DL was unavailable.

<sup>2</sup>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.

<sup>3</sup> Following the General Election in June 2024, the Department for Levelling Up, Housing and Communities has been renamed as the Ministry of Housing, Communities and Local Government.

10. Therefore, in accordance with the government's Business Appointment Rules, the Committee advises this appointment with **Crisis UK** 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 its arms' length bodies on behalf of Crisis UK (including parent companies, subsidiaries, partners and clients); nor should you make use, directly or indirectly, of your contacts in the government and/or Crown service to influence policy, secure business/funding or otherwise unfairly advantage Crisis UK (including parent companies, subsidiaries, partners and clients); and
- for two years from your last day in ministerial office you should not undertake any work with Crisis UK (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, the UK government or its arms' length bodies.

11. The advice and the conditions under the government's Business Appointment Rules relate to your 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.<sup>4</sup> 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.

12. You must inform us as soon as you take up employment with this organisation, or if it is announced that you will do so and we will publish this letter on our website. Any failure to do so may lead to a false assumption being made about whether you had complied with the Rules.

13. You must 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.

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

---

<sup>4</sup> 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.

The Rt Hon Lord Pickles

## **Annex - Material Information**

### The role

1. Crisis UK is a national charity for people experiencing homelessness. Crisis provides practical help to people out of homelessness through access to benefits, healthcare services, employment opportunities. It campaigns for the changes needed to solve homelessness altogether and conduct research to understand and highlight the scale causes and consequences of homelessness. Crisis is a stakeholder for government on homelessness and rough sleeping policy.
2. You wish to take up an unpaid role as a Trustee. You said the Crisis Board of Trustees currently comprises 12 members whose statutory duties are to ensure the charity is well governed. This means:
  - ensuring one understands the charity's purposes as set out in its governing document
  - helping to plan what the charity will do, and what you want it to achieve
  - complying with the charity's governing document and the law
  - acting in the charity's best interests at all times
  - managing the charity's resources responsibly
  - acting with reasonable care and skill, and
  - ensuring the charity is fully accountable.
3. In addition to the above, trustees use their specific skills, knowledge and experiences to help the Board reach sound decisions. As our trustee she would be expected to sit on one or more of Crisis' sub-committees. The Audit and Risk Committee, Finance and Investment Committee, Client Services Governance Committee, Housing Supply Committee, Nominations Committee and Remuneration Committee each meet around four times a year, virtually.
4. You stated part of the role of the Crisis UK is to campaign on homelessness issues and as such, there is contact between the organisation and the government. You stated such contact would be incidental and of the kind that you would expect any other trustee at the organisation to have for example attendance at a parliamentary reception or other gathering of stakeholders working on homelessness policy. You confirmed you are not involved in lobbying government as part of this role.
5. You stated you previously volunteered for the charity, but not during your time as a minister.

### Dealings in office

6. You said that you did not make any policy, regulatory or commercial decisions specific to Crisis UK, that you did not have any access to information that could grant Crisis UK an unfair advantage, and that you had no contact with the organisation in your capacity as a minister.

### Departmental assessment

7. MHCLG confirmed the details provided in your application and approved this appointment subject to the standard conditions.