

From the Chair



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: Anthony Browne, former Parliamentary Under Secretary of State, Department for Transport. Paid appointment to establish a consultancy operating as Grand Strategy.

1. You sought advice from the Advisory Committee on Business Appointments (the Committee) under the government's Business Appointment Rules for Former Ministers (the Rules) to establish a consultancy operating as '*Grand Strategy*'.
2. The purpose of the Rules is to protect the integrity of the government. Under the Rules, the Committee's remit is to consider the risks associated with the actions and decisions you made during your time in office, alongside the information and influence you may offer your potential clients. 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

5. In your application, you said your consultancy will involve you providing strategic advice to companies navigating regulation and policy, with an initial focus on financial services, eventually moving into other areas. You intend for

Grand Strategy to hire experts in their respective fields to provide these services.

6. It would not be improper for you to operate a consultancy which draws on generic skills and experience you gained from and before your time in government. The risks in this case are hard to quantify given the potentially broad and wide ranging nature of the consultancy; and you had access to a wide range of sensitive information and insight whilst in office. The Committee¹ considered you could offer a potential unfair advantage over competitors- whether in relation to seeking new clients, or in providing them with advice.
7. The Committee took into account that your former department, the Department for Transport (DfT) does not have concerns regarding your access to sensitive information and insight that could offer your future clients an unfair advantage. The Committee recognised that as the Prime Minister's Anti-Fraud Champion you had access to information related to the government's policies on countering fraud. This risk is limited given your role was focused in working on mutually beneficial voluntary cooperation with stakeholders on financial crime, in line with existing government policy. You were not involved in any regulatory, commercial or policy matters that may confer an unfair advantage to your consultancy. It is also relevant that the initial focus is on financial services - which relates to your career prior to joining government.
8. Whilst there is no obvious overlap with this business venture and your time as a minister at DfT, there is an overlap with the work you did as Anti Fraud Champion where you worked across financial services on behalf of the government. There is a limited risk this may be seen to have offered you access to contacts that could be used to gain business for your consultancy. It is significant that your career prior to entering politics and government was in financial services and you likely have a network of contacts as a result of this.
9. This advice provides you consent only to set up a consultancy, subject to a number of conditions. It does not give you consent in relation to any possible future clients. You must seek advice in relation to each client, so that risks can be assessed and it will need to be demonstrated by you and the Department for Transport and the Home Office that the work would be appropriate under the Rules.

Future Commissions

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

10. You must seek advice from the Committee for each commission you wish to accept. Whether the conditions set out below can sufficiently mitigate the risk presented by any future commission you propose to take up will depend on the specific details of each piece of work. Any failure to seek advice before accepting work would be a breach of the Rules and treated as such - including reporting breaching to government.
11. The risks under the Rules will be most significant where you seek to provide advice on matters where you made decisions or had access to sensitive information in office - these applications will need close scrutiny. The Committee will want to carefully consider the suitability of this work, and may advise that a further waiting period is required. Where conditions and a suitable waiting period cannot appropriately mitigate the risks, the Committee may advise the work is unsuitable to take up within the two years the Rules apply. The Committee will consider such risks on a case by case basis.
12. All potential clients must be notified of this advice, and when seeking work/new clients, you must adhere to the conditions below. Under the government's Business Appointment Rules, the Committee advises that this Independent Consultancy operating as **Grand Strategy** should be subject to the conditions set out below:
- 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 those you advise under Grand Strategy (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 contacts to influence policy, secure business/funding or otherwise unfairly advantage those you advise under Grand 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 those you advise under your independent consultancy (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 and in other governments and organisations for the purpose of securing business for your consultancy; and
 - for two years from your last day in ministerial office, before accepting any commissions for Grand Strategy and or/before extending or otherwise changing the nature of your commissions, you should seek advice from the Committee. The Committee will decide whether each commission is consistent with the terms of the consultancy and consider any relevant factors under the Business Appointment Rules.
13. 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.² 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.
14. 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 or otherwise.
15. The Business Appointment Rules explain that the restriction on lobbying means that you "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".
16. 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 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.

² 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.

17. Once the appointment(s) 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

Independent Consultancy

1. You said that Grand Strategy offers strategic advice to companies navigating regulation and policy, with an initial focus on financial services and will eventually move into other areas. You stated you intend for Grand Strategy to be a business that hires experts in their respective fields (not just a vehicle for personal consultancy work) and initially, clients are likely to be UK-based financial services companies, but you are waiting until setting up the company to start approaching them. You confirmed that you will not take on work which involves contact with, or lobbying government.
2. You informed the Committee your establishment and work of Grand Strategy that builds on your pre-government and pre-parliamentary experience as Chief Executive Officer of the British Bankers' Association, and Head of regulatory affairs at Morgan Stanley investment bank. The Committee noted you were:
 - A former member of the Treasury Select Committee (2 March 2020 to 26 June 2023).
 - Between 2020 to 2022, you were the Chairman of the All-Party Parliamentary Group on the Environment, a parliamentary group dedicated to strengthening the influence of parliamentarians on public policy and public debate on the environment and assisting parliamentarians by improving their access to specialist information.
 - Chairman of the UK Government's Regulatory Policy Committee.
 - Board Member of the International Banking Federation, the European Banking Federation and TheCityUK.
 - As an MP, you also served two years on the Public Accounts Commission.
3. You informed the Committee that as the Prime Minister's Anti-Fraud Champion, you:
 - were involved in coordinating policy across government to stop fraud (in particular, fraud against the person i.e. scams).

- were Involved in discussions with departments and regulators about a range of policies that could eliminate fraud, including such issues as inter-bank payments and compensation.
- led negotiations for the Online Fraud Charter³ (a voluntary code), whereby global tech firms agreed to implement measures to stop fraudsters using their platforms. As part of that, he met representatives of banks and tech firms, as well as their trade associations UKFinance and TechUK.
- worked on mutually beneficial voluntary cooperation with stakeholders on financial crime - in line with existing government policy, not specifically in regulating or otherwise making decisions or the awarding of contracts and/or grants.

Departmental Assessment

4. DfT confirmed you were not involved in any regulatory or policy decisions that could unfairly advantage the work you may take on as part of your consultancy, nor considered you to possess sensitive information that could provide an unfair advantage.
5. DfT did not have any concerns with you establishing an independent consultancy and recommended the standard conditions.

³ <https://www.gov.uk/government/publications/online-fraud-charter-2023>