

From the Chair



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: Lord Offord of Garvel CVO, former Parliamentary Under-Secretary of State for Export, The Department for Business and Trade and Parliamentary Under-Secretary of State to the Scotland Office. Paid appointment with The Silver Liqueur Company Ltd.

1. You approached the Advisory Committee on Business Appointments (the Committee) under the government's Business Appointments Rules for Former Ministers (the Rules) seeking advice on taking up a paid role as the Non-Executive Director and Chairman of The Silver Liqueur Company Ltd (Silver Liqueur).
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 Silver Liqueur, as a former minister. 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. You did not make any policy, regulatory or commercial decisions specific to Silver Liqueur. There is no relationship between your former departments and Silver Liqueur, nor did you meet with the company whilst in office. Therefore, the Committee¹ considered that the risk this role could reasonably be seen as a reward for your decisions in office is low.
6. The UK alcohol market is regulated by DEFRA and the Home Office. There is a limited overlap between your responsibilities as Parliamentary Under-Secretary of State for Export and your proposed appointment with Silver Liqueur - insofar as it relates to any business which may seek to export. You did meet with companies in the sector and other alcohol companies to discuss business and export goals. Neither the Department for Business and Trade nor the Scotland Office are aware of any privileged information that would provide Silver Liqueur with a particular advantage.
7. As with any former minister, your contacts and influence across government could offer Silver Liqueur an unfair advantage in relation to access to government. You confirmed that your proposed role would not involve any contact with government.

The Committee's advice

8. The Committee considered the conditions below are sufficient to mitigate the risks related to this role. These seek to prevent you from making use of privileged information, contacts and influence gained from your recent time in ministerial office to the unfair advantage of Silver Liqueur.
9. In accordance with the government's Business Appointment Rules, the Committee advises this appointment with **The Silver Liqueur Company Ltd** 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 any of its arm's length bodies on behalf of The Silver Liqueur Company Ltd (including parent companies, subsidiaries, partners and clients); nor should you make use, directly or indirectly, of your contacts in the government and/or ministerial office to influence policy, secure business/funding or otherwise unfairly

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

advantage The Silver Liqueur Company Ltd (including parent companies, subsidiaries, partners and clients); and

- for two years from your last day in ministerial office, you should not provide advice to or on behalf of The Silver Liqueur Company Ltd (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.
10. 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 You are reminded that as a Member of the House of Lords you are prevented from any paid lobbying under the House of Lords Code of Conduct. 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. 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 also 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 the House of Commons Code of Conduct and the Code of Conduct for Members of the House of Lords. Advice on your 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 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.

The Rt Hon Lord Pickles

Annex- material information

The role

1. You said that Silver Liqueur imports wholesale and manufactures spirits, liqueurs and other alcoholic beverages.
2. You wish to take on a part-time role with Silver Liqueur as its Non-Executive Director and Chairman. Although the role itself is unpaid, you are a shareholder in the company and as such, receive remuneration. You said you will oversee strategy and the board but will have no operational day-to-day role. You said that your role will not involve contact with government.

Dealings in office

3. You said that your former departments do not have a departmental relationship with Silver Liqueur, nor did you make any policy, regulatory or commercial decisions specific to Silver Liqueur. You said that you did not meet with the company whilst in office.

Departmental assessment

4. DBT and the Scotland Office confirmed the details in your application.
5. The Scotland Office said the only organisation within the sector that you would have interacted with (in a Scotland Office capacity) would be Scotch Whisky Association, but they considered it operated in a different market and that you would have no information that would offer a significant advantage.
6. DBT said you met with alcohol businesses to discuss their business and export goals and concerns. DBT is not aware of you having been exposed to any commercially confidential information held by those businesses.
7. The departments recommended the standard conditions.

