

From the Chair



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: The Rt Hon Robert Halfon, former Minister of State for Skills, Apprenticeships and Higher Education for the Department for Education. Paid appointment with Make UK.

1. You approached the Advisory Committee on Business Appointments (the Committee) under the government's Business Appointment Rules for Former Ministers (the Rules) seeking advice on taking up a paid role as the co-Chair for the Skills Commission at Make UK.
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 Make UK, 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. Make UK is both a membership body that represents the manufacturing industry, and an education provider for courses, apprenticeships and apprenticeship training. It lobbied HM Treasury (HMT) to provide funding for

Growth Sector Pilots – a £50 million pilot to stimulate apprenticeship training in growth sectors where there are skills deficits.¹ Make UK is convening an expert-led Industrial Strategy Skills Commission (the Commission) to ensure that employers in the manufacturing industry have the skills needed for economic growth.

6. You seek to join Make UK as the co-Chair of the Industrial Strategy Skills Commission. You said that your role would involve exploring how Make UK can ensure that future policy (predominantly the Skills and Growth Levy) delivers the skills that manufacturers need, and how Make UK's skills system can help to improve economic growth. You said that this would involve only consideration of existing, published policy and new ideas.
7. Your former department, the Department for Education (DfE), said that, as Minister of State for Skills, Apprenticeships and Higher Education, you made broad decisions affecting the apprenticeships and skills sectors as a whole, though none specific or of benefit to Make UK. DfE said that it had contact with Make UK regarding the Growth Sector Pilots, of which you were aware, but in which you had no involvement; and stated that HMT, not DfE, owned this scheme and investment. DfE also said that you had a stakeholder meeting with the CEO of Make UK while in office but that no decisions came from it. Therefore, whilst you had dealings with Make UK in office, no decisions impacting the organisation flowed from them. As such, the Committee² considered the evidence that this role could reasonably be seen as a reward for decisions made or actions taken in office is limited.
8. Your former role in office raises a reasonable risk that you would have had access to information across the skills and apprenticeships sector, which could be seen as relevant to Make UK as a training, apprenticeships and education provider. This risk is limited by several factors:
 - DfE said that you did not have access to information that could grant Make UK an unfair advantage;
 - none of the information to which you had access was specific to the manufacturing sector in which Make UK operates;
 - you have been out of office for six months, which places a significant gap between when you last had access to sensitive information and when you take up this new role at Make UK;

¹ www.sctp.org.uk/two-year-apprenticeship-growth-pilot-launches-from-1-april-to-stimulate-training-in-13-high-value-standards/
AND feweek.co.uk/autumn-statement-50m-pilot-for-growth-sector-apprenticeships/#:~:text=%E2%80%9CThe%20government%20is%20supporting%20plans.in%20high%2Dvalue%20standards.%E2%80%9D

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

- the Growth Sector Pilots funding has been announced and this is now in the public domain.
9. The Committee considered it significant that you said your role will be limited to advising on existing, published policy and will be forward looking – that you will not be advising on Make UK’s other offerings, such as its educational courses and apprenticeships. It is not inappropriate for any former minister to draw on their skills, experience, and understanding gained in office to advise on publicly available information and facilitate discussions on it. This would be in keeping with the ban on drawing on privileged information, below.
10. Make UK has a clear, ongoing interest in government policy and spending on skills and apprenticeships generally, as evidenced by its lobbying of HMT to fund the Growth Sector Pilots. As such, there is a reasonable risk that you could be seen to provide Make UK with unfair access to government in order to further its lobbying agenda. This risk is heightened because the purpose of the Commission is to offer government policies to help maximise the potential of the Skills and Growth Levy. There are several factors that mitigate this risk:
- The growth levy was owned by HMT, not DfE.
 - You said that your role will not involve lobbying or contact with government.
 - Make UK said the Commission will be cross-party and apolitical with no interaction with government officials.
 - The CEO of Make UK has provided confirmation that your role will be separate from any lobbying activities undertaken by Make UK and will not involve contact with government.

The Committee’s advice

11. The main risk in this case is that you may be perceived to offer Make UK unfair access to government, especially as the company has an interest in the direction of government policies and is known to have lobbied government. The Committee’s advice is that you should have no direct engagement with the government on behalf of Make UK. The Committee considered it significant that both you and Make UK provided confirmation of separation of your duties from any lobbying of government, contact with policymakers, and involvement in any of Make UK’s operations.
12. There are additional risks associated with the fact that the Commission will explore policy and innovation in the areas for which you held responsibility in office. Specifically, that you could be seen to provide Make UK with an unfair advantage. The Committee recognised that you said that your role will be limited to advising on new ideas and published policy. Accordingly, the Committee recommended that your role be limited to doing just that.

13. The remaining risks are appropriately mitigated by the remaining conditions below, which seek to prevent you from making improper use of privileged information, influence and contacts gained from your time in ministerial office, for the unfair advantage of Make UK, its clients, stakeholders and members of the Commission.
14. In accordance with the government's Business Appointment Rules, the Committee advises this appointment with **Make 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 any of its arm's length bodies on behalf of Make UK (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 advantage Make UK (including parent companies, subsidiaries, partners and clients);
 - for two years from your last day in ministerial office, you should not provide advice to, or on behalf of, Make UK (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, your role with Make UK should be limited to working on Make UK's Industrial Strategy Skills Commission, as it is described in this advice. In doing so, you may draw on policies that are published, but you must not advise Make UK, its clients or its stakeholders on matters you were materially involved with in office which have not yet been made public, or where you had a material relationship with the client or stakeholder.
 - for two years from your last day in ministerial office you should not initiate any engagement on behalf of Make UK (including parent companies, subsidiaries, partners and clients) with the UK government.
15. 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.³ 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.

16. 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.
17. 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.*"
18. You must inform us as soon as you take up employment with this organisation, 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.
19. 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. Make UK is a membership body representing the manufacturing industry. It

³ 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.

offers learning in the form of educational courses, apprenticeship training for employers, and apprenticeships.

2. Make UK was involved in HMG stakeholder engagement in 2024, prior to the autumn budget, about Growth Sector Pilots – a £50 million pilot to stimulate apprenticeships in engineering and other growth sectors with skills deficits.⁴
3. Make UK is convening an expert-led Industrial Strategy Skills Commission seeking to address how it can ensure that the Skills and Growth Levy,⁵ which replaces the existing apprenticeship levy and includes new foundation apprenticeships, helps to stimulate apprenticeship starts and provides employers (with a focus on manufacturing) with the skills needed for economic growth. The Commission aims to offer government policies to help reach the potential of the Skills and Growth Levy. The Commission will examine three key themes of problems facing:
 - a. employers (school incentives, access, how to help smaller firms)
 - b. providers (funding bands, cold spots, tutor workforce issues)
 - c. government delivery (budget, metrics, integration into wider skills system).

The work will take place over six months beginning this Autumn before the Spending Review and culminating in a report launched at Make UK's National Manufacturing Conference in 2025. The Commission will take evidence from interested stakeholders which will inform the final report.

4. Make UK said the Commission will be cross-party and apolitical with no interaction with government officials.
5. You said that your role will be paid, part-time and fixed-term. You seek to take on the role of Co-Chair, Industrial Strategy Skills Commission, which you said would involve exploring how Make UK can ensure that future policy (predominantly the Skills and Growth Levy) delivers the skills that manufacturers need. You said that the role would involve no discussion of previous government policy but instead will look into new ideas focused on how Make UK's skills system can help to improve economic growth.
6. You said that you will not be making any financial decisions or have any

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<https://www.sctp.org.uk/two-year-apprenticeship-growth-pilot-launches-from-1-april-to-stimulate-training-in-13-high-value-standards/> **AND**
<https://feweek.co.uk/autumn-statement-50m-pilot-for-growth-sector-apprenticeships/#:~:text=%E2%80%9CThe%20government%20is%20supporting%20plans.in%20high%2Dvalue%20standards.%E2%80%9D>

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<https://www.gov.uk/government/news/prime-minister-overhauls-apprenticeships-to-support-opportunity>

involvement in the operations of Make UK, and that this role will not involve any lobbying of, or contact with government.

7. The CEO of Make UK provided confirmation that your duties will be separated from Make UK's lobbying activities. His confirmation was as follows:

'As Co-Chair of the Commission you will convene the Commissioners to examine the key themes of the commission (set out later in this letter).

You will not be making any financial decisions or have any involvement in the operations of Make UK. Furthermore, the role of the Co-Chair will not involve any lobbying of Government or wider policymakers.

The Commission will be forward looking, and exploring how we can ensure that future policy, predominantly the Skills and Growth Levy, delivers the skills manufacturers need. On that basis, you will not be discussing previous Government policy but instead looking at new ideas focused on how our skills system can deliver economic growth.'

Dealings in office

8. You told the Committee the following:
- a. You did make decisions affecting the apprenticeships and skills sectors as a whole, but none that specifically impacted Make UK.
 - b. You had a stakeholder meeting with the CEO of Make UK in September 2023, but no decisions arose from this meeting.
 - c. Make UK is a key stakeholder of DfE as a skills, education and apprenticeships provider.
 - d. You did not have access to any sensitive information in office that could grant Make UK an unfair advantage.

Departmental response

9. DfE confirmed the details in your application and added the following:
- a. You had three stakeholder meetings with the CEO of Make UK in September 2023 and February 2024, and it confirmed that no decisions arose from these meetings.
 - b. There was a reasonable amount of contact between the DfE and Make UK, including contact about DfE's Growth Sector Pilots,⁶ of which you were aware.
 - c. The Growth Sector Pilots were owned by HMT, and you had only one

⁶ <https://feweek.co.uk/autumn-statement-50m-pilot-for-growth-sector-apprenticeships/>

- phone call with the CEO about the scheme prior to the announcement.
- d. Make UK lobbied HMT to provide DfE with funding for the Growth Pilot. DfE clarified that Make UK did not directly benefit from the funding, rather it supported the policy objective.
 - e. As you have been out of office for six months, matters with which you were involved have moved on significantly.

10. DfE recommended the standard conditions.