

*From the Chair*



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

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**BUSINESS APPOINTMENT APPLICATION: The Rt Hon Steve Baker FRSA, former Minister of State at the Northern Ireland Office and Cabinet Office. Paid appointment with The Provocation People Limited.**

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 Director of The Provocation People Limited (Provocation People).
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 Provocation People. 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. Provocation People is a new company that you are setting up with Professor Paul Dolan. At the Northern Ireland Office (NIO) and at the Cabinet Office,

you could not, therefore, have made any decisions that were specific to the company. The Committee<sup>1</sup> considered the risk that you were offered this role as a reward for decisions or actions taken in post was low.

6. As a former minister, you will have had access to general sensitive information that could benefit many organisations, including Provocation People – though your former departments are not aware of anything specific that could offer an unfair advantage. The risk regarding your access to information is greatest should you advise Provocation People or its clients in relation to matters you had specific responsibility for. Further, Provocation People's clients and the precise pieces of work you will be asked to undertake are unknown, which raises a risk that this could happen.
7. As with any former minister, there are risks associated with your contacts and influence within government and the potential for Provocation People to gain unfair access or influence as a result. The Committee considered it significant that you confirmed your role as Director of the Provocation People excludes any dealings with government, in accordance with the lobbying ban that applies to all former ministers for two years after leaving office.
8. There are also risks associated with your network of contacts in external organisations gained whilst in ministerial office. As Director, your role involves leading on operations, sales and marketing. There is therefore a risk of unfair advantage to Provocation People, were you to draw specifically on private sector contacts that you only gained as a result of your role in office.

#### The Committee's advice

9. The Committee determined the risks identified can be appropriately mitigated by the conditions below. These make it clear that you cannot make use of privileged information, contacts or influence gained from your time in ministerial service to the unfair advantage of Provocation People. Alongside the standard conditions, to mitigate the risk associated with unknown clients, the Committee has imposed a restriction to prevent you from advising on work specifically overlapping with your recent ministerial role.
10. Additionally, the Committee imposed a restriction on lobbying contacts you made during your time in office in other governments and organisations outside of the UK government for the purpose of securing business for Provocation People.

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

11. In accordance with the government's Business Appointment Rules, the Committee advises this appointment with **The Provocation People Limited** 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 arm's length bodies on behalf of The Provocation People Limited (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 The Provocation People Limited (including parent companies, subsidiaries, partners and clients);
- for two years from your last day in ministerial office you should not undertake any work with The Provocation People Limited (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 arm's length bodies;
- for two years since your last day in ministerial office, you should not advise The Provocation People Limited (including parent companies, subsidiaries, partners and clients) on any policy you had specific involvement in or responsibility for as Minister of State at the Northern Ireland Office and Cabinet Office, nor where you had a relationship with the relevant client during your time in the role; and
- for two years from your last day in ministerial office, you should not become personally involved in lobbying contacts you have developed during your time in office and in other governments and organisations for the purpose of securing business for Provocation People Limited (including parent companies, subsidiaries and partners).

12. 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>2</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.

13. 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.
14. 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".
15. 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 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.
16. 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**

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<sup>2</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.

## **Annex - Material Information**

### The role

1. You stated you are setting up a new company with Professor Paul Dolan (co-founder), called Provocation People, offering services to corporate and public sector clients in:
  - workshops and boardroom strategy advice
  - transforming organisational culture
  - improving performance in navigating the hostility which arises from the polarisation of beliefs, stifling innovation, collaboration, and enhancing effective decision-making.
  - working against discrimination
2. In your paid, part-time role as Director, you stated you will be:
  - sharing responsibilities with Professor Dolan
  - initially, leading on operations, sales and marketing while Professor Dolan will lead on its intellectual capital and product – this will change from time to time.
3. You confirmed that as Director, you will not be involved in lobbying government and made it clear to ACOBA that yourself and Professor Dolan agreed to exclude any dealings with government on behalf of Provocation People whilst you are under the Rules.

### Dealings in office

4. You stated you met with Professor Dolan during the Covid pandemic to promote public wellbeing within the Government's policy response and have been collaborators and firm friends since. You added that in the course of Northern Ireland Office's work on the Northern Ireland Executive budget, you sought advice through officials to engage Professor Dolan to advise on wellbeing analysis, but stated this was not pursued due to time pressures.
5. You confirmed you did not have involvement in any policy, commercial or regulatory decisions nor had access to sensitive information specific to Provocation People.

### Departmental Assessment

6. The NIO and Cabinet Office confirmed the details you provided and stated the following:

- you were not involved in any policy, commercial or regulatory decisions specific to Provocation People; and
- you do not possess sensitive information that would confer an unfair advantage to Provocation People. NIO stated that you met a variety of community organisations when you were in Northern Ireland, including organisations supporting people with disabilities, organisations working on mental health, women's groups and organisations working across different geographic and identity communities in Northern Ireland. During these meetings, you would have heard about some issues relating to discrimination, but the information shared was generally information these organisations also share with other stakeholders and, therefore, could not be considered privileged. NIO noted that community organisations in Northern Ireland generally have very limited resources to expend on consultancy services.

7. The NIO and Cabinet Office did not have concerns with the appointment and recommended the standard conditions.