

From the Chair



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: Laura Farris, former Parliamentary Under Secretary of State for Victims and Safeguarding. Paid appointment with FGS Global.

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 appointment with FGS Global as UK Head of Litigation Communications.
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 FGS Global, as a former minister. The material information taken into consideration by the Committee is set out in the annex below.
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. FGS Global is a communications and public affairs consultancy that advises private companies, government officials, regulators and advocacy groups, among

others. It undertakes lobbying activities and is registered with the Office for the Registrar of Consultant Lobbyists (ORCL)¹ and the EU transparency register.² You told the Committee³ that FGS Global is building a communications division to advise and represent clients undergoing litigation- you will head up this division.

6. As the Head of Litigation Communications, you said that you will guide clients through litigation, investigations and compliance changes, and deliver clients' PR objectives through the litigation process. You said you will draw on your legal knowledge, gained as a barrister. In particular, you said this will be useful for understanding reporting restrictions and the scope of legal privilege.
7. As a former Parliamentary Under Secretary of State for Victims and Safeguarding jointly at the Home Office and Ministry of Justice (MOJ), both departments were consulted. They confirmed that you did not meet with, nor did you make any policy, regulatory or commercial decisions specific to FGS Global or its clients while in office. The Committee considered that the risk that this role could reasonably be seen as a reward for your decisions made and actions taken in office is low.
8. As a former minister, you will have had access to sensitive information. Any risk here is limited given that neither the MOJ nor the Home Office identified any information to which you had access that would likely grant FGS Global an unfair advantage; and when you take up your role at FGS Global, it will have been five months since you left office and had access to any privileged information.
9. The identity of the clients you will be advising at FGS Global are unknown, as is the specific nature of advice you will be providing. This raises a reasonable risk that you may be asked to advise on matters you were materially involved with as a minister, or where you had a formal relationship with the client as a minister.
10. FGS Global and its clients have an interest in government, including an influencing agenda. There is a risk you may be seen to offer unfair access to and influence within government, as a result of your time in office. There are factors that reduce this risk:
 - a. You said that your role will not involve any lobbying of government, and told the Committee you were not recruited for this purpose.
 - b. FGS Global has provided written confirmation to the Committee that this is not the focus of your litigation role and that your role will be separated from its lobbying activities.

¹ orcl.my.site.com/CLR_Public_Profile?id=0012400000601xYAAQ

² transparency-register.europa.eu/searchregister-or-update/organisation-detail_en?id=578189413297-97

³ This application for advice was considered by Andrew Cumpsty; Isabel Doverty; Hedley Finn OBE; Sarah de Gay; The Rt Hon Lord Eric Pickles; The Baroness Thornton and Mike Weir. Dawid Konotey-Ahulu CBE DL was unavailable, and Michael Prescott was recused.

11. The Committee considered it significant that you have years of experience as a barrister – a career you held before becoming an MP and later a minister.

The Committee's advice

12. The main risk in this case is that your work could overlap with your responsibilities in office, or involve lobbying which would be contrary to the lobbying ban that applies to all former ministers on leaving office.

13. It is significant that FGS Global has provided written confirmation that your role will not involve lobbying, and further that it accepts this advice and will ensure compliance with the conditions in this letter - including a condition preventing you from working on matters directly overlapping with your responsibilities in office. This seeks to address the risk associated with unknown clients and the potential for any overlap with your time in office.

14. The remaining conditions below prevent you from making improper use of privileged access to information, contacts and your influence to the company's unfair advantage.

15. In accordance with the government's Business Appointment Rules, the Committee advises that this appointment with **FGS Global 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 FGS Global 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 advantage FGS Global Ltd (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 FGS Global 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; and
- for two years from your last day in ministerial office, you should not advise FGS

Global or its clients on any work with regard to any policy you had specific involvement in or responsibility for as Parliamentary Under Secretary of State for Victims and Safeguarding, or where you had a relationship with the relevant client during your time as Parliamentary Under Secretary of State for Victims and Safeguarding.

16. 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.⁴ 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.
17. 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.
18. 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.*"
19. 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.
20. 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

⁴ 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. FGS Global is a communications and public affairs consultancy providing all aspects of strategic communications, including corporate reputation, crisis management, government affairs, and transformation and change, as well as the leading force in financial communications worldwide. Its clients include investors, government officials, regulators, employees, advocacy groups or the public. It is a lobbying firm. It is registered with the Office for the Registrar of Consultant Lobbyists (ORCL)⁵ and the EU transparency register.⁶
2. You told the Committee the following information about your paid, full-time role as UK Head of Litigation Communications:
 - The firm is setting up a new division for litigation communications.
 - You will guide clients successfully through high profile and high value litigation, investigations and compliance challenges, and deliver clients' PR objectives through all stages of the litigation process, working closely with leading solicitors and counsel.
 - The litigation practice will work closely with journalists, providing them with relevant material and background briefings to report on the dispute or investigation.
 - You were recruited for this role because you were a barrister before entering government and therefore have prior experience of technical legal matters like reporting restrictions, the scope of legal privilege and what can and can't be said in public whilst legal proceedings are ongoing.
 - You practised at the bar for 12 years before becoming an MP.
 - Your role will not involve any lobbying of government, and you have not been recruited to do so.
 - You were put forward for this role by a headhunter, because it specifically required a legal background.
3. FGS Global provided confirmation that it will abide by the Committee's advice; your future role would adhere to the conditions set out. In particular this includes not working on any policy you were materially involved in developing or where you had a material relationship with the client in office. Further, the

⁵ orcl.my.site.com/CLR_Public_Profile?id=0012400000601xYAAQ

⁶ transparency-register.europa.eu/searchregister-or-update/organisation-detail_en?id=578189413297-97

role will have no dealings with any government bodies and will involve no lobbying of the government.

Dealings in office

4. Of your time in office, you said the following:
- you did not make any policy, commercial or regulatory decisions specific to FGS Global in your ministerial role;
 - you did not have any contact with FGS Global;
 - the FGS Global litigation practice has no dealings with government bodies and that FGS Global itself has no commercial, contractual or non-contractual relationship with either the Home Office or MOJ;
 - the subject matter of your work at FGS Global is not likely to be the same as the areas for which you held responsibility in office - rather you will be working with private clients;
 - you did not have access to sensitive information through any of your ministerial roles, that could grant FGS Global an unfair advantage.

Departmental assessment

5. The Home Office and MOJ confirmed the details above, including that there is no direct overlap with your decision making or access to information. It recommended the standard conditions.