

*From the Chair*



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

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**BUSINESS APPOINTMENT APPLICATION: The Rt Hon Esther McVey, former Minister without Portfolio. Paid appointment with The Daily Express newspaper.**

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 Columnist with the Daily Express newspaper (the Daily Express).
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 the Daily Express. 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. Relevant contact with the media during your time as a minister included writing opinion pieces for several media outlets, including the Daily Express. The Cabinet Office confirmed that you did not make any policy, regulatory or

commercial decisions relevant to the Daily Express. The Committee<sup>1</sup> considered the risk that you could be seen to have been offered this role as a reward for decisions made, or actions taken in office, was low.

6. As a former minister, there are inherent risks associated with your privileged access to information and contacts, which may be seen to be of general use to any media company or news outlet. The risk associated with your access to information is limited given the transparent nature of this role as a regular columnist.
7. It is relevant that you are returning to a role as a columnist that you held prior to entering government in November 2023.

### The Committee's advice

8. The Committee did not consider joining the Daily Express as a Columnist to raise any particular concerns under the government's Rules, provided it is subject to the conditions below. However, the Committee would remind you it is your responsibility to manage the propriety of the specific pieces of work undertaken with the Daily Express. In particular, as a former minister, you must be careful not to offer any unfair insight as a result of your access to information and potential influence in government - which the conditions below seek to mitigate.
9. In accordance with the government's Business Appointment Rules, the Committee advises this role with the **the Daily Express** 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 Daily Express (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 Daily Express (including parent companies, subsidiaries, partners and clients); and

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

- for two years from your last day in ministerial office, you should not undertake any work with the Daily Express (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.
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.<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.
  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 Ministerial 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, or if it is announced that you will do so. You must 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.
  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

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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 wish to take up a paid role as a Columnist for the Daily Express - a British newspaper. You said your role will be to write a weekly column. You said your role will not include any contact with government.
2. You said you have worked for the Daily Express previously - most recently before re-entering government in November 2023.

### Dealings in office

3. You said that you made no relevant policy or commercial decisions; and you did not have access to information that could provide an unfair advantage.

### Departmental assessment

4. The Cabinet Office was consulted on this application. It confirmed the details provided in your application and added that you wrote dozens of opinion pieces as a minister, for many different newspapers, including the Daily Express.
5. The Cabinet Office recommended standard conditions.