

*From the Chair*



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

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**BUSINESS APPOINTMENT APPLICATION: David Rutley, former Minister for the Americas, Caribbean and the Overseas Territories at the Foreign, Commonwealth and Development Office. Unpaid appointment with the Rossendale Trust.**

1. You sought advice from the Advisory Committee on Business Appointments (the Committee) under the government's Business Appointment Rules for Former Ministers (the Rules) on an unpaid role you want to take up with the Rossendale Trust as a Trustee.
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 Rossendale Trust. 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. When considering this application, the Committee<sup>1</sup> took into account this appointment as Trustee is unpaid.<sup>2</sup> Generally, the Committee's experience is that the risks related to unpaid roles are limited. The purpose of the Rules is to protect the integrity of the government by considering the real and perceived risks associated with former ministers joining outside organisations. Those risks include: using privileged access to contacts and information to the benefit of themselves or those they represent. The Rules also seek to mitigate the risks that individuals may make decisions, or take action in office, in expectation of rewards on leaving government. These risks are significantly limited in unpaid cases due to the lack of financial gain to the individual.
6. There is no overlap between your ministerial responsibilities and your proposed role with the Rossendale Trust. There are inherent risks associated with any former minister's access to information, network of contacts and influence in government.

#### The Committee's advice

7. The Committee considered that the risks in this application can be sufficiently mitigated by the standard conditions below, which seek to prevent you from making improper use of privileged information, contacts and influence to the unfair advantage of the organisation.
8. Therefore, in accordance with the government's Business Appointment Rules, the Committee advises this appointment with the **Rossendale Trust** 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 arms' length bodies on behalf of the Rossendale Trust (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 Rossendale Trust (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; Dawid Konotey-Ahulu CBE DL; The Rt Hon Lord Eric Pickles; Michael Prescott; and Mike Weir. Sarah de Gay and The Baroness Thornton were unavailable.

<sup>2</sup>By unpaid the Committee means that no remuneration of any kind is received for the role. Applicants must declare where it is agreed or anticipated they may receive remuneration or some other compensation at some stage in the future.

- for two years from your last day in ministerial office you should not undertake any work with the Rossendale Trust (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 arms' length bodies.
9. 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>3</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.
  10. You must inform us as soon as you take up employment with this organisation, or if it is announced that you will do so and we will publish this letter on our website. Any failure to do so may lead to a false assumption being made about whether you had complied with the Rules.
  11. You must 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.
  12. Once the appointment has been publicly announced or taken up, we will publish this letter on the Committee's website

The Rt Hon Lord Pickles

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<sup>3</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. The Rossendale Trust is a registered charity providing supported living services, including support with leisure and learning activities, for adults with disabilities within the Cheshire and Buxton areas, across nine sites. It also provides day time activities through the Oakwood Day Service.
2. You wish to take up a part-time, unpaid role as a Trustee. You said that your role would involve:
  - contributing to the work of Rossendale Trust by assisting with the development of a strategic plan, aims, objectives and targets; and
  - monitoring and evaluating the work, management, and performance of the charity on behalf of its beneficiaries.

This role will not involve any contact with government.

### Dealings in office

3. You said that you did not make any policy, regulatory or commercial decisions specific to the Rossendale Trust, that you did not have any access to information that could grant the Rossendale Trust an unfair advantage, and that there was no relationship between the Rossendale Trust and the Foreign, Commonwealth and Development Office (FCDO).
4. You told the Committee that whilst you were a minister, you were a patron of the charity (though this is a figurehead role without any responsibilities), and you had contact with it in your capacity as an MP, but not as a minister.

### Departmental assessment

5. The FCDO confirmed the details provided in your application and approved this appointment subject to the standard conditions.