



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: Rt Hon Steve Barclay MP, former Secretary of State for Environment, Food and Rural Affairs. Paid appointment with BPP Holdings Limited.

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 appointment you want to take up with BPP Holdings Limited (BPP) as Consultant.
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 BPP. 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. You did not meet with BPP, nor did you make any decisions as Secretary of State for Environment, Food or Rural Affairs or in your previous role as Secretary of State for Health and Social Care that were specific to the

company. The Committee¹ considered the risk you could reasonably be perceived to have been offered this role as a reward for decisions made, or actions taken, in post was low.

6. As a former minister, there are inherent risks associated with your access to privileged information, contacts, and influence within government. The risks are limited given there is no direct overlap between your role in government and your proposed role which is focussed outside of the UK.
7. You confirmed that your proposed role would not involve any contact with the UK government; and your role will focus on the company's work overseas. You told the Committee you have not been asked to, nor will you provide, specific contacts or networks from your time in office. Given your work will likely involve an element of business development, there is a risk you could be seen to have gained a privileged network outside of government as a result of your ministerial roles that might now benefit BPP in its work to expand. This is significantly limited by the UK focus of your work in government and that your role for BPP will face outside of the UK.

The Committee's advice

8. 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 Crown service to the unfair advantage of BPP.
9. Taking into account these factors, in accordance with the government's Business Appointment Rules, the Committee advises this appointment with **BPP Holdings 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 BPP Holdings 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 BPP Holdings Limited (including parent companies, subsidiaries, partners and clients);

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

- for two years from your last day in ministerial office, you should not become personally involved in lobbying contacts you developed during your time in office in other governments and organisations for the purpose of securing business for BPP Holdings Limited; and
 - for two years from your last day in ministerial office you should not undertake any work with BPP Holdings 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.
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' Interests². 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 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'.
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.

² 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.

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

Annex - Material Information

The role

1. BPP is a private university currently operating in the UK offering professional courses in law, accountancy, HR, project management, and marketing. According to its website, BPP:
 - is an apprenticeship training provider;
 - holds university title and degree-awarding powers; and
 - offers predominantly professional qualifications in the higher education sector.
2. In your paid, part-time role as Consultant, you stated you will provide strategic advice to the Chief Executive directly regarding media profile and training, in addition to advising on the company's plans overseas following recent international acquisitions. Whilst your work on overseas business might involve its relationships overseas, you don't have any relevant contacts in education; nor has BPP asked you to provide any. You confirmed your role will not involve contact with government.

Dealings in office

3. You advised the Committee that you did not meet with BPP whilst in office. You said you did not have any involvement in policy, regulatory or commercial decisions that would have been specific to the company.

Departmental Assessment

4. The Cabinet Office noted the limited risk attached with your planned role to advise the CEO on matters internal and outside of the UK. It confirmed the details you provided and recommended the standard conditions.