



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: The Baroness Sugg CBE , former Special Advisor to the Foreign Secretary at the Foreign, Commonwealth and Development Office. Paid appointment with The Association of UK Airlines Limited.

1. The Baroness Sugg sought advice from the Advisory Committee on Business Appointments (the Committee) under the government's Business Appointment Rules for Former Crown Servants (the Rules) on taking up an appointment with The Association of UK Airlines Limited (Airlines UK) as Chair.
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 Baroness Sugg's time in office, alongside the information and influence she may offer Airlines UK. 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 Rules¹ set out that Crown servants must abide by the Committee's advice. It is an applicant's personal responsibility to manage the propriety of any appointment. Former Crown servants 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 risk presented

¹ Which apply by virtue of the Civil Service Management Code, The Code of Conduct for Special Advisers, The King's Regulations and the Diplomatic Service Code.

5. Airlines UK is the trade body for UK registered airlines, with members representing all aspects of the aviation industry. Baroness Sugg did not make any policy, regulatory or commercial decisions specific to Airlines UK, nor did she meet with the organisation whilst in post. The Foreign, Commonwealth and Development Office (FCDO) confirmed it does not hold a relationship with Airlines UK, commercial or otherwise. Therefore, the Committee² did not consider that this role could reasonably be perceived as a reward for decisions made or actions taken in office
6. As the former Special Advisor to the Foreign Secretary, Baroness Sugg would have had access to a range of sensitive information which could provide benefit to a range of organisations. The risks are limited as there is no direct overlap with her responsibilities in government and Airlines UK. Further, the FCDO does not consider Baroness Sugg to possess sensitive information that is likely to provide Airlines UK an unfair advantage and it has been over ten months since she left government service – reducing the currency of any information she may possess.
7. There are risks associated with Baroness Sugg's contacts and influence within government. This is particularly so as Airlines UK is a trade body that promotes the interests of its member organisations to government. Therefore, she may be seen to offer access or influence it might not otherwise gain. It is significant that Airlines UK confirmed her role as Chair excludes any dealings with government, reducing the risk she could be perceived to be lobbying government – which all former senior Crown servants are prevented from doing for two years after leaving office.

The Committee's advice

8. The Committee determined the risks identified in this application can be appropriately mitigated by the conditions below. These make it clear Baroness Sugg cannot make use of information or influence gained from her time in Crown service to the unfair advantage of Airlines UK.
9. It is significant that Airlines UK confirmed that Baroness Sugg would not be involved in any lobbying of the UK government, which it said would fall to other individuals within Airlines UK.
10. The Committee advises, under the government's Business Appointment Rules, that Baroness Sugg's appointment with **The Association of UK**

² This application for advice was considered by Hedley Finn OBE; Sarah de Gay; Dawid Konotey-Ahulu CB DL; The Baroness Thornton; The Rt Hon Lord Eric Pickles; Michael Prescott; and Mike Weir. Isabel Doverty was unavailable. Andrew Cumpsty was recused.

Airlines Limited be subject to the following conditions:

- she should not draw on (disclose or use for the benefit of herself or the persons or organisations to which this advice refers) any privileged information available to her from her time in Crown service;
 - for two years from his last day in Crown service, she should not become personally involved in lobbying government or any of its arm's length bodies on behalf of The Association of UK Airlines Limited (including parent companies, subsidiaries, partners and clients); nor should she make use, directly or indirectly, of her contacts in government and/or Crown service to influence policy, secure business/funding or otherwise unfairly advantage The Association of UK Airlines Limited (including parent companies, subsidiaries, partners and clients); and
 - for two years from her last day in Crown service, she should not provide advice to The Association of UK Airlines Limited (including parent companies, subsidiaries or partners) on the terms of, or with regard to the subject matter of, a bid or contract with, or relating directly to the work of the UK government or its arm's length bodies.
11. The advice and the conditions under the government's Business Appointment Rules relate to Baroness Sugg's 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' Interests³. Baroness Sugg is reminded that, as a Member of the House of Lords, she is prevented from any paid lobbying under the House of Lords Code of Conduct. 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.
12. 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/Civil Service Code or otherwise.
13. 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*

³ 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 your 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.

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.’

14. Baroness Sugg must inform us as soon as she takes up this work or if it is announced that she will do so. Similarly, she must inform us if she proposes to extend or otherwise change her role with the organisation as, depending on the circumstances, it might be necessary for her to seek fresh advice.
15. Once this appointment has been publicly announced or taken up, we will publish this letter on the Committee’s website.

Yours sincerely,

Hamzah Rizvi
Committee Secretariat

Annex – Material Information

The role

1. According to the organisation, Airlines UK is the trade body for UK registered airlines, with members representing all sectors of the industry. It works with governments, regulators and legislators to promote the interests of UK airlines, and with organisations across the sector to encourage sustainable growth in aviation. Airlines UK states it engages with stakeholders on a number of issues, including airport capacity, taxation, sustainability, disruptive passengers and regulation and consumer protection. Airlines UK maintains a long-established relationship with the Department for Transport and the Civil Aviation Authority.
2. In her paid, part-time role as Chair, Airlines UK described the role as to:
 - Chair and manage the governance of the Executive Committee of airline members and sub-committees
 - manage relationship with member organisations
 - ensure the Executive Committee fulfils its duties to maintain the sound financial health of the association, with systems in place to ensure financial accountability
 - host Airlines UK events
 - offer counsel to the Chief Executive and exercise the organisation’s

responsibilities in respect to their staff

3. Airlines UK has confirmed in writing to ACOBA that:
 - the role of Chair will not involve lobbying government and/or regulators.
 - the Chair's duties are clearly separated from any lobbying activities that Airlines UK undertakes.
 - the Chief Executive of Airlines UK is responsible for dealings with government departments and regulators as well as all lobbying and media statements.

Dealings in office

4. Baroness Sugg advised the Committee she did not meet with Airlines UK while in service. She was not involved in any commercial or contractual decisions relating to Airlines UK. She also told the Committee that she did not have any involvement in any relevant policy development or decisions that would have affected Airlines UK and did not meet with its competitors; nor did she have access to sensitive information specific to the organisation.

Departmental assessment

5. The FCDO confirmed the details as provided by Baroness Sugg and stated:
 - a. she was not involved in decisions specific to, nor did she meet with Airlines UK; and
 - b. it did not consider her to possess any sensitive information that may provide Airlines UK an unfair advantage.
6. FCDO recommended the standard conditions.