

From the Chair



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: Lord Gascoigne, former Government Whip. Unpaid appointment with the Conservative Environment Network.

1. You approached the Advisory Committee on Business Appointments (the Committee) under the government's Business Appointment Rules for Former Ministers (the Rules) seeking advice on taking up an unpaid role as a Non-Executive Director for the Conservative Environment Network (CEN).
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 CEN. 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. When considering this application, the Committee¹ took into account this appointment as Non-Executive Director is unpaid². 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 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 specific overlap between your ministerial responsibilities and your proposed role with CEN, though there are inherent risks associated with any former minister's access to information, network of contacts and influence in government. You mentioned for completeness that as a member of the House of Lords you may speak to broad areas associated with CEN. As a Member of the House of Lords your activity in the House is transparent and governed by the House of Lords Code of Conduct. The Committee considered discussing matters as you describe would be in keeping with the lobbying ban that applies to all former ministers.

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 Conservative Environment Network.
8. Therefore, in accordance with the government's Business Appointment Rules, the Committee advises this appointment with the **Conservative Environment Network** 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 Conservative Environment Network (including

¹ 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 Pickles; Michael Prescott; The Baroness Thornton; and Mike Weir.

² 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.

parent companies, subsidiaries, partners and clients); nor should you make use, directly or indirectly, of your contacts in the government and/or Crown service, gained from your time as a minister, to influence policy, secure business/funding or otherwise unfairly advantage the Conservative Environment Network (including parent companies, subsidiaries, partners and clients); and

- for two years from your last day in ministerial office you should not undertake any work with the Conservative Environment Network (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.
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' Interests³. You are reminded that as a Member of the House of Lords you are 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.
10. 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.
11. 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.'*
12. 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

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 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.

letter on our website. 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.

13. 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

Annex - Material Information

The role

1. The Conservative Environment Network (CEN) is an independent not for profit, in receipt of third party funds. It is not affiliated with the Conservative Party, but it is a forum for conservatives in the UK and around the world who support net zero, nature restoration, and resource security. CEN organises events to discuss the environment, promote environmental issues, and aims to develop environmental policies.
2. You wish to take up a part-time, unpaid role as a Non-Executive Director at CEN. You said that your role would involve:
 - attending quarterly board meetings;
 - supporting CEN by attending their events where possible;
 - contributing to CEN's organisational strategy;
 - providing oversight of CEN's financial management;
 - promoting the work of CEN through personal and professional networks; and
 - supporting the team with advice on the CEN fundraising strategy.
3. You said that you will speak on issues in the House of Lords' Chamber broadly related to the work of the CEN, for example the environment, and that you may refer to CEN's published reports. You also stated that you will not be involved in any lobbying of the government on behalf of CEN.

Dealings in office

4. You said that you did not make any policy, regulatory or commercial decisions specific to CEN, although you noted you may have talked about energy and wider issues relating to the environment whilst at the Despatch Box. You also outlined that you did not have any access to information that could grant CEN an unfair advantage, and that there was no relationship between CEN and the Cabinet Office. You explained that you had contact with CEN, however this engagement predates being a Minister and it was only ever done as a Conservative peer as opposed to in your capacity as a Minister.

Departmental assessment

5. The Cabinet Office confirmed the details provided in your application and recommended this appointment be subject to the standard conditions.