

*From the Chair*



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

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September 2024

**BUSINESS APPOINTMENT APPLICATION: Justin Tomlinson, former Minister of State at the Department for Energy, Security and Net Zero. Unpaid appointment with Swindon Supermarine Football Club.**

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 Swindon Supermarine Football Club (Swindon Supermarine FC) as a Director.
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 you had access to. 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 Director 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 to 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 known policy, regulatory or commercial overlap between your role as a minister and your proposed role with Swindon Supermarine FC.
7. As with any former minister, there are inherent risks but these are limited given the lack of any overlap with your time in office and the unpaid nature of this appointment.

#### The Committee's advice

8. The Committee did not consider this appointment raises any particular concerns under the government's Business Appointment Rules, subject to the standard conditions.
9. Taking into account these factors, in accordance with the government's Business Appointment Rules, the Committee advises this appointment with **Swindon Supermarine Football Club** 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 Swindon Supermarine Football Club (including parent companies, subsidiaries, partners and clients); nor should you make use, directly or indirectly, of your contacts in the government and/or Crown service to influence policy, secure business/funding or otherwise unfairly advantage

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

Swindon Supermarine Football Club (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 Swindon Supermarine Football Club (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.
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>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.
  11. 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.
  12. 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. Swindon Supermarine Football Club is based in South Marston, Swindon, Wiltshire and plays in the Southern League Premier Division South.

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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.

2. You wish to take up a part-time, unpaid role as a Director. You stated you were invited to join the board.

#### Dealings in office

3. You said that you did not meet with, nor involved in any policy, regulatory or commercial decisions relating to Swindon Supermarine FC whilst in office, nor would you have access to information that would offer Swindon Supermarine FC an unfair advantage. You said that Swindon Supermarine FC does not have a relationship with your former department, DESNZ.

#### Departmental assessment

4. DESNZ confirmed the details in your application.
5. DESNZ recommended the standard conditions.