

From the Chair



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: The Rt Hon Simon Hart, former Parliamentary Secretary to the Treasury (Chief Whip). Paid appointment with 8hwe Ltd.

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 a short-term paid role as a Consultant with 8hwe Ltd (8hwe).
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 8hwe. 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. 8hwe is a strategic communications firm that provides services in reputation management, public relations, and campaign development. The company

deals with a range of clients including government departments, local authorities, educational and cultural institutions, transport operators, health bodies, and regulators – to name a few.

6. In your role as Consultant, you stated that you will be employed by 8hwe to advise, train and assist the company in the development of its campaigns and PR work. You did not meet with 8hwe, nor did you make any decisions in your recent ministerial role that were specific to the company. The Committee¹ considered the risk that you were offered this role as a reward for decisions, or actions taken in post, was low.
7. As former Chief Whip, you will have had access to sensitive information that could benefit any organisation, including 8hwe. The clients of 8hwe and the exact work which you will undertake are unknown. This gives rise to a risk that your proposed work may overlap with your time in office. The risk is limited given the role is primarily internal and you had access to high-level information that was broad in nature as opposed to anything specific to 8hwe. Moreover, it would not be improper for you to draw on your general skills and expertise in the political sphere to advise 8hwe on relevant strategic communication matters.
8. 8hwe provides services in public affairs. There is a risk this could reasonably be perceived as including possible lobbying of the UK government on behalf of clients; and therefore that you could offer 8hwe and its clients unfair access to and influence within government. This is limited by the fact that you said your role will not involve contact with government.

The Committee's advice

9. The Committee considered the risks associated with your access to information are limited; arising if and where there is an overlap with your role in office. The conditions below make it clear that you cannot make use of privileged information, contacts or influence gained from your time in ministerial service to the unfair advantage of 8hwe or its clients.
10. To mitigate the remaining unknown risk that 8hwe's clients may overlap with your responsibilities in office, the Committee has imposed an additional restriction to prevent you from advising on work you were materially involved in during your time in office. It is significant that 8hwe has provided written confirmation that it will ensure compliance with the conditions in this letter.

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

11. In accordance with the government's Business Appointment Rules, the Committee advises this appointment with **8hwe Ltd** 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 8hwe Ltd (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 8hwe Ltd (including parent companies, subsidiaries, partners and clients);
- for two years from your last day in ministerial office you should not undertake any work with 8hwe Ltd (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; and
- for two years since your last day in ministerial office, you should not advise 8hwe Ltd (including parent companies, subsidiaries, partners and clients) on any policy you had specific involvement in or responsibility for as Parliamentary Secretary to the Treasury (Chief Whip), nor where you had a relationship with the relevant client during your time in the role.

12. 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.² 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.

13. 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

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.

also reminded that they may be subject to other duties of confidentiality, whether under the Official Secrets Act, the Ministerial Code or otherwise.

14. 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”.
15. You must inform us as soon as you take up employment with this organisation(s), or if it is announced that you will do so. Please 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.
16. Once the appointment(s) 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. You said that you have been offered a short-term, paid appointment as a Consultant with 8hwe Ltd, a strategic communications firm that provides services in reputation management, public relations, and campaign development.
2. As a (paid) Consultant, you stated that you will advise, assist and train 8hwe on its PR and campaign development work. You have stated that though the role is internal, there is a possibility of there being some contact – albeit limited – with 8hwe’s clients.
3. According to its website, 8hwe has a range of clients including leading charities, government departments, local authorities, regulators, health bodies, and educational and cultural institutions.
4. You confirmed your role will not involve lobbying government.

5. 8hwe has provided written confirmation that it accepts this advice and will ensure compliance with the conditions in this letter.

Dealings in office

6. You stated that you did not have any contact with 8hwe during your time in office. You added that you were not involved in regulatory, policy or commercial decisions, nor did you possess sensitive information specific to 8hwe.

Departmental Assessment

7. The Cabinet Office confirmed the details you provided and stated the following:
 - You did not make any regulatory, commercial or policy decisions that would have affected 8hwe.
 - You did not make any funding or contractual/commercial decisions that affected 8hwe.
 - There is no relationship between the Cabinet Office and 8hwe.
 - You do not possess sensitive information that would confer an unfair advantage to 8hwe.
8. The Cabinet Office recommended the standard conditions.