

*From the Chair*



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

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**BUSINESS APPOINTMENT APPLICATION: Mark Jenkinson, former Assistant Government Whip in the House of Commons. Unpaid appointment with Branthwaite Academy.**

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 with Branthwaite Academy as a Local Advisory Board Member.
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 Branthwaite Academy. 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 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, 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 overlap between your ministerial responsibilities and your proposed role with Branthwaite Academy. There are inherent risks associated with any former minister's access to information, network of contacts and influence in government.

#### The Committee's advice

7. The Committee did not consider this appointment to raise any particular concerns under the government's Business Appointment Rules. Whilst there are inherent risks associated with your access to sensitive information and contacts, the standard conditions below will sufficiently mitigate these risks.
8. Therefore, in accordance with the government's Business Appointment Rules, the Committee advises this appointment with **Branthwaite Academy** 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 Branthwaite Academy (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 Branthwaite Academy (including parent companies, subsidiaries, partners and clients); and

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

<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.

- for two years from your last day in ministerial office you should not undertake any work with Branthwaite Academy (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' 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.
  10. 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.
  11. 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.
  12. 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**

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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 Commissioner for Standards, in the case of MPs, or the Registrar of Lords' Interests, in the case of peers.

## **Annex - Material Information**

### The role

1. Branthwaite Academy is a specialist SEND (Special Educational Needs and Disabilities) school in Workington.
2. You wish to take up a part-time, unpaid role as a Local Advisory Board Member at Branthwaite Academy. You said the following about your role:
  - It is a voluntary position similar to that of a school governor.
  - Each school's Local Advisory Board (LAB) is a sub-committee of the Board of Trustees who provide advice and support to help each school achieve its aims.
  - The LAB is designed to help key stakeholders to get involved in the life of the school and the Trust, contribute to its development and promote the school within the community.
  - It will not involve any contact with government.

### Dealings in office

3. You said that you did not make any policy, regulatory or commercial decisions specific to Branthwaite Academy. You said that there was no known relationship between Branthwaite Academy and your former department, and that you had no contact with the organisation in your capacity as a minister.

### Departmental assessment

4. The Cabinet Office confirmed the details you provided and recommended the standard conditions.