

From the Chair



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

G/7 Ground Floor, 1 Horse Guards Road SW1A 2HQ

Telephone: 020 7271 0839

Email: acoba@acoba.gov.uk

Website: <http://www.gov.uk/acoba>

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BUSINESS APPOINTMENT APPLICATION: Lord Darren Mott OBE, former Government Whip in the House of Lords. Paid appointment with Jukes.

1. You sought advice from the Advisory Committee on Business Appointments (the Committee) under the government's Business Appointments Rules for Former Ministers (the Rules) on taking up an appointment with Jukes as a Consultant.
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 a former minister may offer Jukes. 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. Jukes is a company that manufactures alcohol-free drinks. As a consultant, you said that your role would be around business development and securing investment. As you did not meet with, nor make any decisions specific to Jukes

whilst in office, the Committee¹ considered the risk that this appointment could reasonably be perceived as a reward for decisions made or actions taken in office is low.

6. As a former minister, there are inherent risks associated with your access to privileged information, contacts, and influence within government. The risks are limited given there is no direct overlap between your role in government and your proposed role, and you have been out of office for over a year.
7. You told the Committee that your role will focus on business development. There is a risk that you could offer an unfair advantage to Jukes should you draw on your contacts in the private sector, gained in your ministerial role. This is limited given the nature of its work.

The Committee's advice

8. The Committee did not consider this appointment raises any particular propriety concerns under the government's Rules, subject to the conditions below. The conditions below appropriately manage the risks, seeking to prevent you from making use of privileged information, contacts and influence gained from your time in ministerial office to the unfair advantage of Jukes.
9. In accordance with the government's Business Appointment Rules, the Committee advises this role with **Jukes** 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 Jukes (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 Jukes (including parent companies, subsidiaries, partners and clients);
 - for two years from your last day in ministerial office you should not undertake any work with Jukes (including parent companies, subsidiaries, partners and clients) that involves providing advice on the terms of, or with regard to the

¹ 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; Baroness Thornton; and Mike Weir.

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 from your last day in ministerial office, you should not become personally involved in lobbying contacts you developed during your time in office in other governments and organisations for the purpose of securing business, investments, or funding for Jukes (and any parent companies or subsidiaries).

10. The advice and the conditions under the government's Business Appointment Rules relate to an individual'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' Interests.² 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.
11. 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 Civil Service Code or otherwise.
12. 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 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."* This Rule is separate and not a replacement for the Rules in the House.
13. You must inform us as soon as you take up this role, or if it is announced that you will do so. 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.

² All Peers are prevented from paid lobbying under the Code of Conduct for Members of the House of Lords. Advice on your obligations under the Code can be sought from the Registrar of Lords' Interests.

14. Once the appointment 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 Eric Pickles

Annex - Material Information

The role

1. Jukes is a company that manufactures non-alcoholic beverages. The founder, Matthew Jukes, is a professional wine taster.
2. In your paid, part-time role as a consultant, you said that your role will involve the following:
 - Strategic business development - business to business and, origination of additional trade sales avenues;
 - assistance in originating capital.You confirmed your role will not involve contact with government.
3. You stated that this role arose through an introduction by your former employer.

Dealings in office

4. You advised the Committee that you had no official dealings with Jukes whilst in office. You said you did not have any involvement in policy, regulatory or commercial decisions that would have been specific to the company.

Departmental Assessment

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