



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: The Baroness Swinburne (Dr Swinburne), former Parliamentary Under Secretary of State (Minister for Housing and Communities) in the Department for Levelling Up, Housing and Communities. Paid appointment with The Association of British Insurers.

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 taking up an appointment with The Association of British Insurers (ABI) as Independent Chair.
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 the ABI.
3. The Committee considered whether this appointment was unsuitable given that the ABI is a trade association, representing companies operating in the insurance and saving industry, that lobbies government on behalf of its member firms. The Committee has also considered the information provided by you, your former department and the ABI which confirmed your role will be separated from its lobbying activity. The material information taken into consideration by the Committee is set out in the annex below.
4. 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.
5. 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

6. The ABI is a trade body with members representing all aspects of the insurance sector. The Ministry of Housing, Communities and Local Government¹ (MHCLG) confirmed it has a relationship with the ABI –through the department's building safety work.
7. You were not involved in building safety policy during your time in office- as this fell to the Minister for Housing, Planning and Building Safety at the time; whilst your portfolio was Housing and Communities. MHCLG confirmed you made no policy, regulatory or commercial decisions specific to the ABI, nor did you meet with the organisation whilst in office. Therefore, the Committee² did not consider that this role could reasonably be perceived as a reward for decisions made or actions taken in office.
8. As a former minister, you would have had access to a range of sensitive information that could provide benefit to any organisation. The risks are limited as there is no direct overlap with your time in office and the work of the ABI. Further, MHCLG does not consider you to possess sensitive information, nor flagged any information in relation to the department's work on building safety matters that may provide the ABI an unfair advantage; and it has been over eight months since you left government – reducing the currency of any information you may possess.
9. There are risks associated with your contacts and influence within government, particularly as the ABI is a trade body that promotes the interest of its member organisations to the government. This raises a reasonable concern you could be seen as lobbying government, which all former ministers are prevented from doing for two years on leaving office. You said that whilst the role involves instances where government representatives and you are both in attendance, you will not lobby government on the ABI's behalf and this will not form part of your role, falling to others in the organisation. This was confirmed in writing by the ABI.

The Committee's advice

10. There is a broad overlap with some of the ABI's work for its members, and your former department particularly in light of building safety. The risks here are

¹ Following the General Election in June 2024, the Department for Levelling Up, Housing and Communities is now named as the Ministry of Housing, Communities and Local Government.

² This application for advice was considered by Hedley Finn OBE; Sarah de Gay; Dawid Konotey-Ahulu CBE DL; The Rt Hon Lord Pickles; Michael Prescott; The Baroness Thornton; and Mike Weir. Isabel Doherty was unavailable. Andrew Cumpsty was recused.

limited given your portfolio did not cover this area, which fell to another minister. The main risk here is a reasonable concern - that you may offer the ABI unfair access to the government, especially as the organisation seeks to influence the direction of government policies. Therefore, the Committee's advice is you should have no direct engagement with the government on behalf of the ABI whilst you are subject to the Rules, to mitigate the risk that you are seen to be making improper use of your time in office to the unfair benefit of your employer.

11. It is also significant that the ABI confirmed your role as Independent Chair excludes any lobbying of government - which all former ministers are prevented from doing for two years after leaving office.
12. The remaining conditions appropriately mitigating the residual risks associated with your access to privileged information and contacts from your time in government.
13. The Committee advises, under the government's Business Appointment Rules, that your appointment with **The Association of British Insurers** 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 Association of British Insurers (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 The Association of British Insurers (including parent companies, subsidiaries, partners and clients);
 - for two years from your last day in ministerial office you should not undertake any work with The Association of British Insurers (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 from your last day in ministerial office you should not have any engagement on behalf of The Association of British Insurers (including parent companies, subsidiaries, partners and clients) with the UK government.
14. 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.

15. 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/Civil Service Code or otherwise.
16. 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.'*
17. You must inform us as soon as you take up this work or if it is announced that you will do so. Similarly, you must inform us if you propose to extend or otherwise change your role with the organisation as, depending on the circumstances, it might be necessary for you to seek fresh advice.
18. Once this 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

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 your 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.

1. According to its website, the ABI represents the UK's insurance and long-term savings industry, working to support and promote its member firms, noting it *'...help[s] inform public policy debates, engaging with politicians, policymakers and regulators at home and abroad.'*
2. In your proposed paid, part-time role as Independent Chair, you stated your responsibilities will include
 - managing the business of the Board by maintaining relations with the ABI executive leadership team and ensuring timely information and a focused agenda for members.
 - leading performance management by providing insight and making valuable contributions to Board discussions in relation to ABI's strategic direction – particular focus on customers and reputation.
3. You stated that it is unlikely your role will involve contact with your previous department, and if contact were to be made it would likely be through the ABI's President or Director General. Similarly, you noted there may be instances of potential occasional contact with officials of HM Treasury, likely to be led by the President or Director General.
4. You confirmed your role as Independent Chair will not involve any participation or any direct or indirect lobbying of government; and you will observe any restrictions advised by the Committee in carrying out your duties.

Correspondence with the ABI

5. The ABI confirmed in writing its understanding of, and agreement to, comply with the Committee's advice,. It stated the organisation will support Baroness Swinburne in adhering to ACOBA's conditions and will not ask her to undertake any duties that would amount to a breach of them.
6. The ABI stated that the duties associated with the ABI Chair role are focused on the governance and internal policy thinking of the association and there is no requirement as part of the position to undertake external lobbying activity. This applies to both direct and indirect lobbying. The ABI highlighted that the organisation has a senior executive team led by its Director General who are responsible for this aspect of the ABI's activity. The ABI Board also chooses a President and Deputy President from among its CEO membership to represent the sector publicly in any necessary engagement with ministers, regulators or policymakers, who are the lead representatives of the ABI Board in any external engagement on its behalf alongside the Director General who is the day-to-day lead on all lobbying activity of the ABI.

Dealings in office

7. You advised the Committee you:
- did not meet with the ABI or its competitors whilst in office.
 - were not involved in any commercial/ contractual decisions relating to the ABI.
 - had no involvement in any relevant policy development or decisions that would have affected the ABI
 - have no access to sensitive information from your time in office specific to the organisation.

Departmental assessment

8. Your former department, MHCLG confirmed the details you provided and stated:
- a. you were not involved in decisions specific to, nor did you meet with the ABI; and
 - b. it did not consider you to possess any sensitive information that may provide the ABI an unfair advantage.
9. MHCLG did not have concerns with the proposed appointment, recommending standard conditions.