



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>

October 2024

BUSINESS APPOINTMENT APPLICATION: The Rt Hon Robert Halfon, former Minister of State for Skills, Apprenticeships and Higher Education for the Department for Education. Paid appointment with Jobs Foundation.

1. You approached the Advisory Committee on Business Appointments (the Committee) under the government's Business Appointments Rules for Former Ministers (the Rules) seeking advice on taking up a paid role as a Consultant for Jobs Foundation.
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 Jobs Foundation, as a former minister. 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. Though it has an interest in your ministerial portfolio, you did not make any policy, regulatory or commercial decisions specifically affecting Jobs

Foundation, nor did you meet with the organisation whilst in office. The Committee¹ therefore considered that the risk that this role could be seen as a reward for your decisions in office is low.

6. As a minister at the Department for Education (DfE), you had access to privileged information on the further education sector and skills development. DfE noted that you had access to some information through your membership of the Green Jobs Delivery group, but this is limited and only relevant to the green jobs sector. Further, much of this information is in the public domain and you are unlikely to know which direction the new government will take in this area. It has been over six months since you last had access to information as a minister.
7. There are risks associated with your influence and network of contacts gained whilst in ministerial office. In particular, Jobs Foundation is an organisation with an interest in the advocacy of its views on the policy required to improve the employment market; it plans to move into influencing government's decisions in this space, alongside other stakeholders. You noted that this will not form part of your role. To do so would be contrary to the lobbying ban that applies to all former ministers on leaving office. The Committee noted that Jobs Foundation confirmed that you will not be lobbying government on behalf of the Jobs Foundation. Your role will focus on building its Accreditation Scheme.

The Committee's advice

8. The Committee considered the risks associated with your access to information is limited for the reasons above. Whilst you said to the Committee that you will not lobby, the main risk here is that you will be perceived to offer Jobs Foundation unfair access to government, especially as the organisation is in the process of formulating its views and will be building its advocacy function. There is a risk your former role as an education and skills minister will be seen to offer a particularly unfair advantage in this aspect of its work. Therefore, the Committee's advice is that you should have no direct engagement with the government on behalf of Jobs Foundation. It is also significant that Jobs Foundation confirmed that your role will not include lobbying.

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

9. The remaining conditions below prevent you from making improper use of privileged information, contacts and influence, gained in ministerial office, to the organisation's unfair advantage.
10. In accordance with the government's Business Appointment Rules, the Committee advises that this appointment with **Jobs Foundation** 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 any of its arm's length bodies on behalf of Jobs Foundation (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 Jobs Foundation (including parent companies, subsidiaries, partners and clients);
 - for two years from your last day in ministerial office, you should not provide advice to on behalf of Jobs Foundation (including parent companies, subsidiaries, partners and clients) 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 any of its arm's length bodies; and
 - for two years from your last day in ministerial office you should not initiate any engagement on behalf of Jobs Foundation (including parent companies, subsidiaries, partners and clients) with the UK Government.
11. The advice and the conditions under the government's Business Appointment Rules relate to your previous role in government only; there are separate 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' Interests². You are reminded that as a Member of Parliament you have a separate ban on paid lobbying under the Parliamentary 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.

² All Peers and Members of Parliament are prevented from paid lobbying under the 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

12. 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.
13. 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.*"
14. 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 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.
15. 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 Pickles

Annex- material information

The role

1. You said Jobs Foundation is a charity that works with businesses to boost social mobility locally, regionally and nationally. It focuses on skills training and job creation. Its website says that it is a registered charity that builds a broad coalition of business leaders from across the country to form its Business Council. The Business Council is separated into Regional Councils which connect local businesses to work in their communities to help people in need of work. Jobs Foundation says that its core aims are to:
 - Create jobs
 - Provide training

- Fund Public Services through taxation paid by businesses
2. Jobs Foundation is a charity, founded in October 2021. Its development has been split into 3 phases³:
 - Launching Jobs Foundation (October 2021- September 2023)
 - Building delivery mechanisms (October 2023- December 2024)
 - Executing its mission (January 2025)
 3. At present, in phase 2, Jobs Foundation is recruiting the business council, publishing research and developing understanding from businesses on what policy conditions they need to thrive and create jobs. Using research gathered, Jobs Foundation hopes to create the 'Jobs Foundation Accreditation' to recognise businesses which provide jobs and training- and in turn, the reward could act as an incentive for businesses.
 4. Although the Jobs Foundation does not currently have a particular relationship with government, it has an interest in government regulation and taxation that plays a significant role in the ability of businesses to thrive and create jobs. Its website says that it hopes to advocate for policies that allow businesses to thrive through:
 - Policy research
 - Media Coverage
 - Political Advocacy - developing relationships with ministers and parliamentarians to advocate for its policy priorities. In time, Jobs Foundation hopes to create an All-Party Parliamentary Group to promote its work.
 5. You wish to take up a paid, part-time role as a Consultant for Jobs Foundation. You said your role would be to promote the general value of business and charities working together in the community to deliver training to the workforce in skills and adult learning. It will not involve supporting any one particular business or charity, nor will your role involve contact with government. Your proposed work will last 6 months:

Months 1-3

- working with Nick Tyrone (a senior policy adviser) to research and develop the accreditation scheme;
- sharing knowledge of and best practice around what currently exists;
- reaching out to businesses that Mr Halfon considers to be 'exemplars'.

³ <https://thejobsfoundation.com/wp-content/uploads/2024/09/Jobs-Foundation-Phase-3-Strategy-Document.pdf>

Months 3-6

- building links with companies;
- meeting and engaging with exemplar companies;
- determining what 'good looks like' regarding which companies to offer accreditation to.

Dealings in office

6. You said that you did not make any policy, regulatory or commercial decisions specific to Jobs Foundation, nor did you meet with the organisation in office.

Departmental assessment

7. DfE was consulted in relation to this application. It provided the following information:
 - You did not have contact with Jobs Foundation while in office.
 - You did not make any policy or regulatory decisions specific to Jobs Foundation, though you made decisions relating to the HE/FE sectors as a whole.
 - You were a member of the Green Jobs Delivery Group (GJDG).⁴ Whilst some information on the work is already available publicly, it generated some policy options that were never published, due to the General Election. You were privy to discussion of these options and were briefed on and influenced DfE's work on them.⁵
 - Your access to policy information still in flux is limited (to the Green Jobs Delivery Group) and not considered sensitive enough to offer an unfair advantage, and also noted neither DfE, nor you, know what direction the policy will take under the new government.
 - There has been a time gap since you left office (6 months).
8. DfE recommended standard conditions.

⁴ <https://www.gov.uk/government/groups/green-jobs-delivery-group> - this has the list of members, publications and current tasks.

⁵ For example, in the GJDG Summer 2023 Statement: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1175156/green-jobs-delivery-group-summer-2023-statement.pdf