

From the Chair



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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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 Baker Dearing International.

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 Chair of the Board of Directors with Baker Dearing International (BDI).
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 BDI 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. BDI is a new company wholly owned by the Baker Dearing Education Trust to provide technical education consultancy and advisory work outside of the UK.

The Department for Education (DfE) confirmed that it does not have a direct relationship with BDI, though the Baker Dearing Educational Trust has an Memorandum of Understanding (MOU) with DfE. This MOU states schools operating as university technical colleges (UTCs) must have a licence agreement with Baker Dearing Educational Trust as the licence holder of the UTC model, trademarks and brand¹. DfE confirmed you had contact with representatives of the Baker Dearing Trust while you were in ministerial office, but you were not involved in policy or commercial decisions specific to BDI. Therefore, the Committee² considered that the risk that you were offered this role as a reward for decisions made or actions taken in office was limited.

6. The Committee noted there are risks regarding your access to information within government as a result of your time as a minister in education. The risks are limited given:
 - UTCs were not within your ministerial portfolio.
 - DfE does not consider you possess sensitive information that would confer an unfair advantage to BDI.
 - It is also relevant that you have been out of government for more than nine months, providing a gap between your access to information and your taking up this role.
7. As a former minister, there are inherent risks associated with your contacts and influence within government. As a parent company to BDI and stakeholder to your former department, the Baker Dearing Educational Trust will have a clear, ongoing interest in government policy and development. The Committee noted your role does not involve contact with, or lobbying of government.

The Committee's advice

8. The Committee considered the risks associated with your access to sensitive information and contacts can be appropriately mitigated by the standard conditions below appropriately mitigated. In particular, they prevent you from drawing on your privileged information and using your contacts and influence within government to the unfair advantage of BDI.

¹ www.gov.uk/government/publications/memorandum-of-understanding-baker-dearing-educational-trust-and-dfe

² 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. The Baroness Thornton and Dawid Konotey-Ahulu CBE DL were unavailable.

9. In accordance with the government's Business Appointment Rules, the Committee advises this role with **Baker Dearing International** 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 Baker Dearing International (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 Baker Dearing International (including parent companies, subsidiaries, partners and clients); and
 - for two years from your last day in ministerial office, you should not undertake any work with Baker Dearing International (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.
10. 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' Interests.³ 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*

³ 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

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."

13. You must inform us as soon as you take up employment with this organisation, 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.
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 Pickles

Annex – material information

The role

1. You stated that BDI is a new company wholly owned by the Baker Dearing Education Trust to provide technical education consultancy and advisory work outside of the UK. Baker Dearing Educational Trust (not BDI) has an MOU with DfE – specifically schools operating as university technical colleges (UTCs) must have a licence agreement with Baker Dearing Educational Trust as the licence holder of the UTC model, trademarks and brand.
2. You described your paid, part-time role as Chair of the Board of Directors as below:
 - you will have no decision-making responsibility for any activity in the UK, instead acting as an ambassador to promote the advantages of the UTC model to the international educational community. The role is entirely related to BDI and your contract will be with BDI exclusively, not the Baker Dearing Educational Trust
 - the role will not involve contact with, nor lobbying of government on behalf of BDI.
3. You stated the role will involve, in conjunction with the other directors of BDI:
 - negotiating with Consilia Consultants Ltd (Consilia) a royalty for each contract that Consilia enters. According to its report and financial statements for the

year ended 31 December 2023⁴, the Baker Dearing Educational Trust contracts Consilia for expert consultancy services

- reviewing various progress reports from Consilia
- reporting to the BDI on the performance and progress of itself and Consilia
- ensuring various legal obligations are met, such as Companies House administration and statutory accounts and to ensure that any BDI profit is gift aided to Baker Dearing Educational Trust on a timely basis to ensure corporation tax efficiency

Dealings in office

4. You advised the Committee that you were not involved in policy, regulatory or commercial decisions specific to BDI. You noted your ministerial responsibilities did not include UTCs. You stated you did not possess sensitive information that may confer an unfair advantage to BDI.

Departmental assessment

5. The DfE provided its views on your appointment, stating:
 - you were not involved in any policy, regulatory or commercial decisions specific to BDI during your time in office.
 - Baker Dearing Educational Trust is a stakeholder to the department.
 - you did not meet with BDI whilst in office - you had contact with Baker Dearing Trust as a departmental stakeholder, having met Magdalin Clancy (Senior Advisor of Baker Dearing Trust) on a visit to Warrington UTC and having attended Baker Dearing Trust's Annual Conference on 12 July 2023.
 - it does not consider you possess sensitive information that presents an unfair advantage to BDI.
6. DfE recommended the standard conditions.

⁴ register-of-charities.charitycommission.gov.uk/en/sector-data/top-10-charities?p_p=id=uk.gov.ccew.onereg.charitydetails.web.portlet.CharityDetailsPortlet&p_p=lifecycle=2&p_p=state=maximized&p_p=mode=view&p_p=resource=id=%2Faccounts-resource&p_p=cacheability=cacheLevelPage&uk.gov.ccew.onereg.charitydetails.web.portlet.CharityDetailsPortlet.objectiveId=A15829593&uk.gov.ccew.onereg.charitydetails.web.portlet.CharityDetailsPortlet.priv.r.p.mvcRenderCommandName=%2Ffull-print&uk.gov.ccew.onereg.charitydetails.web.portlet.CharityDetailsPortlet.priv.r.p.organisationNumber=5013863