

*From the Chair*



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

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**Business Appointment Rules Application: Lt Col, The Right Hon Sir James Cleverly TD VR MP, former Secretary of State for the Home Department. Paid appointment with JLA Speaker Bureau Ltd.**

1. You approached the Advisory Committee on Business Appointments (the Committee) under the government's Business Appointment Rules for former ministers (the Rules) seeking advice on joining JLA Speaker Bureau Ltd as a freelance public speaker.
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 JLA Speaker Bureau. The material information taken into consideration by the Committee is set out in the annex below.
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. The Committee<sup>1</sup> noted you did not meet with nor have any official dealings with JLA Speaker Bureau in office, and therefore the risk this role could reasonably be seen as a reward for decisions made, or actions taken, in office is low.

#### The Committee's advice

6. TThe Committee does not consider that joining a speaking agency raises any particular concerns under the government's Business Appointment Rules, provided it is subject to standard conditions which prevent improper use of information and influence. It is your responsibility to manage the propriety of the specific pieces of work undertaken.
7. Taking into account these factors, in accordance with the government's Business Appointment Rules, the Committee advises this appointment with **JLA Speaker Bureau Ltd** 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 JLA Speaker Bureau Ltd (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 JLA Speaker Bureau Ltd (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 JLA Speaker Bureau Ltd (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.
8. 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

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<sup>1</sup> This application for advice was considered by Isabel Doverty; Sarah de Gay; Hedley Finn OBE; Dawid Konotey-Ahulu CBE DL; Michael Prescott; and The Baroness Thornton.

Registrar of Lords' Interests.<sup>2</sup> 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.

9. 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.
10. 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.*'
11. You must inform us as soon as he takes up this work or if it is announced that you will do so. Similarly, you must inform us if he proposes 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.
12. 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 in the annual report.

**Isabel Doverty**

Interim Chair

ACOPA

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<sup>2</sup> 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.

## **Annex - Material information**

### The role

1. You informed the Committee you wish to take up a paid, part-time role as a freelance public speaker with JLA Speaker Bureau – a speaking agency.
2. You confirmed this role would not involve contact with government.

### Dealings in office

3. You did not meet with JLA Speaker Bureau while in office and there is no relationship between the agency and your former departments - the Home Office and FCDO. You also confirmed you did not have any involvement in policy, nor did you make any decisions relevant to JLA Speaker Bureau while in office.

### Department Assessment

4. The Home Office and FCDO both confirmed the details you provided in this application.
5. Both departments recommended that this appointment be subject to the standard conditions.