



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

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**BUSINESS APPOINTMENT APPLICATION: The Rt Hon Anne-Marie Trevelyan, former Minister of State for Indo-Pacific. Paid appointment with Bain & Company Inc.**

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 taking up a paid role as an External Advisor for Bain & Company Inc (Bain).
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 taken during your time in office, alongside the information and influence you may offer Bain 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. You did not make any policy, regulatory or commercial decisions that specifically affected Bain. You did not meet with Bain in office, nor does the Foreign Commonwealth & Development Office (FCDO) have a particular relationship with

Bain. Therefore, the Committee<sup>1</sup> considered that the risk that this role could be seen as a reward for your decisions in office is low.

6. As the Minister of State for the Indo-Pacific you had access to privileged information on a wide range of matters relating to geopolitics and foreign policy. In particular, you had access to information relating to the UK's relations with China, cases relating to the National Security and Investment Act, and export control cases. However, this risk is limited given there is no specific information your former department was aware of that would likely offer an unfair advantage to Bain or its clients.
7. Given that Bain's clients are unknown, and the precise pieces of work that you will undertake with Bain are unknown, there is a risk related to a potential overlap with your time in office.
8. There are risks associated with your influence and network of contacts gained whilst in ministerial office. Although part of your role is focused on advising on the Public Sector and the machinery of government, you told the Committee that you will not have any contact with government. However, in your role in developing Bain's Government and Public Sector advisory committee, you may seek to draw on contacts in the private sector or in foreign governments only gained as a result of your role as a minister.

#### The Committee's advice

9. The Committee considered the risks associated with your access to information to be limited for the reasons above. To address the risk associated with Bain's unknown clients, the Committee has imposed a condition, as is standard in such cases, which makes clear that you should not advise on work with regard to any policy you had material involvement in or responsibility for in your recent time as Minister for Minister of State for Indo-Pacific.
10. It is significant that Bain confirmed to the Committee that it will ensure that appropriate measures are taken to adhere to the advice and conditions imposed.
11. The remaining conditions below prevent you from making improper use of privileged information, contacts and your influence to the company's unfair advantage.

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

12. In accordance with the government's Business Appointment Rules, the Committee advises that this appointment with **Bain & Company Inc** 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 Bain & Company Inc (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 Bain & Company Inc (including parent companies, subsidiaries, partners and clients);
- for two years from your last day in ministerial office, you should not provide advice to or on behalf of Bain & Company Inc (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;
- 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 building Bain's government and public sector practice; and
- for two years since your last day in office, you should not advise Bain & Company Inc or its clients on any work with regard to any policy decisions which you had a material role in developing or determining, or where you had a relationship with the relevant client during your time as Minister of State for Indo-Pacific.

13. 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' Interests.<sup>2</sup> It is an applicant's personal responsibility to

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<sup>2</sup> 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 obligations under the Code can be sought from the Parliamentary Commissioner for Standards, in the case of MPs, or the Registrar of Lords' Interests, in the case of peers.

understand any other rules and regulations they may be subject to in parallel with this Committee's advice.

14. 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.
15. 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.'*
16. 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.
17. 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. Bain is a management consultancy firm. Bain's website states that 'global leaders' come to Bain to solve industry-defining challenges in: strategy, marketing, organisation, operations, mergers and acquisitions, etc, across all industries and geographies. Its work includes the geopolitical and public sectors.
2. You wish to take up a paid, part-time role with Bain as an External Adviser. You said your will involve:
  - advising Bain and clients on global geopolitical matters and broader understanding of machinery of government;
  - forming and chairing a Bain government and public sector advisory committee, likely consisting of around 3 additional advisors to provide a broad range of expertise and perspectives to support Bain's teams internally;
  - no contact with government.
3. You said you worked for Price Waterhouse 1990-1995 – another management consultancy (now PWC).

### Correspondence with the employer

4. Bain told the Committee it supports ACOBA's work and confirmed it will put in place appropriate arrangements in order to ensure that the restrictions, conditions and limitations that are placed upon your work are applied within the company.

### Dealings in office

5. You said that you did not make any policy, commercial or regulatory decisions specific to Bain whilst in office, nor did you meet with the company. You said that there is no particular relationship between Bain and your former department, the FCDO.

### Departmental assessment

6. The FCDO confirmed the details in your application.
7. The FCDO said that it was not aware of any particular policy or regulatory information that you had access to that would provide an unfair advantage to

Bain. However, your portfolio provided access to geopolitical analysis and policy work on the UK's relations with China, and the wider Indo-Pacific.

8. The FCDO noted you had access to commercially sensitive decision-making processes regarding National Security and Investment Act cases and export control cases. Based on the fact that Bain has unknown clients, it is not clear the degree to which these factors are of direct relevance to your proposed appointment.
9. The FCDO recommended standard conditions.