

*From the Chair*



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

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**BUSINESS APPOINTMENT APPLICATION: Tom Pursglove, former Minister of State for Legal Migration and the Border at the Home Office. Unpaid appointment with Spectrum Courses 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 taking up an unpaid role as Advisory Board Member with Spectrum Courses Ltd (Spectrum Courses).
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 Spectrum Courses, 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. There is no known overlap with your ministerial portfolios, and Spectrum Courses. Whilst you had dealings with the company in your capacity as a

constituency MP, you did not meet with, nor were you involved in, policy, regulatory or commercial decisions specific to Spectrum Courses in your capacity as a minister. Therefore, the Committee<sup>1</sup> considered the risk this appointment could reasonably be perceived as a reward for decisions or actions taken in office is low.

6. As a former minister, there are inherent risks that you may have had access to sensitive information that could benefit a range of organisations operating in relevant sectors, including Spectrum Courses. The risks are significantly limited because:
  - your portfolio in office had no direct overlap with the work of Spectrum Courses;
  - as a training provider for safeguarding and disability awareness for the Transport sector, the relevant policy areas of interest are held by the Department for Transport and the Department for Education – which sat outside of your scope of responsibilities; and
  - your previous departments are not aware of any specific information you had access to that could offer Spectrum Courses an unfair advantage
7. As with any former minister, there are risks associated with your contacts and influence within government - with the potential for Spectrum Courses to gain unfair access or influence as a result. You confirmed your role as Advisory Board Member excludes any dealings with government, reducing the risk you could be perceived to be lobbying government – which all former ministers are prevented from doing for two years after leaving office.

#### The Committee's advice

8. The Committee determined the risks identified can be appropriately mitigated by the conditions below. These make it clear that you cannot make use of privileged information, contacts or influence gained from your time in ministerial office to the unfair advantage of Spectrum Courses.
9. The Committee advises, under the government's Business Appointment Rules, that your appointment with **Spectrum Courses 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 service;

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

- for two years from your last day in ministerial office, you should not become personally involved in lobbying government or any of its arm's length bodies on behalf of Spectrum Courses Ltd (including parent companies, subsidiaries, partners and clients); nor should you make use, directly or indirectly, of your contacts in government and/or Crown service to influence policy, secure business/funding or otherwise unfairly advantage Spectrum Courses Ltd (including parent companies, subsidiaries, partners and clients); and
  - for two years from your last day in ministerial office, you should not provide advice to Spectrum Courses Ltd (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 and 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; 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 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 Ministerial Code or otherwise.
12. The Business Appointment Rules explain that the restriction on lobbying means that you *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.*
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. You must also inform us

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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 Commissioners for Standards, in the case of MPs, or the Registrar of Lords' Interests, in the case of peers.

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. According to its website, it delivers training for drivers and passenger assistants who work in home-to-school transport across England and Wales. Its trainees work with Home to School Transport Crews to understand safeguarding duties and wider responsibilities, including around disability awareness. It also provides a similar training offer around the safeguarding of vulnerable adults. Spectrum Courses is a supplier in several local authority areas nationally. Its activities also includes lobbying MPs in Parliament to standardise training across the country.
2. You stated your role as Advisory Board Member is part-time, with potential for remuneration in the future but is initially unpaid.
3. You stated that, as Advisory Board Member:
  - you will sit on Spectrum Courses' Advisory Board, alongside a number of professionals spanning several relevant areas of expertise.
  - the role would be akin to that of a Non Executive Director – to guide, scrutinise and advise, particularly around relationships with local government and generating awareness of their service offer.
  - you will be providing strategic analysis, support and advice to Spectrum Courses on UK public policy and regulatory developments and the broader political landscape which may affect their interests, where relevant.
4. You confirmed you would not:
  - a. directly or indirectly lobby government ministers or official
  - b. have any engagement with the UK government on behalf of Spectrum Courses.
  - c. seek to draw on my network of contacts in government.
  - d. disclose privileged information from my time in government.

- e. have involvement with bids or contracts involving the UK government.

#### Dealings in office

- 5. You stated you were involved with assisting Spectrum Courses in your capacity as a constituency MP. You informed the Committee that in your capacity as a minister, you did not meet with, nor were involved in any policy, regulatory or commercial decisions specific to Spectrum Courses.

#### Departmental assessment

- 6. Your former departments, the Home Office and the Department for Work and Pensions confirmed the details you provided, stating:
  - a. you were not involved in decisions specific to Spectrum Courses
  - b. there is no policy overlap with your time in office.
  - c. Spectrum Courses does not have a relationship with either department.
  - d. you have had no access to sensitive information specific to Spectrum Courses.
- 7. The departments did not have concerns with the proposed appointment, and recommended the standard conditions.