

From the Chair



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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November 2024

BUSINESS APPOINTMENT APPLICATION: Mr Tom Pursglove, former Minister of State for Legal Migration and the Border at the Home Office. Previously, Minister of State for Disabled People, Health and Work at the Department for Work and Pensions and before that, Minister of State for Crime and Policing at the Home Office. Paid appointment with Whitworths 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 a paid role as Strategic Counsel with Whitworths Ltd (Whitworths).
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 Whitworths, 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 portfolio(s), and Whitworths. In your capacity as a constituency MP, you engaged with Whitworths. In your capacity as minister - you did not meet with, nor were you involved in, policy, regulatory or commercial decisions specific to Whitworths. Therefore, the Committee¹ 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 Whitworths. The risks are limited because:
 - your portfolio in office had no direct overlap with the work of Whitworths;
 - as a food provisions supplier, the relevant policy areas of interest are held by the Department for Food, Environment and Rural Affairs and the Department for Health and Social Care – which sat outside of your scope of responsibilities; and
 - the Home Office and DWP is not aware of any specific information you had access to that could offer Whitworths an unfair advantage
7. As with any former minister, there are inherent risks associated with your contacts and influence within government and the potential for Whitworths to gain unfair access or influence as a result. The lobbying ban that applies to all former ministers for two years from leaving office prevents you from seeking to influence any government department on behalf of Whitworths.

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 Whitworths.
9. The Committee advises, under the government's Business Appointment Rules, that your appointment with **Whitworths Ltd** be subject to the following conditions:

¹ This application for advice was considered by Andrew Cumpsty; Isabel Doverty; 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.

- 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;
 - 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 Whitworths Ltd (including parent companies, subsidiaries, partners and clients); nor should you make use, directly or indirectly, of your contacts in government and/or ministerial office to influence policy, secure business/funding or otherwise unfairly advantage Whitworths 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 Whitworths 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' Interests² 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".

² 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.

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 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. According to its website, Whitworths is a dried fruit, nuts, home baking and snack products company, established in 1886 and based in Irthlingborough, Northamptonshire.
2. In your (paid) role as Strategic Counsel, you stated you will be providing strategic consulting to Whitworths Ltd in support of their '*Mission Nutrition*³ campaign to inform the company on the UK government's policy around the '5-a-day' initiative, specifically to see the inclusion of dried fruit and nuts in the qualifying dietary items. You stated this involves strategic analysis, support and advice to Whitworths on UK public policy and regulatory developments and the broader political landscape which may affect their interests, where relevant.
3. You stated this is not an in-house lobbying role - you will be advising Whitworths as an independent consultant. You said you:
 - Have not served in the Department of Health & Social Care, or other relevant departments [Department for Food, Environment and Rural Affairs], and in any event, do not have a network of contacts to draw on in government in this area of policy.
 - Will not have involvement with bids or contracts involving the UK Government.
 - Will not undertake any lobbying on behalf of Whitworths Ltd towards UK government ministers or departmental officials.
4. You stated you engaged with Whitworths in your capacity as a constituency MP and was approached after the election about a role.

³ <https://whitworths.co.uk/powering-up-the-nation/>

Dealings in office

5. 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 Whitworths.

Departmental assessment

6. The Home Office and Department for Work and Pensions confirmed the details you provided, stating:
 - a. You were not involved in decisions specific to Whitworths Ltd, nor is there a policy overlap with your time in office.
 - b. Whitworths does not have a relationship with the departments.
 - c. They did not have concerns relating to your access to sensitive information specific to Whitworths.
7. The departments did not have concerns with the appointment, and recommended the standard conditions.