



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: Lord Andrew Sharpe of Epsom OBE, former Parliamentary Under Secretary of State at the Home Office. Paid appointment with Battenhall Limited.

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 appointment with Battenhall Limited (Battenhall) as a Non-Executive Board Director (NED).
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 Battenhall, as a former minister. 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. Battenhall is a social media communications and public relations agency. It delivers campaigns, PR work, and social media strategy. You said that as a

NED you will advise the board on strategy, financial planning and overseas expansion. You said the role is internal and not client facing.

6. The Home Office said that it does not hold a relationship with Battenhall, and that you did not meet with, nor made any decisions specific to Battenhall while in office. The Committee¹ considered that the risk this role could reasonably be seen as a reward for decisions you made in office is low.
7. As a minister, it is likely you had access to a range of information in office that could benefit any company. Your former department is not aware of any privileged information that could grant an unfair advantage, and it has been over a year since you left office and last had access to any privileged information – which reduces this risk.
8. Given its work in PR and communications, there is a risk that this role could reasonably be perceived as including possible lobbying of the UK government on behalf of Battenhall's clients. There are factors that significantly limit this risk:
 - you said Battenhall does not currently work with clients on government-facing matters;
 - Battenhall has confirmed that it is not a lobbying firm and that your role will not involve lobbying; and
 - you told the Committee that as a member of the House of Lords you are prevented from undertaking any lobbying on behalf of your employer, and that you will not do so in this role.
9. It is also relevant that prior to entering government, you held the same role with Battenhall and are returning.

The Committee's advice

10. The Committee considered that the risks in this application can be appropriately mitigated by the conditions below, which seek to prevent you from making improper use of privileged access to information, contacts and your influence to the company's unfair advantage.
11. In accordance with the government's Business Appointment Rules, the Committee advises that this appointment with **Battenhall Limited** be subject to the following conditions:

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

- 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 Battenhall Limited (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 Battenhall Limited (including parent companies, subsidiaries, partners and clients); and
- for two years from your last day in ministerial office, you should not provide advice to on behalf of Battenhall Limited (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.

12. 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.² You are reminded that as a Member of the House of Lords you are prevented from any paid lobbying under the House of Lords 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.

13. 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.

14. 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*

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 your 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.

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.'

15. 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.
16. 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.

Isabel Doherty

Interim Chair
ACOPA

Annex- material information

The role

1. Battenhall Limited is a public relations agency, focussed on social media. Its website describes it as a communications agency, delivering campaigns, public relations and social media strategies for brands. It lists clients, including Google, the NHS, Aviva, Lloyds Banking Group, YouTube, Coca Cola, Sky.
2. You told the Committee that your paid, part-time role as a NED would include:
 - sitting as a member of the company board;
 - responsibility for long-term strategic and financial planning and representing minority shareholder interests; and
 - responsibility for 'consent' matters as defined by shareholder agreement to include; dividend policy, property and office decisions, high-spending and overseas expansion.

You said that the role will be internal, with no client-facing aspects, including no contact with government.
3. You said that as a member of the House of Lords you are prevented from lobbying on behalf of your employer, and will not do so in this role.
4. You said you are a minority shareholder of Battenhall Limited. Prior to entering government, you were in the same role as a NED for several years between April 2012 and October 2021.
5. Battenhall has confirmed that your role will not involve any lobbying.

Dealings in office

6. Of your time in office, you said the following:
 - you did not make any policy, commercial or regulatory decisions specific to Battenhall;
 - you did not have any contact with Battenhall;
 - there is no departmental relationship between Battenhall and the Home Office; and
 - you did not have access to sensitive information in your ministerial role that could grant Battenhall an unfair advantage.

Departmental assessment

7. The Home Office confirmed the details above. It recommended the standard conditions.