



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

Room G/08, 1 Horse Guards Road, London, SW1A 2HQ

Telephone: 020 7271 0839

Email: acoba@acoba.gov.uk

Website: <http://www.gov.uk/acoba>

September 2025

BUSINESS APPOINTMENT APPLICATION: David Johnston OBE, former Parliamentary Under Secretary of State at the Department for Education. Unpaid appointment with Ark Acton Academy.

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 the Chair of Governors at Ark Acton Academy.
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 Ark Acton Academy. 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. When considering this application, the Committee¹ took into account that this appointment, as the Chair of Governors at Ark Acton Academy, is unpaid². Generally, the Committee's experience is that the risks related to unpaid roles are limited. The purpose of the Rules is to protect the integrity of government by considering the real and perceived risks associated with former ministers joining outside organisations. Those risks include: using privileged access to contacts and information to the benefit of themselves or those they represent. The Rules also seek to mitigate the risks that individuals may make decisions, or take action in office, in expectation of rewards on leaving government. These risks are significantly limited in unpaid cases due to the lack of financial gain to the individual.
6. Whilst this role is in education, there is no direct overlap between your ministerial responsibilities and your role with Ark Acton Academy. There remain inherent risks associated with any former minister's access to information, network of contacts and influence in government. In this unpaid role, these risks are limited.

The Committee's advice

7. The Committee did not consider this unpaid appointment to raise any particular concerns under the government's Business Appointment Rules. The standard conditions below sufficiently mitigate the inherent risks. These seek to prevent you from making improper use of privileged information, contacts and influence to the unfair advantage of the organisation.
8. In accordance with the government's Business Appointment Rules, the Committee advises this appointment with **Ark Acton Academy** 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 Ark Acton Academy (including parent companies, subsidiaries, partners and clients); nor should you make use, directly or indirectly, of your contacts in the government and/or Crown service to

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

² By unpaid the Committee means that no remuneration of any kind is received for the role. Applicants must declare where it is agreed or anticipated they may receive remuneration or some other compensation at some stage in the future.

influence policy, secure business/funding or otherwise unfairly advantage Ark Acton Academy (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 Ark Acton Academy (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.
9. 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' Interests³. 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.
10. 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.
11. 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'*.
12. You must inform us as soon as you take up employment with this organisation, or if it is announced that you will do so and this letter will be published. You must 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.

³ 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.

Isabel Doverty
Interim Chair

ACOBA

Annex - Material Information

The role

1. Ark Acton Academy is a secondary academy school that is part of Ark School's 39 school multi-academy trust.
2. You wish to take up a part-time, unpaid role as the Chair of Governors at Ark Acton Academy. Your role will involve chairing the local governing body (LGB). LGBs provide strategic input into individual school plans, monitor alignment of school processes and reporting, and embed the school's ethos and values. They are responsible for localised challenge and support but have no legal liability or final approval of policies or core documents. LGBs also lead on local stakeholder engagement (including for staff, parents, and the local community).

Dealings in office

3. You said that you did not make any policy, regulatory or commercial decisions specific to Ark Acton Academy, and that you did not have any access to information that could grant the organisation an unfair advantage.
4. You stated that as with any large multi-academy trust, Ark Acton Academy will have a relationship with the Department for Education at various levels.

Departmental Assessment

5. The Department for Education confirmed that you did not make any policy, regulatory or commercial decisions specific to Ark Acton Academy, and that you did not have any access to information that could grant the organisation an unfair advantage.
6. The Department for Education noted that it has a relationship with Ark Acton Academy, though it said that this did not exceed the standard relationship with any academy.
7. The Department for Education recommended the standard conditions be applied to this role.