

From the Chair



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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1. You approached the Committee about taking up an appointment as a Non-executive Chair for the Belfast Advisory Board of Artemis Technologies.
2. The Committee's role and remit
3. As you will be aware, it is the Committee's role to advise on the conditions that should apply to appointments or employment under the Government's Business Appointments Rules for Former Ministers (the Rules), which apply to former Ministers for two years after they leave office. The Rules seek to counter suspicion that:
 - a) the decisions and statements of a serving Minister might be influenced by the hope or expectation of future employment with a particular firm or organisation; or
 - b) an employer could make improper use of official information to which a former Minister has had access; or
 - c) there may be cause for concern about the appointment in some other particular respect.
4. When the Committee considers applications, it must have in mind that Government has judged that it is in the public interest that former Ministers with experience in Government should be able to move into business or into other areas of public life, and to be able to start a new career or resume a former one. It is equally important that when a former Minister takes up a particular appointment or employment, there should be no cause for any suspicion of impropriety.
5. It is not the Committee's role to pass judgment on whether an appointment is appropriate or suitable in any other regard.

The Application

6. You sought the Committee's advice on taking up an appointment as a Non-executive Chair for Artemis Technologies' (Artemis) Belfast Supervisory Board. This supervisory board is responsible for the oversight of the newly established Belfast Consortium, a 13 partner syndicate led by Artemis, of various institutions (universities, engineering and investment firms¹). This is a part time, paid appointment.
7. You stated that this appointment is unlikely to include any contact or dealings with the Department of Transport (DfT) or the Government as it is an internal role. You stated that 18 months ago whilst on a regional tour of the area you visited the company offices but that you did not have any other contact whilst you were in office. You had no access to commercially sensitive information about Artemis's competitors nor had engaged in any official dealings with these competitors.
8. Your former department, DfT, was contacted about this application. It confirmed the above details in your application. It added however that you had written a letter to then Minister of State for Universities, Science, Research and Innovation (Chris Skidmore) at the Department of Business, Energy and Industrial Strategy (BEIS) in support of a bid for funding the Belfast Consortium made to UK Research and Innovation (UKRI), in September 2019 whilst still in office. BEIS was therefore consulted on the matter.
9. The application was for the Strength in Places Fund (SIPF). The application concerned developing zero emission ferries in the city. It was successful in attaining second stage funding in June 2020, with £33 million being awarded to the Belfast Consortium. BEIS confirmed that your letter of support was not included in the bid application to UKRI. BEIS further confirmed Mr Skidmore did not consider the submissions for the second stage funding (the £33m), as he had left office. This was therefore approved by the new Science Minister. BEIS said that as your letter was not presented to the SIPF assessment panel it '*would not have had a bearing on the decision-making process*'.
10. DfT confirmed it was not unusual for a minister to write such letters, particularly when they are in line with DfT's policy goals. DfT supported this bid independently of your letter of support as it was in keeping with DfT maritime policy, promoting maritime technology development. This letter from the department was included in the Artemis application as part of the bidding process, but BEIS confirmed this letter of support was not included in the advice to ministers on shortlisting, on advice of the SIPF panel (against the programme published assessment guidance).
11. Your former department had no concerns under the Rules in relation to you taking up this appointment in.

¹ The Consortium consists of Artemis Technologies, Belfast Harbour, Bombardier Belfast, Northern Ireland Advanced Composites Engineering (NIACE), Creative Composites, Energia, Catalyst, Invest Northern Ireland, Ulster University, Belfast Met, Queen's University Belfast, Ards and North Down Borough Council, and Belfast City Council

The Committee's consideration

12. The Committee² noted you did not make any decisions as Minister on the awarding of contracts or funding for Artemis or the Belfast Consortium and did not make any policy decisions that would have directly impacted the company. The Committee considered the risk this appointment could be seen as a reward for the support you provided for the consortium's application to another department for funding. However, BEIS confirmed this did not have a material bearing on the decision. The Committee agreed with the departments that it could not reasonably be inferred that this appointment was as a result of actions you took whilst in office.
13. The Committee was mindful of the crossover in the area you will be advising on, and your time in office. There is a risk you may have access to sensitive information about the sector from your time in Government that might provide an advantage to Artemis. However, the DfT has confirmed that it does not have any concerns about your access to information, such as any unannounced policy or sensitive information about competitors. The Committee further noted 6 months had passed since you were in office, so any potentially sensitive information you may otherwise have had access to is likely to either be public or out of date. However, the Committee would draw your attention to the condition below which prevents you from drawing on privileged information.
14. The Committee noted that the internal nature of the role and the fact that you have stated it will not involve any contact with the Government. Nevertheless, as with all former Ministers, you are prevented from lobbying the UK Government and the conditions below make it clear that you may not make use of your contacts gained in office to the unfair advantage of Artemis.
15. In accordance with the Government's Business Appointment Rules, the Committee advises this role with **Artemis Technologies** be subject to the following conditions:
 - that you should not draw on (disclose or use for the benefit of yourself or the 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 Northern Ireland Executive on behalf of Artemis Technologies or the Belfast Consortium (including parent companies, subsidiaries, members, partners and clients), nor should you make use, directly or indirectly, of your government and/or Ministerial contacts to influence policy or secure funding/business or otherwise unfairly benefit Artemis Technologies or the Belfast Consortium (including parent companies, subsidiaries, members, partners and clients); and
 - for two years from your last day in office you should not advise Artemis Technologies or the Belfast Consortium (including parent companies,

² This application for advice was considered by Sir Alex Allan; Jonathan Baume;; Richard Thomas; Mike Weir; Lord Larry Whitty and John Wood. The Rt Hon Lord Pickles and Dr Susan Liautaud were unavailable.

subsidiaries, members, partners and clients) on the terms of, or with regard to the subject matter of, a bid or contract with, or relating directly to the work of, the UK Government or Northern Ireland Executive.

16. The Committee also notes that in addition to the conditions imposed on this appointment, there are separate rules in place with regard to your role as a member of the House of Commons.
17. 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 or otherwise.
18. 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."
19. I should be grateful if you would inform us as soon as you take up this appointment, or if it is announced that you will do so, either by returning the enclosed form or by emailing the office at the above address. We shall otherwise not be able to deal with any enquiries since we do not release information about appointments that have not been taken up or announced. This could lead to a false assumption being made about whether you had complied with the Ministerial Code.
20. You must also inform the Committee if you propose to extend or otherwise change the nature of this appointment as, depending on the circumstances, it may be necessary for you to make a fresh application.
21. Once this 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 The Lord Pickles

Nusrat Ghani MP