



Chloe Smith MP
Minister of State
Cabinet Office 70 Whitehall London SW1A 2AS

William Wragg MP
Chair
Public Administration and Constitutional Affairs Committee
House of Commons
London, SW1A 0AA

Our reference: MFC/00608

24 February 2020

Dear William,

Advisory Committee on Business Appointments (ACoBA) Chair recruitment

I wanted to warmly welcome you to your position as chair of the Public Administration and Constitutional Affairs Committee.

As you will be aware, we have been working to appoint a successor to Baroness Browning as chair of the Advisory Committee on Business Appointments.

I am pleased to put forward the Prime Minister's preferred candidate, The Rt Hon Lord Pickles. Lord Pickles was Member of Parliament for Brentwood and Ongar from 1992 until he stood down at the general election in June 2017. He was formerly Secretary of State for Communities and Local Government. The panel thought that Lord Pickles' experience and approach to the role made him an excellent candidate.

The role of the chair of ACOBA was advertised between 23 September and 27 October 2019 on the HM Government Public Appointments website. Twenty applications were received. Three candidates were interviewed on 30 January 2020. The panel found two candidates to be appointable, and the Prime Minister chose his preferred candidate.

My officials will provide the Committee with the candidate pack, Lord Pickles' CV and his completed questionnaire under separate cover.

Baroness Browning's five-year non-renewable term was due to come to an end on 31 December 2019. The recruitment campaign to find the new Chair was paused during the pre-election period in line with relevant guidance. As a result, the timeline for appointing Baroness Browning's successor was revised. I am grateful to Baroness Browning for extending her term

to 31 March 2020, while the Cabinet Office completes the remaining stages of the recruitment campaign.

Yours ever,

A handwritten signature in cursive script, appearing to read 'Chloe', with a horizontal line underneath.

Chloe Smith MP



Cabinet Office



Chair

Advisory Committee on Business Appointments (ACOBA)

CANDIDATE INFORMATION PACK

Closing date for this post is: 23:00, 27 October 2019

Applications should be sent to:

ACOBArecruitment@cabinetoffice.gov.uk



[Twitter](#) Follow us to keep up to date with public appointments vacancies

<http://publicappointments.cabinetoffice.gov.uk>

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A Message from the Prime Minister

Dear Candidate

Thank you for your interest in this vacancy for the Chair of the Advisory Committee on Business Appointments (ACOBA).

You may already have some idea about the important work of ACOBA and the following pages will tell you more about the Committee's purpose, the nature of the Committee, the role of the Chair and the application process. Please do also view the ACOBA website to understand their work:

<https://www.gov.uk/government/organisations/advisory-committee-on-business-appointments>

If, after reading the material, you have further questions about any aspect of this post you are welcome to speak to Catriona Marshall (0207 271 0839). If you have questions about the appointment process, you can contact Samalie Lutalo [Propriety and Ethics, Cabinet Office] (0207 276 3968) Samalie.Lutalo@cabinetoffice.gov.uk

If you believe you have the experience and qualities we are seeking, we very much look forward to hearing from you.

Prime Minister

Diversity and Equality of opportunity

Diversity of opportunity is something the Cabinet Office cares passionately about.

Applications are encouraged from all candidates regardless of ethnicity, religion or belief, gender, sexual orientation, age, disability, gender identity. We particularly welcome applications from women, those with a disability and those from a black or ethnic minority background.

We would also particularly welcome applications from those currently working in, or with experience of, the private sector, and those who have not previously held public appointments. We want to explore the widest possible pool of talent for these important appointments.

Offering an Interview to Disabled People (GIS scheme)

As a Disability Confident employer, we will ensure that a fair and proportionate number of disabled applicants who **meet the minimum criteria for this position** will be offered an interview.

[The Equality Act 2010](#) defines a person as disabled if they have a physical or mental impairment and the impairment has a substantial and long term adverse effect on their ability to carry out normal day-to-day activities. If you wish to indicate that you are disabled or have a long-term health condition, please complete the **Disability Confident - Offering an Interview to Disabled People** declaration in the supporting documents and send it with your application.

Flexible working practices

ACOPA supports flexible working practices and as a national organisation has video conferencing available for communications between regional and central offices. However, the Chair is expected to commit average of 2-3 days a month to the role. This would usually be spread over the month through regular email correspondence most weeks, rather than as whole or half day units.

Location

The role will be based in London.

Background to the Organisation

ACOPA is an independent body which advises the Government on matters referred to it, primarily making recommendations about applications submitted under the Government's Business Appointment Rules (the Rules) from former ministers, senior civil servants and other Crown servants. In doing so it advises on the conditions that should apply to new appointments or employment after individuals at the most senior level¹ and the Rules for former Ministers, which both apply for two years after leaving Crown service. The Rules seek to counter suspicion that:

1. the decisions and statements of a serving official might be influenced by the hope or expectation of future employment with a particular organisation; or
2. an employer could gain an unfair advantage through sensitive information to which a former official has had access to by virtue of their time in office; or
3. an employer could make improper use of contacts an individual has gained from their time in office.

Applications are assessed case-by-case, on their individual merits, taking into consideration previous decisions. In advising on an application, ACOPA must consider the public interest in light of the Government's Rules and the law on restraint of trade. ACOPA may advise on a range of specific conditions to be applied in relation to any appointment. All members of ACOPA contribute to the assessment process, and collectively deliberate (usually by correspondence), in each case to agree the advice to be provided. Once an individual notifies ACOPA that he or she has taken up an appointment or employment, ACOPA will publish its advice letter and any conditions imposed on its website (and in its annual reports).

The Committee has nine members, three members are political appointees; and a further six are independent members, who are appointed following a fair and open competition, as was the current Chair (and Conservative party member).

Size and composition of the Committee

The Committee currently comprises nine Members. Members of the Committee are listed below:

- Baroness Angela Browning (Chair);
- Lord Larry Whitty;
- Lord Michael German OBE
- Sir Alex Allan
- Terence Jagger
- John Wood
- Dr. Susan Liautaud
- Jonathan Baume
- Richard Thomas CBE LLD

Role of the Chair

¹ ACOPA provides advice on the subsequent outside appointments of civil servants at Director General-level (SCS3) and above, including Special Advisers of equivalent standing. However, the Rules apply to all civil servants and the process below Director General-level is the responsibility of individual departments. The Rules are accessible online [here](#).

The Chair leads the Committee to act independently to advise Government and former Ministers on its decisions under the Rules. Applications are assessed case-by-case on their individual merits. This is a high profile Committee, which attracts considerable public and media interest.

The Committee is supported by a Secretariat, which currently consists of 3 team members and sits within the Civil Service Commission, to remain independent of its sponsoring department – the Cabinet Office.

The Chair is appointed by the Prime Minister for a five year non-renewable term. A non-pensionable honorarium of **£8,000** is payable. The Chair is expected to commit an average of **2-3** days a month to the role.

This would usually be spread over the month through regular email correspondence most weeks, rather than as whole or half day units. This offers considerable flexibility for managing the timing of individual contributions (e.g. you might choose to correspond during the working day, or not). The level of work can vary from week to week and month to month.

Much of the Committee's work is undertaken by correspondence; however, the Committee also meets regularly in London (usually around 4-6 times a year). The Chair meets with stakeholders, such as departmental Permanent Secretaries on an ad hoc basis throughout the year; and the Committee may on occasion meet in London to discuss an appointment with an applicant.

Legitimate expenses, including travel and subsistence costs, will be paid.

In addition, all members of the Committee must:

- ensure they understand their duties, rights and responsibilities, and that they are familiar with the function and role of ACOBA and any relevant statements of government policy. New Committee members will be briefed on these issues by the Secretariat;
- ensure they act in accordance with the Code of Practice for members (see Appendix 1) and the Seven Principles of Public Life (see Appendix 2);
- comply with any rules set by the Committee regarding remuneration and allowances, the reimbursement of expenses and the acceptance of gifts and hospitality; and
- not misuse information gained in the course of their public service for personal gain or for political purpose, nor seek to use the role of public service to promote their private interests or those of closely connected persons, firms, businesses or other organisations.

Person specification and eligibility criteria

All candidates must demonstrate, in their CV and supporting letter, how they meet the following criteria, through their knowledge, skills and experience.

Person specification and eligibility criteria

Due to the nature and high profile of ACoBA, the work and decisions often attract considerable public and media interest. The candidate should therefore be someone of outstanding integrity and be open to considering how the role and purpose of ACoBA could be reviewed and clarified to assure the public they can have full confidence in appropriate challenges and decisions.

The successful candidate will need to demonstrate the following competencies:

Essential criteria

We are seeking to recruit an experienced non-executive Committee member who can demonstrate competencies in the following areas:

- Ability to lead a diverse team of influential people, and a personal style that demonstrates authority and inspires trust and confidence;
- Excellent judgment, together with the ability to command the confidence of Parliament and the public, and Ministers, civil servants and other Crown servants subject to the Business Appointment Rules;
- Ability to analyse complex information from a range of sources, identify key issues and make objective and balanced decisions on complex issues;
- Excellent communication skills (written and oral);
- Experience of acting with autonomy and resilience in the face of external pressures; and
- Personal integrity and strength of character.

Desirable criteria

- Experience of dealing with conflicts of interest

For this post, a person cannot be appointed as a Committee Member if he or she is employed in the civil service of the state, has unspent criminal convictions, is subject to bankruptcy, or disqualification as a company director. There must be no employment restrictions, or limit on your permitted stay in the UK.

Conditions of appointment

Remuneration, allowances and abatement

- The time commitment for the Chair is 2-3 days per month and will receive an honorarium of £8,000 per annum.
- Members can claim reimbursement for reasonable travel and subsistence costs necessarily incurred on Committee business
- The post is not pensionable.

Appointment and tenure of office

- The Chair is appointed by the Prime Minister for a single five year non-renewable term.
- It should be noted that this post is a public appointment. Therefore such appointments are not normally subject to the provisions of employment law.
- It will be important that the Chair's other commitments do not cast any doubt on their ability to act independently and impartially in discharging the role; any potential conflict of interest must be declared.
- All Committee Members are required to adhere to:
 - o The Cabinet Office Code of Conduct for Board Members of Public Bodies:
<http://www.bl.uk/aboutus/governance/blboard/BoardCodeofPractice2011.pdf>
 - o The Seven Principles of Public Life (see Appendix 1)

Commitment

- The Chair is expected to commit an average of 1-2 days a month to the role. This would usually be spread over the month through regular email correspondence most weeks, rather than as whole or half day units. This offers considerable flexibility for managing the timing of individual contributions (e.g. you might choose to correspond during the working day, or not). The level of work can vary from week to week and month to month.
- ACOBA also meets in central London several times a year for half-day meetings as a full Committee (usually around 4-6 times a year).
- ACOBA may also, on occasion, meet on an ad hoc basis in London to discuss an appointment with an applicant

Pre- Appointment Scrutiny

The ACOBA chair position is subject to pre-appointment scrutiny by the Public Administration and Constitutional Affairs Committee (PACAC).

Pre-appointment scrutiny by select committees is an important part of the process for some of the most significant public appointments made by Ministers. It is designed to provide an added level of scrutiny to verify that the recruitment meets the principles

set out in the Governance Code on Public Appointments. This scrutiny may involve the relevant select committee requesting and reviewing information from the Department and the Minister's preferred candidate. The select committee may also choose to hold a pre-appointment hearing.

Pre-appointment hearings are held in public and involve the select committee taking evidence from the Minister's preferred candidate. These public hearings take place before an appointment is confirmed, but after the selection process has taken place.

Where a public appointment is subject to pre-appointment scrutiny, it is a matter for the relevant select committee to decide whether to undertake such scrutiny, including whether to hold a pre-appointment hearing. Following a review of the information provided by the Department, the select committee may decide that a pre-appointment scrutiny hearing is not required before it committee may decide that a pre-appointment scrutiny hearing is not required before it publishes its report, if it agrees with Minister's choice of candidate.

Indicative timetable and how to apply

Timetable for recruitment

Closing date: 27 October 2019

Shortlisting: w/c 4 November 2019

Interviews held: 15 November 2019

Pre-appointment Scrutiny hearing date: 10 December 2019 (provisional)

Provision appointment start date: Early January 2020

Due to limited availability of selection panel members, shortlisted candidates should ensure that they are available to attend on the advertised interview date as it is unlikely that an alternative date can be accommodated.

Interviews will be held in central London

Advisory Assessment Panel will be:

Mark Addison, Public Appointments Assessor for the Commissioner of Public Appointments

Helen MacNamara, Director General Secretariat and Deputy Secretary to the Cabinet (Departmental Official)

Colleen Harris, Independent Consultant (Senior Independent Panel Member)

In order for us to progress your application please submit the following completed documentation:

1. A **Curriculum Vitae** with your education, professional qualifications and full employment history
2. An accompanying **Supporting Letter** (maximum 2 A4 pages) – setting out your suitability for the role and how you meet the essential and desirable skills set

out in the person specification - please ensure your full name is clearly noted at the top of your letter.

3. **Equal opportunities monitoring form** - this form will not be disclosed to the panel involved in assessing your application.
4. **Political activity form**
5. **Conflicts of interest declaration**
6. **Details of any public appointments currently held**
7. **Names and contact details of two referees who may be contacted if you are shortlisted for interview**
8. **Disability Confident – Offering an interview to disabled people declaration (if applicable)**

Sections 3, 4, 5, 6 and 7 are enclosed in a separate Monitoring Forms document.

Please send all the above required application documents to:

ACOBArecruitment@cabinetoffice.gov.uk

If you are unable to email your application, you can send it in the post to:

Propriety and Ethics Team
Room 208
Cabinet Office
70 Whitehall/1 Horse Guards Road
London SW1A 2HQ

Please note that applications may be passed, in confidence, to the Commissioner for Public Appointments (CPA) and the Commissioner's auditors for the purposes of complaints investigation and audit (4.4 of the Governments Governance Code of Public Appointments refers).

How we will handle your application

The process is one of fair and open competition, in keeping with the Government's Governance Code for Public Appointments².

We will deal with your application as quickly as possible and will keep you informed at key stages:

- After the closing date we will acknowledge receipt of your application (by email if you have provided this).
- Your application will be assessed against the candidate profile and your experience relevant to the post. **Please ensure that your application includes a supporting letter (as set out above), providing evidence that demonstrates how you meet the criteria. Submitting a Curriculum Vitae alone will not be sufficient.**
- At the short-listing meeting the selection panel will decide which candidates will be invited for interview, taking account of the evidence provided by the candidates. **You will be advised of the outcome of your application (by e-mail) as soon as possible. If successful, you will be invited to an interview in central London.**
- The responsible Minister may wish to meet the candidates who are deemed appointable by the selection panel. You will be advised after the interview if this is the case and a mutually suitable time will be arranged as soon as possible.
- If your application is unsuccessful and you would like feedback, please write to the email or postal address to which you sent your application. We regret that we are only able to offer detailed feedback to candidates who have been unsuccessful at interview stage.
- If you have a complaint about the way your application has been handled at any stage of the process, please see the section on "How to complain" below.

Candidates should be aware that due diligence will be carried out in candidates shortlisted for interview. This will include searches of previous public statements and social media, blogs or any other publicly available information.

Use of your personal information

Your personal information will be held in accordance with the General Data Protection Regulation. You will not receive unsolicited paper or electronic mail as a result of sending us any personal information. No personal information will be passed on to third parties for commercial purposes.

When we ask you for personal information, we promise we will:

² <https://publicappointmentscommissioner.independent.gov.uk/regulating-appointments/governance-code/>

- only ask for what we need, and not collect too much or irrelevant information;
- ensure you know why we need it;
- protect it and insofar as is possible, make sure nobody has access to it who shouldn't;
- ensure you know what choice you have about giving us information;
- make sure we don't keep it longer than necessary; and
- only use your information for the purposes you have authorised.

We ask that you:

- give us accurate information;
- tell us as soon as possible of any changes; and
- tell us as soon as possible if you notice mistakes in the information we hold about you.

If you apply for a post, the manner in which we share information with the interview panel is described above.

Our data protection policy is in line with the General Data Protection Regulation and the requirements of the Commissioner's Code of Practice. The Commissioner's requirements relating to the information we collect about applicants are set out below:

- your initial contact details, including your name and address will be held by the Cabinet Office for a period of at least 2 years;
- if you submit an application form, the form and any supporting documentation will be retained for at least 2 years; and
- information held electronically, including your contact details and the monitoring information which you provide will also be held for at least 2 years.

If you would like these details to be removed from our records as soon as this recruitment exercise is complete, please inform the Propriety and Ethics team via the email address (ACOBArecruitment@cabinetoffice.gov.uk) or postal address to which you sent your application

Security Clearance

The successful candidate will be required to undertake Security Clearance in line with the Civil Service guidelines.

Complaints Process

If you are not completely satisfied – please contact, in the first instance: Samalie Lutalo at the Cabinet Office.

We will reply to your complaint within 20 days. If, after receiving our response you are still not satisfied, you may contact the Commissioner for Public Appointments:

The Commissioner for Public Appointments
Room G/8, Ground Floor
1 Horse Guards Road
London
SW1A 2HQ
Tel: 0207 271 0849

The Commissioner for Public Appointments regulates and monitors appointments to public bodies to ensure procedures are fair. More information about the role of the Commissioner and the Government's Governance Code on Public Appointments are available from

<https://publicappointmentscommissioner.independent.gov.uk/regulating-appointments/governance-code/>

The Commissioner for Public Appointments would like to find out what you think of the public appointments process. When you have completed the process, the Commissioner would appreciate a few minutes of your time to complete this survey: <http://publicappointmentscommissioner.independent.gov.uk/candidate-survey/>

Your response will be anonymous and will inform the Commissioner's on-going work with Government Departments to improve the public appointments process.

Standards in public life, political activity, disqualification from appointment and conflicts of interests

Standards in public life

Members of ACOBA will need to confirm that they understand the standards of probity required of public appointees outlined in the “Seven Principles of Public Life” drawn up by the Committee on Standards in Public Life (see Appendix 1 below).

Political Activity

Members of the ACOBA will need to show political impartiality during their time on the Committee and must declare any party political activity they undertake in the period of their appointment.

Due to the nature of ACOBA it is not appropriate for independent members of the Committee to occupy paid party political posts or hold sensitive, senior or prominent positions in any political organisation. Nomination for election to political office, for example, the House of Commons, the Northern Ireland Assembly, Scottish Parliament, the European Parliament, is not considered compatible with membership of ACOBA.

These provisions do not apply to political members of ACOBA. If you are an MP, [MEP³], member of the House of Lords, member of a devolved legislature, directly elected mayor, local councillor or police and crime commissioner, you are exempt from these requirements. There is no bar on such representatives taking a political party whip relating to their political role. You must exercise proper discretion on matters directly related to the work of the body and recognise that certain political activities may be incompatible with your role as a board member. You should not allow yourself to become embroiled in matters of political controversy.

Subject to the above, Committee members are free to engage in political activities, provided that they are conscious of their general responsibilities and standards for public life and exercise proper discretion.

You are required to fill out a Political Activity Declaration as part of your application (please see monitoring forms), which will be kept separate from your application and will only be seen by the selection panel prior to interview. However, it is appreciated that such activities may have given you relevant skills, including experience gained from committee work, collective decision-making, resolving conflict and public speaking. If, therefore, you have had such experience and you consider it relevant to your application for this post, you should include it separately in the main body of your application.

If you are successfully appointed to the post, details of your response to the Political Activity Declaration will be included in any announcement of your appointment.

Disqualification from appointment

Anyone in the categories listed below will not be considered for appointment as Chair of ACOBA (also see ‘Political Activity’ above):

- Employed in the civil service of the state
- Unspent criminal convictions
- Bankruptcy
- Disqualification as a company director.

Conflict of Interests

³ For the period which the UK remains a member of the European Union.

Public bodies are expected to maintain a register of members' interests to avoid any danger of the Committee Member being influenced - or appearing to be influenced – by their private interests in the exercise of their public duties. Candidates invited to interview will be questioned about any real or perceived conflicts of interest. These do not constitute an automatic bar to appointment, but they must be manageable.

The Seven Principles of Public Life

All candidates for public appointments are expected to demonstrate a commitment to, and an understanding of, the value and importance of the principles of public service. The seven principles of public life are:

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Lord (Eric) Pickles PC

From	To	
2019	P/D	Chair International Tracing Service (unpaid)
2015	P/D	Head of Delegation International Holocaust Remembrance Alliance (unpaid)
2015	P/D	Member UK Holocaust Memorial Foundation (UKHMF)
2015	2017	Parliamentary Chairman Conservative Friends of Israel
2018	P/D	Parliamentary Chairman Conservative Friends of Israel (Lords)
2018	P/D	Co-Chair UKHMF (unpaid)
2015	P/D	UK Special Envoy on Post Holocaust Issues (unpaid)
2018	P/D	Vice-President Holocaust Memorial Day Trust
2018	P/D	Member of the House of Lords
2010	2015	Secretary of State for Communities and Local Government
2009	2010	Chairman of the Conservative Party
1997	2009	Opposition Front Bench: Local Government, Housing, DWP, Transport
1992	2015	Member of Parliament for Brentwood and Ongar. Served on two select committee: Environment; Transport
1979	1991	Member of Bradford City Council, Chairman of Social Services, Chairman of Education, Leader of Council
1982	1986	Co-Chair Joint Committee Against Racism
2015	2018	Non-Executive Director Leo Group (paid)
2016	P/D	Non-Executive Co-Chair of The Parliamentary Review (paid)
2005	2015	Consultant to British Legion Industries (paid)
Consultant in Employment Practice and Training. Educated at Greenhead Grammar School (a Comprehensive School) and Leeds Polytechnic (Law Society)		

Chair of Advisory Committee on Business Appointments - campaign information

Campaign Launch Date	23 September 2019
Campaign Closing Date	27 October 2019
Reason for any changes in timetable to that originally published	The original closing date was 14 October 2019. To encourage more applicants this was extended to 27 October 2019
Advertising Strategy	The vacancy was uploaded onto the HMG Public Appointments website and also on the following channels / publications: • Vercida • EvenBreak • Guardian • The Independent • The Economist • The Sunday Times CS World also picked up on this and featured on 3 October: https://www.civilserviceworld.com/articles/news/appointments-watchdog-launches-hunt-new-chief Additionally Women on Boards picked up the vacancy and included it on the vacancies listings on their website.
Advisory Assessment Panel	Mark Addison (Panel Chair), Former ACOBA member and Former Civil Service Commissioner Helen MacNamara, Deputy Secretary to the Cabinet, Cabinet Office Colleen Harris Senior Independent Panel Member
Number of Applicants	20
Number of candidates invited to interview	4 (1 withdrew after being invited for interview, so 3 were interviewed)
Number of candidates found appointable	2

Diversity Data

Diversity data regarding gender, ethnicity and disability cannot be disclosed as there are fewer than five candidates in each of these categories.

Guidance on diversity data:

Departments must consider their obligations under data protection legislation when sharing this data with select committees. Candidates must be made aware at the outset of the campaign that their data will be shared with the select committee in this way. The data should not be shared in a way which means that individuals are identifiable.

Departments should follow ONS guidance on statistical disclosure control to meet this requirement. Where there are fewer than 5 candidates in any given category, diversity data must not be shared as this is potentially identifiable. For example if you have six women and four men on a shortlist - you should not give any gender information.