



HM Government

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William Wragg MP
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House of Commons
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Via Email Only

30 May 2021

Dear William,

Thank you for your letter of 18 May, following your hearing with Lord Geidt in his role as the new Independent Adviser on Ministers' Interests. I am glad that you were able to hear from Lord Geidt early on in his tenure.

I note the Committee's position that the role of Independent Adviser should be subject to fair and open competition in the future. As the Committee will be aware, the Independent Adviser role has been a direct appointment of the Prime Minister under successive administrations. The Prime Minister in this case followed a similar process to his predecessors. I agree there is a case that this role be filled through an open competition, however, it is ultimately a decision for the Prime Minister of the day how to fill the vacancy. I have no doubt that ahead of the appointment of the next Independent Adviser, the Prime Minister will want to carefully consider the Committee's views.

In respect of the Independent Adviser's own interests, as a member of the House of Lords, Lord Geidt's interests are set out publicly. He made a declaration of his outside interests to me before his appointment. I reviewed these against the role of Independent Adviser and was satisfied that there was no conflict. In order to avoid any perception of a conflict, Lord Geidt agreed to avoid contact with Ministers in his outside roles. He is bound by the usual confidentiality undertakings not to disclose any information which is confidential in nature, or which is provided in confidence, without authority. In view of his role as Independent Adviser, I have also agreed with Lord Geidt that he should not be involved in matters relating to his outside roles. In the unlikely event that such a case arose, as Cabinet Secretary I would be available to provide advice on interests in his stead.

Lord Geidt is under an ongoing obligation to keep me informed of any material changes. Those supporting Lord Geidt in his work are also aware of his declaration and can – where necessary – identify questions of potential conflict which can be brought to my attention.

Turning to the Independent Adviser's Terms of Reference, I know that Lord Geidt indicated to the Committee his initial desire to operate for a period within the Terms of Reference as revised, before drawing conclusions about whether any further evolution of the Terms may be warranted. Such a recommendation would principally be for the Independent Adviser to make, and for the Prime Minister to consider. I agree with Lord Geidt, and the Committee, that it would be sensible to review the position at some point in the future. I am open-minded about whether that should be in a year, or a timeframe linked to the Independent Adviser's activity.

Lastly, your letter raised the Committee's questionnaire. I understand that Lord Geidt asked an official assigned to support him in his role to discuss with the Committee's secretariat whether or not it was a requirement to provide the completed questionnaire, as Lord Geidt had already provided a letter. As a result of the conversation the official passed back to Lord Geidt that he had been told it was not a strict requirement but that the committee would likely ask those

questions of Lord Geidt during his appearance. The decision about how best to assist the Committee was for Lord Geidt.

Thank you, once again, for writing.

A handwritten signature in black ink, appearing to read 'Simon Case', is centered on the page. The signature is fluid and cursive, with a large initial 'S' and a long, sweeping underline.

SIMON CASE



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18th May 2021

Post-appointment Hearing: The Independent Adviser on Ministers' Interests

The Committee was pleased to take evidence from the newly appointed Independent Adviser on Ministers' Interests, Rt Hon Lord Geidt, on 13th May 2021. Lord Geidt was kind enough to discuss a range of issues with the Committee regarding his recent appointment and the Terms of Reference of his new role.

In particular, the Committee was interested to hear from Lord Geidt on the recruitment and selection process for his role. The Committee feels that there are still transparency concerns relating to the drawing up of the shortlist of potential candidates for this role and the criteria that were applied when doing so, particularly with regards to the diversity of that list. It is disappointing that you were unable to provide information on this in your letter of 10th May; even when there is no formal process, regard should be taken to ensure the field represents the diversity of the UK.

Indeed, the Committee was disappointed that this post was not subject to fair and open competition. I would like to invite you to review now whether this should be the case in future and write to the Committee with your conclusions.

Additionally, Lord Geidt indicated during the session, he expects that you, as Cabinet Secretary, will keep his own interests "under active review" and inform him of your view as to whether there are any actual, or indeed perceived, conflicts of interest with his role as Independent Adviser on Ministers' Interests. The Committee would be keen to understand what processes and procedures you have in place to monitor such interests.

The Committee was interested to discuss the difference between the Terms of Reference applicable to Lord Geidt in his role as Independent Adviser on Ministers' Interests compared with his predecessor, Sir Alex Allen's. The Committee retains some concerns about the conduct of the earlier stages of any potential inquiry or investigation being behind closed doors but welcomes the new capacity of the Independent Adviser on

Ministers' Interests to advise that an inquiry should be initiated. The Committee welcomes the fact that the Terms of Reference are capable of periodic review, and that Lord Geidt indicated his willingness to return to the Committee at a later date to discuss these, and other matters, and we look forward to welcoming him back soon. The Committee would be interested in your views at the time of the first review, which I envisage would be after a set period (eg. one year) or after a small number of investigations have been undertaken.

Finally, the Committee sent Lord Geidt a questionnaire before the evidence session. He wrote and answered many of the questions but, under the advice of Cabinet Office, he did not complete the questionnaire. I would be grateful to understand why he was given such advice – although there is no formal agreement for a pre-appointment session for this post, committees may write to any witnesses and ask them for any information and I find it strange that Cabinet Office felt the need to intervene in this process.

I would be grateful for a reply by Tuesday 1 June. I will be placing this letter, and your response, into the public domain.

Yours ever,

A handwritten signature in blue ink, appearing to read 'W. Wragg', with a long horizontal stroke extending to the right.

William Wragg MP
Chair, Public Administration and Constitutional Affairs Committee