



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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1. You sought the Committee's advice about taking up an appointment with Remedium Partners.

The Committee's role and remit

2. 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.
3. 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.
4. It is not the Committee's role to pass judgment on whether an appointment is appropriate or suitable in any other regard.

The Application

5. You sought the Committee's advice on taking up a role as an Advisor with Remedium Partners (Remedium).

6. Remedium is a recruitment company which aims to reduce agency locum spend in the NHS, through placing only fixed-term and permanent doctors. Created in 2013, Remedium have offices in London and Mumbai.
7. You confirmed this will be a paid position within Remedium's business advisory team. You said that, as a relatively young company, Remedium are interested in your business experience. The role will focus on business development, growing the business through your understanding of the NHS and your experience of parliament. However, the role is unlikely to involve contact with your former Department or Government. You also noted your previous experience of running an SME.
8. You confirmed that whilst working as a Minister, you did not have any official dealings with Remedium; you are unaware of any relationship the Department of Health and Social Care (DHSC) has with Remedium; you had no official dealings with Remedium's competitors or representatives of the sector; nor did you have access to commercially sensitive information about competitors of Remedium.
9. Your former department, DHSC were contacted about this application. The Department confirmed you were not the Workforce Minister, and that you had no official dealings with Remedium while in office, nor with competitors of the company, or with the sector they operate. DHSC also confirmed it holds no contracts with the company; and it considered you have no access to commercially sensitive that could give Remedium an advantage.

The Committee's consideration

10. The Committee¹ noted you had no contact with Remedium whilst in ministerial office and that DHSC has no contractual relationship with the company. The Committee considered the risk you could be seen to have been offered this role, for decisions or actions taken in office, was low.
11. The Committee considered there are some inherent risks given Remedium work at arms length from DHSC with NHS organisations, and as you were Health Minister. The Committee recognised that Remedium would benefit from your experience and profile as a Minister and an MP. You and DHSC confirmed you have no commercially sensitive information. Therefore, the risk that Remedium could gain an unfair advantage as a result of any specific commercial information to which you were privy is low.
12. The Committee noted you would have had access to potentially relevant privileged and/or commercially sensitive information about the general health sector. However, the Committee noted that 3 months has passed since you were in post, putting a gap between your access to that information and you taking up this role and therefore, lessening the likely relevance of that information. This, alongside the usual ban on the use of privileged information appropriately mitigated the inherent risks here associated with your access to information.
13. However, there is a risk that, as a former Health Minister, you could be seen to have influence within the NHS at the unfair advantage of Remedium. The Committee has therefore imposed a condition preventing you from advising on bids and contracts with the UK Government and the NHS and a lobbying ban which makes clear use of

¹ This application for advice was considered by Sir Alex Allan; Jonathan Baume; Baroness Angela Browning; Lord Michael German; and John Wood. Dr Susan Liautaud; Baroness Helen Liddell; Terence Jagger and Richard Thomas were unavailable.

your contacts across Government/ Whitehall is inappropriate. Further, given the focus of your role in business development, the Committee also considered it appropriate to impose a condition that you must make it clear you do not represent DHSC or the NHS in any way when carrying out this role.

14. In the circumstances, the Committee's advice is that, under the Government's Business Appointment Rules, this appointment with Remedium Partners be subject to the following conditions:
 - you should not draw on (disclose or use for the benefit of yourself or the organisation 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/NHS organisations on behalf of Remedium Partners, nor should he make use, directly or indirectly, of his Government and/or Whitehall contacts to influence policy or secure business on behalf of Remedium Partners or its clients;
 - for two years from your last day in office you should not undertake any work with Remedium 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 and/or the NHS; and
 - you should make clear that any endorsement of Remedium Partners; is your own professional and personal endorsement and not an endorsement in any way deriving from the UK Department of Health and Social Care/the NHS.
15. 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.
16. 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.*"
17. 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 in the House of Parliament.
18. I should be grateful if you would inform us as soon as you take up this role, 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 Rules and the Ministerial Code.
19. 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.

20. 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.

The Baroness Browning

Steve Brine MP