



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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1. You approached the Committee about taking up an appointment as a Strategic Advisor at Microlink PC (UK) Ltd.

The Committee's role and remit

2. 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.

Appointment Details

5. You seek to take up an appointment as a Strategic Advisor with Microlink PC (UK) Ltd (Microlink). The company (according to its website) are leaders in Assistive Technology, their goal is to help people with health conditions to succeed in education and employment, they assess, advise, supply, train and support people/companies/organisations to achieve this goal. This is a part-time, paid appointment with a maximum work commitment of 2 days per month. It is unlikely to involve contact with your former department or government generally. You noted you obtained this role through a direct offer from the Managing Director Dr Siabi, who you met through your constituency work as an MP.

6. You informed the Committee you had no official dealings with Microlink in office and had no involvement in policy decisions that directly impacted Microlink. Further, you are not aware of any relationship between your former department, the Department of Health and Social Care (DHSC) and Microlink; and you had no dealings with, access to commercially sensitive information about its competitors.

7. The Permanent Secretary at DHSC was consulted and confirmed to the Committee: that you had no official dealings with Microlink or its competitors while in ministerial office; you did not make any policy decisions specific to Microlink; and you have had no access to commercially sensitive or unannounced departmental policy information which would give Microlink an unfair advantage. DHSC has no concerns about you taking up this appointment.

The Committee's consideration

8. When considering this application, the Committee¹ took into account your role in office. You had no dealings with Microlink whilst in office and made no decisions in office which will have impacted Microlink specifically - DHSC confirmed this. Moreover, technology and disability were not covered in your Ministerial portfolio so you would not have had any involvement in decisions that would have impacted the company. Therefore, the Committee considered there is no objective reason it might be perceived this appointment is a reward for decisions made or actions taken from your time in office.

9. As a former Minister, you would of had access to wide ranging policy insights and privileged information on the workings of DHSC, the NHS and other health organisations. This could be perceived to offer Microlink an unfair advantage if the company were to compete for contracts with the government or the NHS. However, the Committee also notes that you were not privy to policy or other commercial information on Microlink or its competitors, mitigating some of the risk of you providing an unfair advantage to Microlink. Further, the privileged information ban and the conditions below which prevents you from providing advice on contracts or bids with the Government appropriately mitigates these risks.

10. The Committee also noted it is likely you have access to contacts that could be potentially beneficial to Microlink. The Committee would therefore draw your attention to the

¹ This application for advice was considered by Sir Alex Allan; Jonathan Baume; Baroness Angela Browning; Mike Weir; Terence Jagger; Dr Susan Liautaud; Richard Thomas; Lord Larry Whitty and John Wood.

lobbying ban below, to make it clear that any use of your contacts gained in Government/Whitehall to Microlink's unfair advantage would be inappropriate.

11. Taking into account these factors, in accordance with the Government's Business Appointment Rules, the Committee advises this appointment be subject to the following conditions:

- that you should not draw on (disclose or use for the benefit of himself or the organisation to which this advice refers) any privileged information available to him from ministerial office;
- for two years from his last day in Ministerial office, you should not become personally involved in lobbying the UK Government on behalf of Microlink, its subsidiaries, partners or clients, nor should you make use, directly or indirectly, its of his contacts developed in Government and/or Whitehall, including those in external/commercial organisations, to influence government policy or secure business on behalf of Microlink, its subsidiaries, partners or clients; and
- for two years from his last day in ministerial office you should not advise Microlink 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 the NHS.

12. 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.

13. 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.*"

14. 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 Commons.

15. 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.

16. 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.

17. 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

Mr Steve Brine MP