



# Advisory Committee on Business Appointments

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Thirteenth Annual Report

2011-2012



## ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

December 2012

*Dear Prime Minister,*

### THIRTEENTH ANNUAL REPORT

I enclose a copy of the thirteenth Annual Report of the Advisory Committee on Business Appointments. The report covers the period from 1 April 2011 to 31 March 2012.

This year was the first full year in which the Committee implemented the new Business Appointment Rules for Civil Servants (introduced in February 2011). The Committee believes that the new Rules have given greater clarity to the process, to the benefit of applicants, departments and the Committee.

During the year, the Committee considered 82 cases in total and continued to meet on a regular basis to facilitate robust discussion on relevant issues and to ensure consistency in our approach. Whilst the Committee recognises the need to protect the confidentiality of the personal information we hold on our applicants, we have introduced a number of key changes to ensure our work is as transparent as possible. An important change has been to publish the final decision letters we send to departments on our website, when appointments are taken up, instead of the précis that was published previously. The letters give fuller details of the new job, and any conditions that have been applied to the acceptance of the post, along with the factors that influenced the Committee's considerations and subsequent recommendations. We have also published the minutes of the Committee's meetings since March 2010; and our website has been improved to make it more accessible to applicants and to the wider public, with clearer detailed guidance on the business appointments process. We will, of course, continue to consider what more we can do to further improve our procedures and processes.

Our secretariat completed its visits to all of the major departments to advise on the application of the new Rules. As a result of these visits, we have seen improved dialogue with departments, who are making better use of the secretariat as a resource. In addition, the Secretariat has now put in place plans for its informal checks on departments' arrangements for handling business appointments applications and has informed departments of the process it will follow.

In July 2011, the Committee was sorry to say goodbye to Juliet Wheldon, who stepped down from the Committee for personal reasons. I would like to pay tribute to the valuable contribution that she made to the Committee's work. Other than her departure, the Committee's membership remained the same during this period and so this report covers the second full year of this Committee's work

During 2011-12, the Committee considered fewer applications from former ministers, which was to be expected as the change in Government following the last General Election fell in the previous reporting period. We considered 26 ministerial applications in this reporting period. The advice that we offered to the 17 former Ministers regarding the 21 appointments that have been taken up is published in this report (and on

our website). No applications by former Ministers were considered by the Committee to be unsuitable. We also considered 56 applications from 47 civil servants, 48 of which were taken up and have been published. I am happy to say the Committee dealt with 77% of applications for both former Ministers and civil servants within its targets.

We remain mindful that, while it is in the public interest that those with experience in Government should be able to move into posts within the business world and elsewhere, it is equally important that in taking up an appointment there is no cause for suspicion of impropriety or justifiable criticism. Within the limited remit given to it, the Committee seeks to implement a fair and reasonable approach, which balances this with the legal rights of individuals to move into employment without obstruction. The Committee's advice on the applications we receive continues to take into account these factors in each individual case.

*Yours sincerely,  
Lang of Monkton*

Lord Lang of Monkton DL

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## PART 1 – THE COMMITTEE

1. The Advisory Committee on Business Appointments was established by the Prime Minister in 1975. It is an independent, advisory non-departmental public body.
2. The Committee began the reporting year with seven members, including the Chairman, with Juliet Wheldon stepping down in July 2011. Three members are nominated by the main political parties and the remaining four are independent members. The independent members, appointed by the Prime Minister, have experience at a high level in the Civil Service, the Diplomatic Service, the Armed Forces and in Business. All members are appointed for a single non-renewable term of five years.
3. During this reporting period no new members joined the Committee.
4. The current Chairman of the Committee is Lord Lang of Monkton, the Conservative member of the Committee.
5. The other members of the Committee during the reporting period:
  - Sir Colin Budd, independent member
  - Lord (Navnit) Dholakia, Liberal Democrat member
  - Lord (Gus) Macdonald of Tradeston, Labour member
  - Sir Hugh Stevenson, independent member
  - Lord (Michael) Walker of Aldringham, independent member
  - Dame Juliet Wheldon, independent member



Ian Lang served as the Conservative MP for Galloway from 1979 to 1983, and for Galloway and Upper Nithsdale from 1983 to 1997. He joined the Cabinet as Secretary of State for Scotland in 1990, a post he held until becoming President of the Board of Trade in 1995. After leaving government in 1997, he was made a life peer. Since then he has held a number of non-executive business appointments. He is currently Chairman of Marsh & McLennan Companies Inc and a non-executive director of Charlemagne Capital Ltd. He served on the House of Lords Select Committee on the Constitution from 2002 to 2007 and on the Barnett Formula from 2008 to 2009.



Colin Budd joined the Diplomatic Service in 1967. During his career he served in Warsaw, Islamabad, The Hague and Bonn, including 2 years as Chef de Cabinet to the Vice-President of the European Commission. In the UK he was Private Secretary to two Cabinet Ministers and chaired the Joint Intelligence Committee from 1996 to 1997. After four years as Deputy Under Secretary of State (Europe and Economic) of the Foreign and Commonwealth Office, he spent five years as HM Ambassador to The Netherlands before retiring in 2005. From 2006 to 2007 he was a Member of the Commission for Racial Equality. He is currently a member of the QC Selection Panel and on the Board of the London School of Economics' IDEAS centre for the study of international affairs.



After spending his early years in Tanzania and India, Navnit Dholakia came to Britain to study in Brighton, where he became active in the Liberal Party. While Chair of Brighton Young Liberals, he was elected to Brighton

Borough Council (1961-1964). In 1966 he became Development Officer for the National Committee for Commonwealth Immigrants, and ten years later he was appointed to the Commission for Racial Equality. His interest in criminal justice and penal affairs is reflected in his work with the Sussex Police Authority, the Police Complaints Authority, the Howard League for Penal Reform and his current role as President of Nacro. He was made a life peer in 1997 and has served as a Liberal Democrat Whip (1997-2002) and the party's Home Affairs Spokesman (2002-2004). After four years as President of the Liberal Democrats, he was elected joint Deputy Leader of the party in the House of Lords in 2004 and has been its sole Deputy Leader in the Lords since 2010.



Gus Macdonald was a broadcaster and businessman before his elevation to the House of Lords and appointment as Minister for Business and Industry at the Scottish Office in 1998. Subsequent posts were Minister for Transport (1999-2001) and Minister for the Cabinet Office and Chancellor of the Duchy of Lancaster (2001-2003). He is currently a member of the Lords' Select Committee on Communications; adviser to the OECD's International Transport Forum and to Macquarie Infrastructure Real Assets; Board member of Scottish Power and Chancellor of Glasgow Caledonian University.



Hugh Stevenson began his business career at Linklaters & Paines, solicitors. He joined the investment bank, SG Warburg & Co in 1970 and was a director of SG Warburg Group plc from 1987 to 1995. He was Chairman of Mercury Asset Management Group plc (1992-1998), the Institutional Fund Managers Association (1998-1999), Equitas Ltd (1998-2009) and The

Merchants Trust plc (2000-2010), and a non-executive director of Standard Life plc (1999-2008). Hugh was also a non-executive director of the Financial Services Authority from 2004 to 2010, serving as Deputy Chairman during his final year. He is a trustee of a number of charitable trusts.



After a brief spell as a teacher, Michael Walker joined the Army in 1966. He served in Cyprus, Gibraltar, Northern Ireland and Germany before taking command of the 2<sup>nd</sup>

Infantry Division. Following his posting as Assistant Chief of the General Staff, he was appointed Commander of NATO's Allied Rapid Reaction Corps in 1994. When the Corps was deployed to the Balkans in 1995 he became the first officer to command the land component of the NATO-led Implementation Force. He returned to the MOD in 1997 as Commander in Chief, Land Command, and was promoted to Chief of the General Staff (the professional head of the British Army) in 2000. In 2003 he became Chief of the Defence Staff (head of all British Armed Forces), a post he held for three years before retiring and receiving a life peerage in 2006. He was subsequently appointed Governor of the Royal Hospital Chelsea, stepping down in early 2011.



Juliet Wheldon was called to the Bar in 1975 and joined the Advisory Division of the Department of the Treasury Solicitor the following year. After

serving in legal roles in a number of government departments, she was appointed Treasury Solicitor and Head of the Government Legal Service in 2000, the first woman to hold the position. She retired from the Civil Service in 2006 and was the legal adviser to the Governor of the Bank of England from 2006 until the end of 2008. She is a trustee of the British Institute of International and Comparative Law and a patron of the Human Rights Lawyers Association. Juliet stepped down

from the Committee in July 2011 for personal reasons.

6. The Committee is supported by a small secretariat at its office at 1 Horse Guards Rd, London, SW1A 2HQ.

## ROLE OF THE COMMITTEE

7. The role of the Committee is to:
  - Provide independent advice to the Prime Minister (or Foreign Secretary) on the application of the Government's Business Appointment Rules to the most senior members of the Civil Service, Armed Services and Diplomatic Service who wish to take up appointments within two years of leaving Crown service.
  - Provide independent advice directly to former Ministers on appointments they wish to take up within two years of leaving Government.
8. The Business Appointment Rules apply at all levels of the Civil Service<sup>1</sup>. Lower level applications are dealt with in departments under their own arrangements.
9. The Committee is limited in the restrictions it can recommend under the Business Appointment Rules by Human Rights legislation and the possibility of action in restraint of trade. Based on legal advice, the Rules confine its recommended restrictions or conditions to a maximum period of two years from an individual's last day of paid service. However, the Committee can, if so minded, recommend that a particular appointment is unsuitable and should not be taken up.
10. The Committee's remit is to provide advice. It does not have a role in policing or enforcing

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<sup>1</sup> In the context of this report, references to "civil servants" include members of the Armed Forces, Intelligence Agencies and the Diplomatic Service, all of whom have equivalent versions of the Rules.

its advice. It does, however, publish its advice on all the appointments it considers and that are subsequently taken up or announced. It is through this transparency, as recommended by the Nolan Committee for Standards in Public Life, that applicants and the Committee itself are accountable to the public.

11. Following the Government's review of public bodies in 2010, it was confirmed by the Government that the Committee would be retained due to its role as an independent and politically impartial body.
12. During the reporting period the Committee considered 56 Civil Service cases (eight of which were not taken up) and 26 ministerial cases (five of which were not taken up).
13. Further details of how the Committee approaches its work are given in Parts 2, 3 and 4 of this report.

## OPENNESS

14. The Committee publishes its final advice on an appointment once the appointment has been taken up or announced.
15. The Committee has a Code of Conduct, which is published. It also maintains a register of its members' interests which is publicly available on its website. Committee members follow a strict policy of declaring any individual interests related to a case and if necessary recusing themselves. The Committee publishes such details alongside its advice on the relevant case.
16. The Committee is required to consider requests submitted to it under the Freedom of Information Act 2000, but it is also subject to the exemptions in the Act, in particular Section 40 relating to personal information and Section 36 relating to the effective

functioning of a public body. During the reporting period, 15 requests for information were received and responded to, including four requests for an internal review.

17. The minutes of all Committee meetings, since March 2010, are now published on its website: <http://acoba.independent.gov.uk>. The Committee will continue to publish minutes of future meetings once they have been approved by the Committee.

## ACCOUNTABILITY TO PARLIAMENT

18. In January 2012, the Public Administration Select Committee (PASC) announced its intention to examine the effectiveness of the Business Appointment Rules. On 26 March 2012, the Chairman appeared before PASC to provide evidence on the work of the Committee since his last appearance before them. A transcript of Lord Lang's evidence is

available on the Select Committee's website, at the following link:  
<http://www.publications.parliament.uk/pa/cm201012/cmselect/cmpublicadm/1762iv/120326.htm>. The PASC report is due to be published in the financial year, 2012-13.

## EXPENDITURE

19. The Committee's expenditure for the financial year April 2011 to March 2012 was £149,957.63. Some of the expenditure on the secretariat needs to be attributed to the work of the House of Lords Appointments Commission, with whom the Committee shares its support staff.
20. The major element of the expenditure was staff costs, at £123,623.85. Members' fees of £8,000 for the Chairman and £3,000 for other Members totalled £23,000. The remainder of the expenditure was for administrative costs.



## PART 2 –MINISTERS

### INTRODUCTION – THE MINISTERIAL CODE

21. The Business Appointment Rules for former Ministers are based on the premise 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 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.
22. The requirement for former Ministers to seek the Committee’s advice comes from the Ministerial Code. The Committee also provides advice to former Ministers in Scotland and Wales under their respective Ministerial Codes.
23. The Code states that “on leaving office, Ministers will be prohibited from lobbying Government for two years. They must also seek advice from the independent Advisory Committee on Business Appointments about any appointments or employment they wish to take up within two years of leaving office. Former Ministers must abide by the advice of the Committee.”

### MINISTERS – THE PROCESS

24. The Committee provides its advice direct to the former Minister. It aims to provide its advice within 15 working days. However, the complexity of some cases means it is not possible for all cases to be fully considered within this timeframe. During the reporting period the Committee provided its advice to former Ministers within 15 days in 77% of

cases. This is a significant improvement on the previous financial year.

25. The Chairman writes to all former Ministers when they leave office – and again after one year of leaving - to remind them of the need to ask the Committee for advice on all applications for two years after leaving office.
26. Former Ministers are asked to complete an application form, which is available on the Committee’s website. The Committee asks that it be provided with as full a picture of the proposed employment as possible so that it can provide fully informed advice. The Committee may also seek further confidential evidence from different sources, for example the Minister’s former department or the proposed employer and their competitors.
27. The advice to former Ministers will typically range from unconditional approval to a waiting period and/or a lobbying ban of up to two years. As a general principle, former Ministers will have to observe a two-year ban on lobbying government. (the two-year lobbying ban may be waived or reduced by the Committee if it considers this to be justified by the particular circumstances on an individual application). Furthermore, former Cabinet members will have a minimum three month waiting period after leaving office, although this can be waived by the Committee if justified by the circumstances of the case. In exceptional circumstances the Committee can recommend that a particular appointment or employment is unsuitable and should not be taken up.
28. The advice is published once the former Minister has advised the Committee that he or she has taken up or announced an

appointment. The Government's Guidelines for former Ministers state that all applications to the Committee will be "treated in strict confidence and will remain confidential" until the appointment is taken up or publicly announced. Therefore the Committee does not publish its advice on appointments not taken up. During the reporting period, five applications were advised upon but not taken up.

29. The Committee will consider requests for continuing confidentiality once an appointment has been taken up, but a compelling case must be made to the Committee for doing so. The Committee will give no undertaking longer than three months, at the end of which the situation is reviewed. During the reporting period, the Committee did not agree to any appointments that were taken up being withheld from publication.

## PART 3 - CIVIL SERVANTS

### INTRODUCTION – THE BUSINESS APPOINTMENT RULES FOR CIVIL SERVANTS

30. The key principles of the Rules for Civil Servants are designed to uphold the core values in the Civil Service Code, of integrity, honesty, objectivity and impartiality.
31. It has been the view of successive governments that it is in the public interest that people with experience of public administration should be able to move into business or other bodies outside central government, and that such movement should not be frustrated by unjustified public concern over a particular appointment. It is equally important that when a former civil servant takes up an outside appointment there should be no cause for justified public concern, criticism or misinterpretation.
32. The purpose of the Rules is to maintain trust in public services and in the people who work in them, and in particular to avoid any suspicion that an appointment might be a reward for past favours; and to avoid the risk that an employer might gain an improper advantage by appointing a former official who holds information about its competitors, or about impending Government policy.
33. The Rules apply at all levels of the Civil Service. The Committee is responsible for providing independent advice to the Prime Minister on the application of the Business Appointment Rules to the most senior members of the Civil Service and Armed Services who wish to take up appointments within two years of leaving Crown service. Similarly, it provides advice to the Foreign

Secretary for senior members of the Diplomatic Service.

34. With regard to applications from civil servants in the Devolved Administrations in Scotland and Wales, the Committee provides advice to the relevant First Minister.
35. Not all Civil Service applications are referred to the Committee – only those of the most senior civil servants at Director General and Permanent Secretary level. Lower level applications are dealt with by departments under their own arrangements. Permanent Secretaries are responsible for the operation of the Rules in their departments.
36. In the reporting period, 56 applications from civil servants, members of the Armed Forces and the Diplomatic Service were considered by the Committee.

### THE RULES

37. In February 2011, the Government published new Business Appointment Rules for Civil Servants, a copy of which is attached at Annex C and is also available on the Committee's website. This report covers the first full year in which the new Rules have been implemented.
38. The main changes the Rules introduced were:
  - A general expectation of a two-year lobbying ban for Director Generals and Permanent Secretaries<sup>2</sup>;

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<sup>2</sup> As with Ministers, the two-year ban may be waived or reduced if the Committee considers this to be justified by the particular circumstances of an individual application.

- A definition of lobbying has been provided;
- Special Advisers at all levels must now make applications to the Committee;
- Permanent Secretaries have responsibility for decisions on all applications from staff at Director level and below;
- A requirement for the Committee to undertake informal compliance assurance checks on departments' arrangements for handling applications.

39. The Committee believes that the new Rules give greater clarity and consistency. However, the Committee will seek assurances from departments on the operation of the Rules as part of its compliance monitoring and will formally report on their operation when the checks have concluded. During this financial year, the secretariat completed its visits to all of the major departments to advise on the application of the new Rules. In addition, the secretariat has informed departments of the new compliance monitoring process, which will involve:

- phase one – all departments certifying whether they have complied with the Rules;
- phase two – a selection of departments conducting more detailed self assessments; and
- phase three - the secretariat conducting a more detailed assessment of compliance by a selection of the departments who took part in phase two. This might include visits to the relevant departments..

## THE PROCESS

40. The Committee aims to provide its advice to the Prime Minister within 20 working days of receiving a fully completed application form. As each case is considered on its individual

merits it is not possible to achieve this target in all cases and some will necessarily take longer. During this reporting year, 77% of cases were dealt with within the 20 day target. This is an improvement on the previous financial year.

41. All individual applicants must complete a standard application form which is available on the Committee's website. The form asks applicants to provide details of their current and previous posts as well as information on the proposed appointment including whether or not it was advertised, and if it will involve dealings with the former department or departments. Applicants must also state if they have had any contractual or official dealings with the prospective employer or competitors of the prospective employer over the previous two years; and if they have been involved in policy development which could affect either the prospective employer or competitors.

42. All senior level applicants must submit the application to both their countersigning officer and the department's HR division for them to provide their views on the application. It is then sent direct to the Committee. The Committee relies on the information provided by the department and countersigning officer to inform its consideration of an application. The Committee considers each case individually against the Rules. It collects wider evidence where necessary, for example it might seek the views of the security services, another Government department or the Cabinet Office. In some instances the Committee will meet applicants to discuss the proposed appointment further.

43. The Committee will then reach a view on whether there should be any restrictions on the applicant taking up the proposed

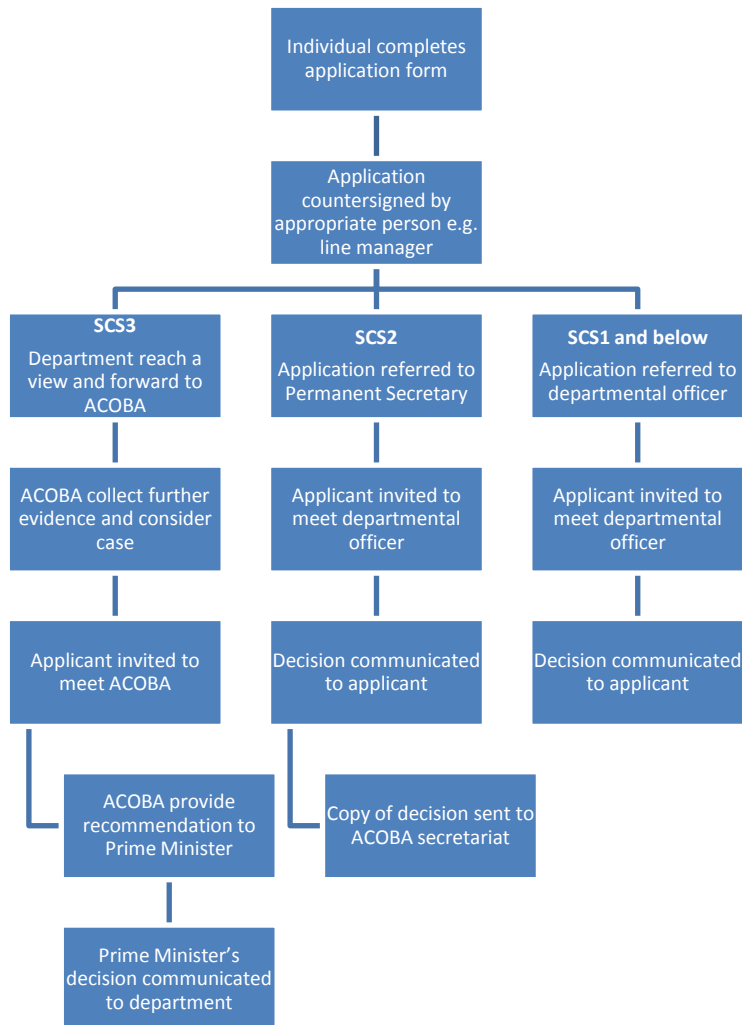
appointment. The advice of the Committee will typically range from unconditional approval to a waiting period and/or a lobbying ban of up to two years. However, as for Ministers, the Committee may judge an appointment to be unsuitable and can advise the Prime Minister to this effect.

44. Once the Committee has agreed its advice it writes to the Prime Minister, who then considers the application and the Committee's recommendation. Once he has made his decision the Committee is informed and communicates this to the department.

45. The applicant is then responsible for informing the Committee when he or she has taken up the appointment, or it has been announced. Once the Committee has been informed it will publish the details of the appointment and its advice on its website.

46. Until an appointment is taken up or announced, the Committee undertakes to treat all applications confidentially. It does not publish its advice on appointments not taken up.

## THE PROCESS



## PART 4 - THE COMMITTEE'S APPROACH

### RESTRICTIONS

47. The Committee is mindful of the need to balance the public interest in applying the Rules with the rights of individuals to change employment under the restraint of trade laws. This means that any restrictions must be fair and proportionate if they are to be legally enforceable. The maximum sanction the Committee can recommend is a two-year wait before taking up an appointment. The Committee does not have any legal right to prevent any appointment being taken up, nor does it have any policing powers to ensure its advice is followed.
48. In order to be fair and reasonable, therefore, each case is judged on its own merits.
49. The Committee's advice ranges from unconditional approval to, in a small number of cases, judging that an appointment is unsuitable. In 2011-12 the Committee did not advise that any appointments were unsuitable. However, it is often the case that when the Committee indicates to an applicant that it considers an appointment to be unsuitable, the application is withdrawn. As only appointments which are taken up are published, the Committee's website and reports do not show any "unsuitable" appointments.
50. The current Rules introduced a new definition of the lobbying ban, which is that "the former civil servant should not engage in communication with Government (including Ministers, special advisers and officials) with a view to influencing a Government decision or policy in relation to their own interests, or the interests of the organisation by which they are employed, or to whom they are contracted." While under the previous Rules the

Committee would include a lobbying ban in certain cases, it has now taken the approach, following the change in the Rules, that a two year lobbying ban is the starting point for its consideration of all applications.

### POLICY APPROACHES

#### INDEPENDENT CONSULTANCIES

51. During the reporting period, in early 2012, the Committee reviewed its approach to applications from individuals to set up as an independent consultant. It retained its existing minimum requirements that applicants be subject to a condition that for 12 months from their last day of service they should not undertake work which involves providing advice, to any company or organisation, on the terms of any bid or contract relating directly to the work of their former department. In addition for two years from the same date they should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of any of their clients. In addition, it now asks applicants to seek confirmation from the Committee directly that any subsequent commissions they wish to accept are permissible under the terms of their consultancy.
52. The Committee advised on eight applications for independent consultancies which were subsequently taken up during the reporting period.

#### SPEAKING ENGAGEMENTS

53. The Committee's approach has been not to ask for applications to be made for ad hoc speaking engagements, but that it should be consulted if individuals intended to enter into a longer term arrangement. It therefore

expects individuals to seek its advice who, for example, wish to join a speakers' agency, or who plan a series of remunerated speeches or wish to write a regular newspaper column.

#### RETROSPECTIVE ADVICE

54. The Committee feels strongly that its advice should be sought before an individual takes up an appointment or before it is announced, in line with the Rules for Civil Servants and the Ministerial Code. It is important for public accountability that the Committee is free to offer the most appropriate advice in any situation – which may include an appointment being unsuitable – without it appearing to be constrained by the individual having already signed a contract or taken up a post.
55. It is also in the individual's interest to seek advice and inform the Committee before the appointment has been taken up or announced. Otherwise, the Committee is not able to deal with any enquiries about the appointment, since it does not release

information about appointments which have not been taken up or announced, and this can lead to a false assumption being made as to whether an individual has complied with the Rules.

56. As mentioned previously, the Chairman writes to all former Ministers when they leave office to remind them of the need to seek the Committee's advice before taking up any appointments or employment. Departments are responsible for ensuring that departing civil servants are aware of the Rules and the need to make applications when appropriate.
57. The Committee has decided that both its concern and the fact that an individual has taken up an appointment before receiving advice should be made clear publicly. It is for this reason that its published advice on a number of cases includes a comment that the Committee noted with concern that the appointment had been accepted without advice being sought.



## PART 5 - APPOINTMENTS

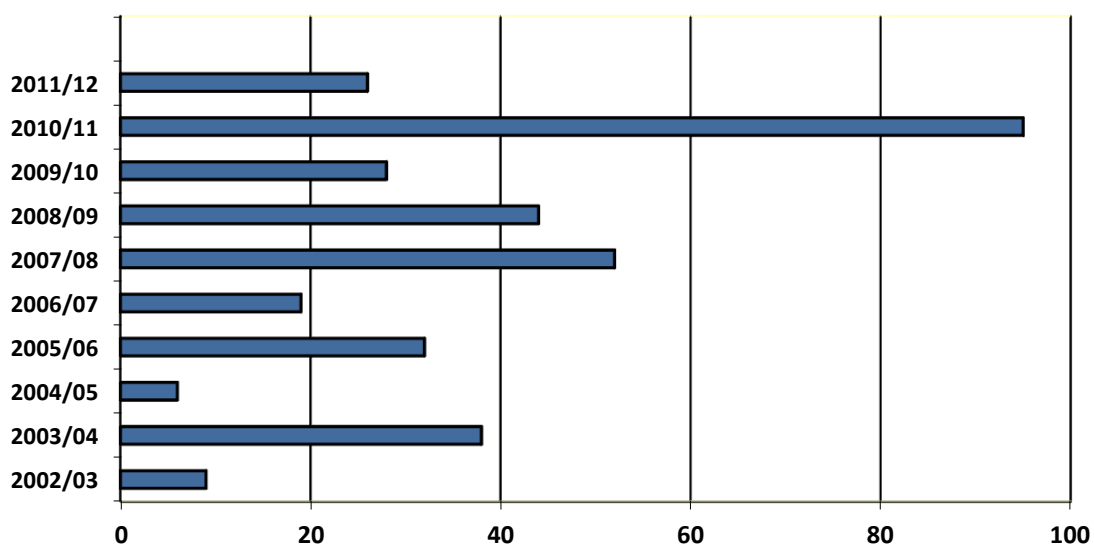
### MINISTERS

58. The Committee offered advice to 17 former Ministers on 26 appointments during the reporting period. Twenty-one of these were taken up, by 16 former Ministers, and the details of these appointments, together with the Committee's advice, are at Annex B.

59. The number of applications advised upon was lower than in the 2010-11 reporting year, which covered the period following the last General Election. Graph A below shows the number of ministerial applications over a ten year period, with 2010-11 clearly being the peak period.

#### GRAPH A

**Requests for advice from former Ministers considered by the Advisory Committee since 2002**



60. Table 1 and Graph B show the number of applications from former Ministers that were advised upon during the period, broken down by the conditions advised by the Committee. In the majority of cases the Committee has recommended that Ministers observe a

condition (such as a lobbying ban) and in a number of these it has also advised a waiting period. The Committee did not advise any Ministers that their applications were unsuitable during the period.

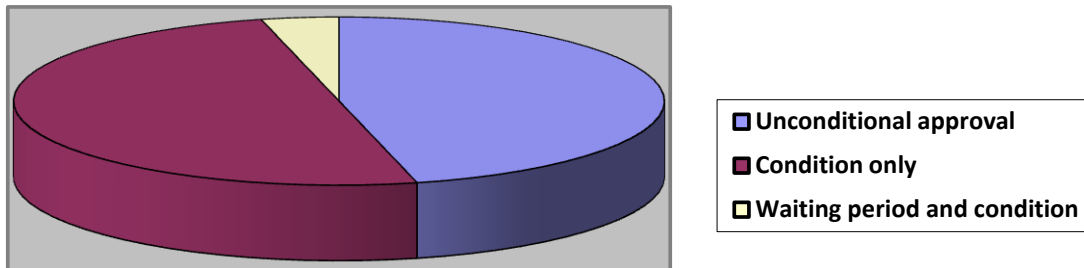
TABLE 1

Requests from former Ministers considered by the Advisory Committee in 2011 – 12  
categorised by outcome

SUMMARY OF APPLICATIONS			
	Waiting Period Length	Number of Applications	Behavioural Condition Length
<i>Applications approved unconditionally</i>		12	
<i>Approved subject to behavioural conditions only</i>		5	12 months
		8	24 months
<i>Approved with waiting period &amp; behavioural conditions</i>	3 months	1	12 months
<b>TOTAL</b>		26	

GRAPH B

Requests from former Ministers considered by the Advisory Committee in 2011-12, categorised by outcome



## CIVIL SERVANTS

61. The Committee offered advice on 55 applications from 47 crown servants during the reporting period. 39 of these were taken up, and the details of these appointments, together with the Committee’s advice, are at Annex D. The Committee met its target of making recommendations to the Prime

Minister or Foreign Secretary within 20 working days in 77% of cases considered within this reporting period.

62. Table 2 shows these applications broken down by department, with an overview of the type of recommendation made by the Committee. This is also shown in Graph C.

TABLE 2

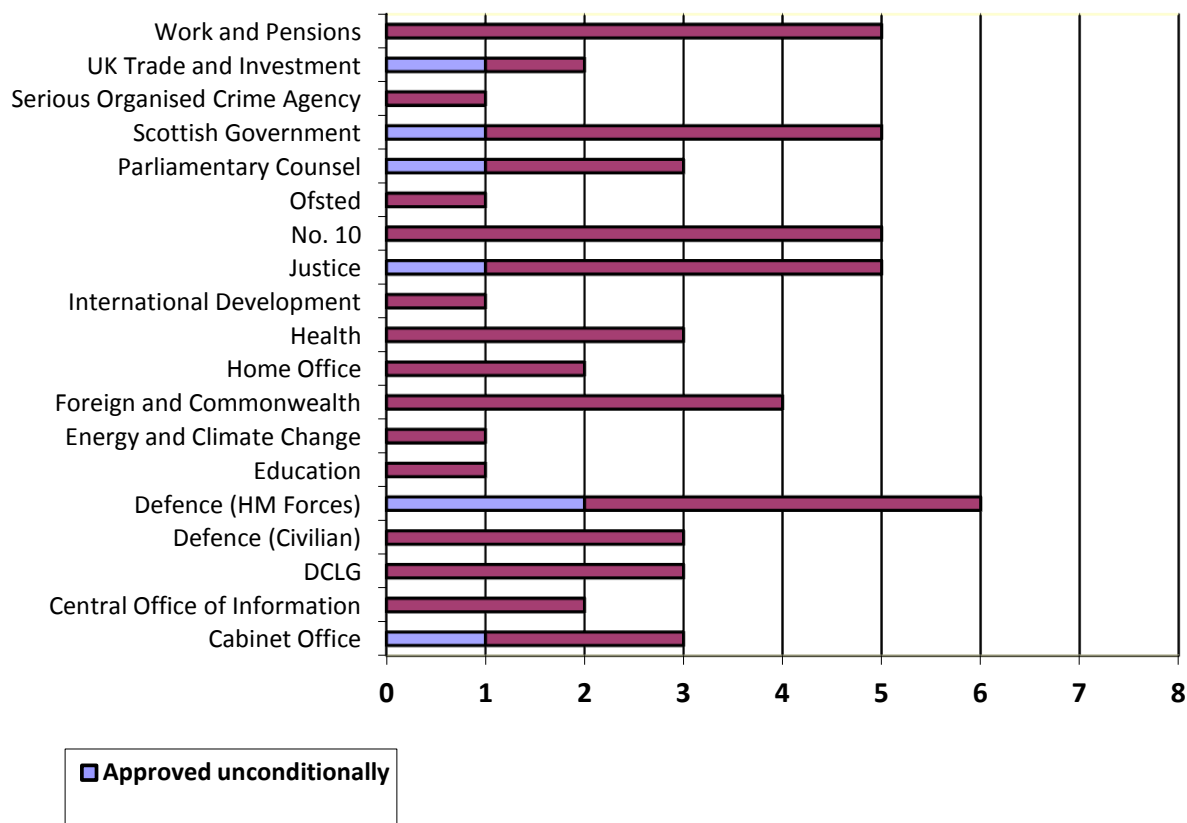
**Applications from civil servants considered by the Advisory Committee in 2011 -12  
categorised by department and outcome**

<b>Department</b>	<b>Applicant s</b>	<b>Application s</b>	<b>Approved Unconditionally</b>	<b>Approved Subject to Conditions</b>
Cabinet Office	3	3	1	2
Central Office of Information	2	2	0	2
Communities and Local Government	2	3	0	3
Defence (Civilian)	3	3	0	3
Defence (HM Forces)	4	6	2	4
Education*	2	2	0	1
Energy and Climate Change	1	1	0	1
Foreign & Commonwealth Office	4	4	0	4
Home Office	2	2	0	2
Health	3	3	0	3
International Development	1	1	0	1
Justice	3	4	1	3
No. 10	3	5	0	5
Office for Standards in Education	1	1	0	1
Parliamentary Counsel	3	3	1	2
Scottish Government	5	5	1	4
Serious Organised Crime Agency	1	1	0	1
Trade and Investment	1	2	1	1
Work and Pensions	3	5	0	5
<b>TOTAL</b>	<b>47</b>	<b>56</b>	<b>7</b>	<b>48</b>

\* The Committee declined to advise on one application which had been officially announced by both the employer and the department before the Committee had the opportunity to offer its recommendation on it

GRAPH C

**Applications from civil servants considered by the Advisory Committee in 2011-12  
categorized by department and outcome**



63. Table 3 and Graph D show the number of applications from civil servants that were advised upon during the period, broken down by the conditions advised by the Committee. As for Ministers, in the majority of cases the Committee has recommended a condition (such as a lobbying ban) and in a number of these it has also advised a waiting period. The Committee did not advise that any applications were unsuitable during the period. However, it

has been the case that if the Committee indicates that it is likely to recommend an application is unsuitable, applicants withdraw their application.

64. Graph E shows a breakdown of the applications from civil servants with the reason for leaving. More than half of the cases that the Committee considers are from civil servants departing at normal retirement age.

TABLE 3

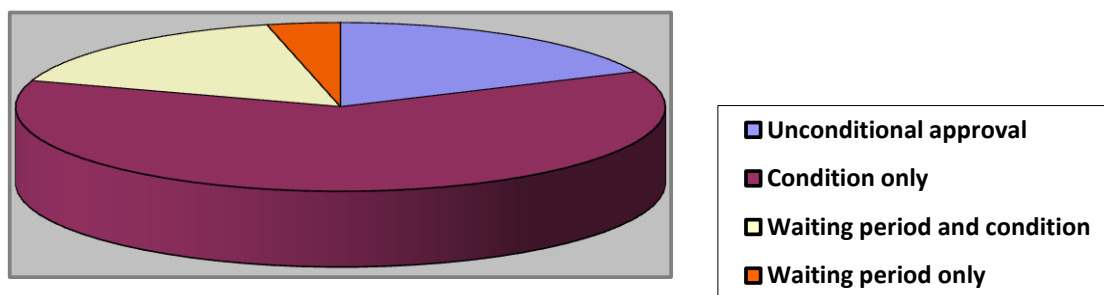
**Applications from civil servants considered by the Advisory Committee in 2011- 12  
categorised by outcome**

<b>SUMMARY OF APPLICATIONS</b>			
	<b>Waiting Period Length</b>	<b>Number of Applications</b>	<b>Condition Length</b>
Applications approved unconditionally		10	
Approved subject to behavioural conditions only		5	12 months
		29	24 months
Approved subject to waiting period only	24 months	2	
Approved with waiting period & behavioural conditions	3 months	7	24 months
	6 months	1	24 months
	12 months	1	24 months
<b>TOTAL</b>		<b>56*</b>	

\*The Committee declined to advise on one application which had been officially announced by both the employer and the department before the Committee had the opportunity to offer its recommendation on it

GRAPH D

**Requests from civil servants considered by the Advisory Committee in 2011-12,  
categorised by outcome**



GRAPH E

Applications considered by the Advisory Committee in 2011-12, categorised by reason for leaving



## Annex A

# BUSINESS APPOINTMENT RULES FOR FORMER MINISTERS

**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.**

## THE RULES

**“On leaving office, Ministers will be prohibited from lobbying Government for two years. They must also seek advice from the independent Advisory Committee on Business Appointments about any appointments or employment they wish to take up within two years of leaving office. Former Ministers must abide by the advice of the Committee.”** *[Ministerial Code, section 7.25]*

1. The business appointment rules for former Ministers 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.

## APPLICATIONS BY FORMER MINISTERS

2. The application form, which can be accessed at:

<http://acoba.independent.gov.uk/media/21233/application-former-ministers.rtf>

will in most cases provide the Advisory Committee with the information it requires in order to give its advice. The Committee will need to consider details of the proposed appointment or employment, which includes any proposal to undertake consultancy work. If necessary, the Committee will seek, in confidence, additional information from senior officials of a former Minister's Department(s) about any contact with the prospective employer or its competitors and the nature of any contractual, regulatory or other relationships with them. The Committee will also, if relevant to the proposed appointment or employment, take account of any other role that the former Minister may have been (or still be) carrying out on behalf of the Government. With the former Minister's permission, the Committee may wish to contact the proposed new employer for clarification of the proposed appointment or employment and notification of the conditions that will apply to it.

3. The Advisory Committee will consider each request for advice about an appointment or employment on its merits, against specific tests relating to the following:
  - i. to what extent, if at all, has the former Minister been in a position which could lay him or her open to the suggestion that the appointment was in some way a reward for past favours?

- ii. has the former Minister been in a position where he or she has had access to trade secrets of competitors, knowledge of unannounced Government policy or other sensitive information which could give his or her new employer an unfair or improper advantage?
  - iii. is there another specific reason why acceptance of the appointment or employment could give rise to public concern on propriety grounds directly related to his or her former Ministerial role?
4. The Advisory Committee will need to balance any points arising under these tests against the desirability of former Ministers being able to move into business or other areas of public life, and the need for them to be able to start a new career or resume a former one.

## RESTRICTIONS

5. The Advisory Committee may advise that they see no reason why an appointment or employment should not be taken up forthwith without any condition. However, if it considers that public concern could be of such a degree or character, it may recommend a delay in taking up the appointment, or that for a specified period the former Minister should stand aside from involvement in certain activities, for example, commercial dealings with his or her former Department, or involvement in particular areas of the new employer's business. Any conditions advised may apply for a maximum of two years after the former Minister leaves office. Exceptionally, the Committee may advise that they view a particular appointment or employment to be unsuitable.
6. As a general principle, there will be a two year ban on former Ministers lobbying Government after they leave office. This means that a former Minister should not engage in communication with Government (Ministers, civil servants, including special advisers, and other relevant officials) with a view to influencing a Government decision or policy in relation to their own interests or the interests of the organisation by which they are employed, or to whom they are contracted. The two-year lobbying ban may be reduced by the Advisory Committee if they consider this to be justified by the particular circumstances of an individual application.
7. A minimum waiting period of three months from the date of leaving office to taking up an appointment or employment will be expected when the former Minister was a member of Cabinet, and may also be applied to other former Ministers if the Advisory Committee believes this to be warranted by the circumstances of the individual case. The Committee may waive this minimum waiting period if, in its judgement, no question of propriety or public concern arises from the appointment or employment being taken up earlier. Equally, the Committee may consider that public concern about a particular appointment or employment could be of such a degree or character that a longer waiting period is appropriate up to the maximum period of two years that may be applied.
8. The Advisory Committee aims to provide their advice within 15 working days from receipt of the required information. Complex cases may take longer, but in such cases, the Advisory Committee's Secretariat will notify the former Minister concerned.
9. If, having received the Advisory Committee's advice, a former Minister has concerns, he or she will have an opportunity to make representations to the Committee, including an opportunity to meet with the Committee if they so wish.



## PUBLICISING THE ADVISORY COMMITTEE'S ADVICE<sup>3</sup>

All approaches to the Advisory Committee will be handled in strict confidence, and will remain confidential until the appointment or employment is publicly announced or taken up, at which time the Committee will make public its advice, alongside summary details of the former Minister's last Ministerial post, and the appointment or employment to be taken up. Details will be placed on its website <http://acoba.independent.gov.uk> and in its annual report. If asked, the Committee will say publicly whether or not its advice had been sought about an appointment or employment which had been taken up within two years of a Minister leaving office.

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<sup>2</sup> The Committee handles personal information provided to it in accordance with the Data Protection Act 1998. Such information may on limited occasions be published, for example, if the Committee is required to publish information in accordance with the Freedom of Information Act 2000.

## Annex B

# Advice given on appointments taken up by former Ministers

<b>The Rt Hon Lord Adonis</b> Former Secretary of State, Department of Transport	
Left Office	May 2010
<b>Non-executive director, RM plc</b>	
Took up new appointment	October 2011
<p>Lord Adonis sought advice on an appointment as a non-executive director of RM plc, an IT firm which specialises in providing ICT products and services to the education sector, including interactive classroom equipment, computer systems and school management software, as well as the process management and outsourcing for testing and qualifications.</p> <p><b>The Committee advised him that it saw no reason why he should not take up the appointment forthwith.</b></p>	
<b>Date of Approval</b>	September 2011
<b>Independent consultant</b>	
Took up new employment	January 2012
<p>Lord Adonis wished to set up as an independent consultant advising on education and government reform overseas and to accept a commission with the Boston Consulting Group (BCG) to carry out various international school projects.</p> <p>The Committee acknowledged his undertaking not to lobby or otherwise engage with UK government. It also noted that he left office after the general election of May 2010 and that his work will be confined to the specific area described above.</p> <p><b>On this basis the Committee advised him that it saw no reason why he should not set up as an independent consultant within the terms of reference he stipulated and to accept the commission with BCG.</b></p>	
<b>Date of Approval</b>	December 2011

<b>The Rt Hon Dame Elish Angiolini DBE QC</b> Former Lord Advocate, Scottish Government	
Left office	May 2011
<b>Visiting Professor of Law, University of Strathclyde</b>	
Took up new appointment	October 2011
<p>Dame Elish sought advice on taking up a part-time post as a Visiting Professor of Law at the University of Strathclyde, devising and leading the establishment of a new Masters course in Advocacy. Although she took up post in October 2011, her first year will be spent on sabbatical, researching and preparing the course, which will begin in October 2012.</p> <p><b>The Committee advised her that it saw no reason why she should not take up the appointment forthwith subject to the condition that, for 12 months from her last day in office, she should not become personally involved in lobbying Scottish Government Ministers or Crown servants, including Special Advisers, on behalf of her new employer.</b></p>	
Date of approval	June 2011
<b>Bob Blizzard</b> Former Government Whip	
Left office	May 2010
<b>Senior Parliamentary Assistant to Michael Connarty MP</b>	
Took up new appointment	January 2011
<p>Mr Blizzard sought retrospective advice about an appointment he had accepted, some 8 months after leaving government, as Senior Parliamentary Assistant to the Labour MP for Linlithgow and East Falkirk, Michael Connarty.</p> <p>The Committee noted that this appointment had been accepted without advice being sought.</p> <p><b>Had an application been made at the appropriate time, the Committee would have seen no objection to him taking up the position forthwith.</b></p>	
Date of approval	August 2011
<b>Chris Bryant</b> Former Minister for Europe, Foreign and Commonwealth Office	
Left Office	May 2010
<b>Columnist, The Independent</b>	
Took up new appointment	September 2011
<p>Mr Bryant sought advice on becoming a columnist with The Independent newspaper. He will produce regular general comment pieces on politics.</p> <p><b>The Committee advised him that it saw no reason why he should not take up the appointment forthwith provided that he did not draw on any privileged information available to him as a Minister.</b></p>	
Date of approval	August 2011

<b>Jane Davidson</b> Former Minister for Environment, Sustainability and Housing, National Assembly for Wales	
Left Office	May 2011
<b>Director, Wales Institute for Sustainability (Institute of Sustainable Practice, Innovation and Resource Efficiency or INSPIRE) at the University of Wales Trinity St David</b>	
Appointment announced Took up new appointment	March 2011 August 2011
<p>Ms Davidson sought advice retrospectively about a full-time appointment that she had accepted as the Director of INSPIRE, a new institute established by the University of Wales Trinity St David to integrate sustainability across its campuses and departments. In the longer term INSPIRE aims to become global centre for research into sustainability and to support local communities as they move towards becoming low carbon, sustainable communities.</p> <p>The appointment was announced in March 2011 but, on receiving the Committee's advice, Ms Davidson agreed that she would not take up post until August 2011.</p> <p>The Committee noted with concern that the appointment had been accepted before advice was sought.</p> <p><b>Had the application been made at the correct time, the Committee would have advised that it saw no reason why she should not take up the appointment subject to:</b></p> <ul style="list-style-type: none"> <li>- the normal three-month waiting period for former Cabinet Ministers: and</li> <li>- the condition that, for 12 months from the date of her leaving office, she should not become personally involved in lobbying Government on her new employer's behalf. The Committee would not have intended this condition to restrict contacts used to draw attention to aspects of Trinity St David University's or INSPIRE's work which would be undertaken by the director of an educational institution as a normal part of that role.</li> </ul> <p><b>The Committee would also have emphasised that she should refrain from drawing on any privileged information which was available to her as a Minister.</b></p>	
<b>Date of approval</b>	May 2011
<b>Michael Foster</b> Former Parliamentary Under-Secretary of State, Department for International Development	
Left office	May 2010
<b>Chief Executive, SBGI</b>	
Took up new appointment	October 2011
<p>Mr Foster sought advice about a full-time appointment as the Chief Executive of the SBGI (formerly The Society of British Gas Industries). It is the trade association for the UK onshore gas industry but in recent years has extended its scope to cover other parts of the energy and utilities sector including the onshore gas industry supply chain and the domestic heating and hot water sector.</p> <p>The Committee noted that over a year had passed since Mr Foster left government.</p> <p><b>The Committee advised him that it saw no reason why he should not take up the appointment forthwith.</b></p>	
<b>Date of approval</b>	September 2011

<b>The Rt Hon Geoff Hoon</b> Former Secretary of State for Transport	
Left Office	June 2009
<b>International Business Senior Vice President, AgustaWestland International Ltd</b>	
Took up new appointment	May 2011
<p>Mr Hoon sought permission to accept a full-time appointment as the International Business Senior Vice President of AgustaWestland International Ltd., with responsibility for business outside the company's home markets of Italy and the UK.</p> <p>When considering the application, the Committee noted that almost two years had passed since he left office, and that six years had elapsed since he left MOD.</p> <p><b>On the understanding that he would not draw on any privileged information available to him as a Minister, the Committee advised him that it saw no reason why he should not take up the appointment forthwith subject to the conditions that, for two years after leaving office, he should not undertake any work for his employer which involves providing advice on the terms of any bid or contract relating directly to the work of UK Government, or become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of his new employer.</b></p>	
<b>Date of approval</b>	May 2011
<b>The Rt Hon Lord Hunt of King Heath OBE</b> Former Minister of State, Department for Energy and Climate Change, and Deputy Leader of the House of Lords	
Left Office	May 2010
<b>Chair of a Policy Commission on the future of nuclear energy, University of Birmingham</b>	
New appointment taken up	July 2011
<p>The Birmingham Policy Commissions are part of a University of Birmingham initiative to bring together leading figures from the public, private, academic and third sectors to generate new thinking on issues of global, local and civic concern. Their findings are used to inform the direction of the university's research and knowledge exchange activities. Lord Hunt sought advice about taking up a paid, part-time post as Chair of the policy commission on the future of nuclear energy.</p> <p>The Committee noted that Lord Hunt had been Minister for Energy from 2008 until 2010 but it also noted the nature of the work that he and the policy commission would be undertaking, and that over a year had passed since he left office.</p> <p><b>The Committee advised him that it saw no reason why he should not take up the appointment forthwith on the understanding that he would not draw on any privileged information available to him as a Minister.</b></p>	
<b>Date of approval</b>	May 2011

<b>Member of National Advisory Council, EASY-Care Foundation</b>	
New appointment taken up	October 2011
<p>Lord Hunt sought advice on a part-time, unpaid appointment as a member of the National Advisory Council of the EASY-Care Foundation, an international healthcare organisation which addresses the needs of older people. Originating from research carried out in the USA in the late 1980s, EASY-Care assessments, which aim to identify unmet the healthcare needs of older people, have been extended to all six World Health Organisation regions. In the UK a National Advisory Council has been set up to advise on the development of the programme in the NHS.</p> <p>The Committee noted that it had been over four years since Lord Hunt had ministerial responsibility in the Department of Health.</p> <p><b>The Committee advised him that it saw no reason why he should not take up the appointment forthwith.</b></p>	
<b>Date of approval</b>	September 2011
<b>The Rt Hon Lord Knight of Weymouth</b>	
Former Minister of State, Department for Work and Pensions	
Left office	May 2010
<b>Non-executive director, Alderwood Education Ltd</b>	
Took up new appointment	June 2011
<p>In June 2011, some 13 months after he left government, Lord Knight sought permission to become a non-executive director of Alderwood Education Ltd, a recruitment agency specialising in filling education and training vacancies.</p> <p><b>The Committee advised him that it saw no reason why he should not take up the appointment forthwith.</b></p>	
<b>Date of approval</b>	June 2011
<b>The Rt Hon David Lammy</b>	
Former Minister for Higher Education and Intellectual Property, Department for Business, Innovation and Skills	
Left Office	May 2010
<b>Assistant Lecturer, School of Oriental and African Studies</b>	
Took up new appointment	October 2011
<p>Mr Lammy sought advice about a part-time appointment as an Assistant Lecturer at London University's School of Oriental and African Studies (SOAS). He was asked by one of his former lecturers, a Visiting Professor at SOAS' School of Law, to assist with the delivery of a course on law, morality and film as part of the School's LLM programme.</p> <p><b>The Committee advised him that it saw no reason why he should not take up the appointment forthwith.</b></p>	
<b>Date of approval</b>	August 2011

<b>The Rt Hon David Laws</b> Former Chief Secretary to the Treasury	
Left office	May 2010
<b>Member of the Investment Committee, Stanhope Capital LLP</b>	
Took up new appointment	September 2011
<p>Mr Laws sought advice about an appointment as a member of Stanhope Capital's Investment Committee. Stanhope Capital describes itself as an independent investment firm providing advisory and discretionary asset management services to private clients, charities and endowments. Its Investment Committee advises the firm on investment policy and strategy.</p> <p><b>The Committee advised him that it saw no reason why he should not take up the appointment forthwith, subject to the condition that, for two years from his last day in office, he should not become personally involved in lobbying government on behalf of his new employer.</b></p>	
<b>Date of approval</b>	September 2011
<b>Jim Mather</b> Former Minister for Enterprise, Energy and Tourism, Scottish Government	
Left Office	May 2011
<b>Independent Consultant</b>	
Took up new appointment	October 2011
<p>Mr Mather sought permission to set up as an independent consultant providing advice on systems thinking and mediation skills and utilising his past experience of the IT sector, and to accept commissions with M Computing, CORE Mediation, GAEL Software, Vanguard Scotland and Scottish Enterprise Leadership. He will also provide advice to local authorities on community engagement, collaboration, mediation, adult social care, planning application processing, and building control, and to housing associations on housing repair, void lets and housing allocations.</p> <p><b>On the basis that he would not draw on privileged information that was available to him as a Minister, the Committee saw no reason why he should not take up this employment forthwith, subject to the condition that, for 12 months after leaving office, he should not undertake any work as a consultant which involved providing advice on the terms of any bid or contract relating directly to the work of the Scottish Government or Scottish Enterprise, and that, for two years from the same date, he should not become personally involved in lobbying government on behalf of his clients.</b></p>	
<b>Date of approval</b>	August 2011

<b>The Rt Hon David Miliband</b> Former Foreign Secretary	
Left Office	May 2010
<b>Senior Adviser, VantagePoint Venture Partners</b>	
Took up new appointment	October 2011
<p>Mr Miliband sought advice on a part-time appointment as a Senior Adviser to VantagePoint Venture Partners, an investment company which specialises in supporting transformative companies that use clean technologies. He will spend around one day a month advising the company on its global strategy.</p> <p><b>The Committee advised him that it saw no reason why he should not take up the appointment forthwith, subject to the condition that, for 12 months after leaving office, he should not become personally involved in lobbying UK Ministers or Crown servants, including Special Advisers, on behalf of his new employer.</b></p>	
<b>Date of approval</b>	August 2011
<b>Adviser, Indus Basin Holdings</b>	
Took up new appointment	January 2012
<p>Mr Miliband sought advice on a part-time appointment advising on and supporting venture capitalist company Indus Basin Holdings' agribusiness projects in Pakistan.</p> <p><b>The Committee advised him that it saw no reason why he should not take up this appointment forthwith.</b></p>	
<b>Date of approval</b>	January 2012
<b>Baroness Morgan of Dreflin</b> Former Parliamentary Under-Secretary of State, Children and Families	
Left Office	May 2010
<b>Chief Executive, Breast Cancer Campaign</b>	
Appointment announced Appointment taken up	April 2011 July 2011
<p>Baroness Morgan sought advice on a full-time appointment as Chief Executive of the Breast Cancer Campaign. The appointment had already been announced in April 2011 but she was not due to take it up until July.</p> <p>The Committee noted with concern that the appointment had been accepted before advice was sought.</p> <p><b>Had her application been made at the correct time, the Committee would have advised that it saw no reason why she should not take up the appointment forthwith.</b></p>	
<b>Date of approval</b>	May 2011



<b>Lord Myners of Truro CBE</b> Former Financial Services Secretary and Government Spokesperson, HM Treasury	
Left Office	May 2010
<b>Chairman, Cevian Capital (UK) LLP</b>	
Took up new appointment	June 2011
Lord Myners sought advice on a part-time appointment as Chairman of Cevian Capital (UK) LLP, part of international investment firm, Cevian Capital.	
<b>The Committee advised him that it saw no reason why he should not take up the appointment forthwith, subject to the condition that, for two years after leaving office, he should not become personally involve in lobbying UK Ministers or Crown servants, including Special Advisers, on behalf of his new employer.</b>	
Date of approval	May 2011
<b>Baroness Thornton of Manningham</b> Former Parliamentary Under Secretary of State, Department of Health	
Left Office	May 2010
<b>Senior Associate, Social Business International</b>	
New appointment announced	March 2011
Baroness Thornton sought retrospective advice on an appointment she had taken up as Senior Associate of Social Business International that designs programmes and informs policy frameworks to support the growth of social enterprise in the UK and Europe.	
The Committee noted with concern that she had accepted the appointment before the Committee could provide advice.	
<b>Had a request been made at the correct time, the Committee would have advised that it saw no reason why she should not take up the appointment forthwith, subject to the condition that, for 12 months after leaving office, she should not become personally involved in lobbying UK Ministers or Crown servants, including Special Advisers, on behalf of her new employer.</b>	
Date of approval	April 2011
<b>Consultant, Aquaterra</b>	
Took up new appointment	May 2011
Baroness Thornton sought advice on a part-time role as a consultant to Aquaterra, a charitable trust which runs sports and leisure facilities in Islington and London. Her work with them, which she expected to take up around two or three half-days in total, would involve training and support for senior staff on media relations and community engagement.	
<b>The Committee advised her that it saw no reason why she should not take up the appointment forthwith, subject to the condition that, for 12 months after leaving office, she should not become personally involved in lobbying UK Ministers or Crown servants, including Special Advisers, on behalf of her new employer.</b>	
Date of approval	April 2011

<b>The Rt Hon Admiral West of Spithead GCB DSC</b> Former Under Secretary of State, Security and Counter-terrorism, Home Office	
Left Office	May 2010
<b>Strategic Adviser, Key Technologies plc</b>	
Took up new appointment	April 2011
<p>Lord West sought advice on a part-time appointment as a Strategic Adviser to Key Technologies plc, a holding company for a group of UK-based engineering businesses (STS Defence, STS Switchgear, STS Rail, STS Motors and Primetake).</p> <p>The Committee noted that almost 12 months had passed since Lord West left office.</p> <p><b>The Committee advised him that it saw no reason why he should not accept the appointment forthwith, subject to the condition that, for 12 months from his last day in office, he should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of his new employer.</b></p>	
<b>Date of approval</b>	April 2011

## Annex C

# BUSINESS APPOINTMENT RULES FOR CIVIL SERVANTS

The following Rules cover the Civil Service. Equivalent versions of the Rules are in place for the Diplomatic Service/Intelligence Agencies/Armed Forces.

The Rules apply to civil servants who intend to take up an outside appointment or employment after leaving the Civil Service. The approval process for applications under the Rules differs depending on the applicant's seniority. The Rules continue to apply for two years after the last day of paid Civil Service employment.

### KEY PRINCIPLES

1. These Rules are designed to uphold the core values in the *Civil Service Code*:

#### **Integrity**

- *You must not misuse your official position, for example by using information acquired in the course of your official duties, to further your private interests or those of others.*

#### **Honesty**

- *You must not be influenced by improper pressures from others or the prospect of personal gain.*

#### **Objectivity**

- *You must take decisions on the merits of the case.*

#### **Impartiality**

- *You must not act in a way that unjustifiably favours or discriminates against particular individuals or interests.*

2. It is in the public interest that people with experience of public administration should be able to move into business or other bodies outside central Government, and that such movement should not be frustrated by unjustified public concern over a particular appointment. It is equally important that when a former civil servant takes up an outside appointment there should be no cause for justified public concern, criticism or misinterpretation.

### AIM

3. The aim of the Rules is to avoid any reasonable concerns that:
  - a) a civil servant might be influenced in carrying out his or her official duties by the hope or expectation of future employment with a particular firm or organisation, or in a specific sector; or
  - b) on leaving the Civil Service, a former civil servant might improperly exploit privileged access to contacts in Government or sensitive information; or
  - c) a particular firm or organisation might gain an improper advantage by employing someone who, in the course of their official duties, has had access to:

- i. information relating to unannounced or proposed developments in Government policy, knowledge of which may affect the prospective employer or any competitors; or
- ii. commercially valuable or sensitive information about any competitors.

## WHO MUST APPLY, WHEN AND HOW

4. The Rules apply to **all serving civil servants and to former civil servants for two years after the last day of paid service**. This includes:
  - Permanent civil servants;
  - Civil servants on fixed term contracts;
  - Civil servants on secondment to other organisations;
  - Those on secondment to the Civil Service from other organisations<sup>4</sup>; and
  - Special advisers.
  
5. Before **accepting any new appointment or employment, whether in the UK or overseas, which they intend to take up after they have left the Civil Service**, all serving/former civil servants must consider whether an application under the Rules is required. If it is required, they should not accept a new job offer before it has been approved. The model application form for this purpose supplied by the Secretariat to the independent Advisory Committee on Business Appointments can be assessed at: <http://acoba.independent.gov.uk/media/21242/model-business-appointments-application-form-civil-servants.rtf>.

## WHEN APPROVAL IS REQUIRED

6. The process for giving approval differs depending on the applicant's seniority. The operation of these Rules is overseen by the independent Advisory Committee on Business Appointments (<http://acoba.independent.gov.uk>) who consider the most senior cases.

## SCS3 AND ABOVE

7. An application is required for any new appointment or employment that they wish to take up during the two year period after their last day of paid service. Applications from SCS3 and above must be referred by the Department to the Advisory Committee, who provide advice to the Prime Minister, who makes the final decision<sup>5</sup>.
  
8. Because of their role at the highest level of Government, and their access to a wide range of sensitive information, all Permanent Secretaries, including Second Permanent Secretaries, will be subject to a minimum waiting period of three months between leaving paid Civil Service employment and taking up an outside appointment or employment. The Advisory Committee may advise that this minimum waiting period should be waived if, in its judgement, no questions of propriety or public concern arise from the appointment or employment being taken up earlier. Equally, the Advisory Committee may consider that public concern about a particular appointment or employment could be of such a degree or character that a longer waiting period is appropriate. Taking account of the maximum

<sup>4</sup> Except when they are returning to their employing organisation, and remain there for two years, in which case safeguards will have been provided in the terms of secondment.

<sup>5</sup> Where applications are from civil servants who serve/formerly served in the Devolved Administrations in Scotland and Wales, the Advisory Committee will provide advice to the relevant First Minister, who will make the final decision.

waiting period of two years that may be applied, the Committee may, exceptionally, add a rider to their advice saying that they view the appointment or employment to be unsuitable.

9. As a general principle, there will be a two year ban on civil servants at SCS3 and above lobbying<sup>6</sup> Government on behalf of their new employer after they leave the Civil Service. The two-year lobbying ban may be reduced by the Advisory Committee if they consider this to be justified by the particular circumstances of an individual application.

## SCS2

10. An application is required for any new appointment or employment that they wish to take up during the two year period after their last day of paid service. Decisions on applications from SCS2 are made by the relevant Permanent Secretary. In all cases, the Permanent Secretary's written recommendation to the applicant setting out the decision on the case will be copied to the Advisory Committee's Secretariat at the same time.

## SCS1 and below

11. Applications from SCS1 level and below wishing to take up a new appointment or employment during the two year period after their last day of paid service are considered by the Department. An application is only required if the individual's circumstances match one or more of the following:
  - i. They have been involved in developing policy affecting their prospective employer, or have had access to unannounced Government policy or other privileged information affecting their prospective employer, at any time in their last two years in the Civil Service.
  - ii. They have been responsible for regulatory, or any other decisions, affecting their prospective employer, at any time in their last two years in the Civil Service.
  - iii. They have had any official dealings with their prospective employer at any time in their last two years in the Civil Service.
  - iv. They have had official dealings of a continued or repeated nature with their prospective employer at any time during their Civil Service career.
  - v. They have had access to commercially sensitive information of competitors of their prospective employer in the course of their official duties.
  - vi. The proposed appointment or employment would involve making representations to, or lobbying the Government on behalf of a new employer.
  - vii. The proposed appointment or employment is consultancy work, either self-employed or as a member of a firm, and they have had official dealings with outside bodies or organisations in their last two years in the Civil Service that are involved in their proposed area of consultancy work.

Departments' Human Resources functions will advise on whether or not an application is required.

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<sup>6</sup> Lobbying in this context means that the former civil servant should not engage in communication with Government (including Ministers, special advisers and officials) with a view to influencing a Government decision or policy in relation to their own interests, or the interests of the organisation by which they are employed, or to whom they are contracted.

## All Grades

12. Serving civil servants must report to their line manager any approach from an outside employer with an offer of an appointment or employment for which approval would be required under the Rules if they plan to follow up the offer. Staff engaged in the letting or management of Government contracts must report all offers of an appointment or employment immediately to their line manager whether or not they intend to follow them up.

## Special Advisers

13. Under the terms of their contract, special advisers are required to submit an application to the head of their former Department for any new appointment or employment they wish to take up during the two year period after their last day of paid service. In view of the particular nature of the special adviser role, applications from all special advisers, regardless of seniority, are referred to the Advisory Committee. The Advisory Committee provides advice to the relevant Permanent Secretary, who makes the final decision based on that advice.
14. Special advisers should report to the Permanent Secretary all offers of an appointment or employment received while they are employed as a special adviser.

## HOW TO APPLY FOR APPROVAL

15. Applicants must approach their Department's Human Resources function as early as possible. Human Resources will have a process in place for handling business appointment applications. This involves completing an application form which will need to be countersigned by an appropriate person, normally someone within the line management chain.
16. To ensure the quickest possible turn around, applications must be completed in as much detail as possible, with additional sheets or documents attached as necessary to answer the questions posed.
17. Notification of decisions on applications will be made through the Department.
18. Applications may be approved unconditionally, or approved subject to conditions applying for a maximum of two years from the individual's last day of paid service. Such conditions may include a waiting period and/or a prohibition on the individual being involved in lobbying<sup>7</sup> Government on behalf of their new employer. Other restrictions could include a condition that for a specified period, the former civil servant should stand aside from involvement in certain activities, for example, commercial dealings with his or her former Department, or involvement in particular areas of the new employer's business.
19. If any condition, including a waiting period, is imposed on the proposed appointment it will run from the last day of paid service. Consideration of the application may, where it is judged appropriate, take account of any differences between the last day of paid service and the last day in post. Approval will not normally be given to start a paid appointment or employment with a new employer before completion of the last day of paid service.
20. Where it is proposed that an application be approved with conditions or a waiting period, the applicant will be offered an opportunity to discuss any concerns he or she may have with an appropriate departmental officer, or for applicants at SCS3 level or above and special advisers, with the Advisory Committee, before a final decision is made.

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<sup>7</sup> Lobbying in this context means that the former civil servant should not engage in communication with Government (including Ministers, special advisers and officials) with a view to influencing a Government decision or policy in relation to their own interests, or the interests of the organisation by which they are employed, or to whom they are contracted.

21. For those cases considered by the Advisory Committee (applications from SCS3 and above and special advisers), in addition to the maximum two-year waiting period, the Advisory Committee may, if they judge the propriety concerns to be substantial, add a rider to their advice saying that they also view the appointment to be unsuitable. It is for the Prime Minister (or relevant Permanent Secretary in the case of special advisers) to take the final decision on the application based on the advice received from the Advisory Committee.
22. In addition to notifying the applicant of the outcome of their application, the Department must also inform prospective employers of any conditions which have been attached to the approval of the appointment or employment. For those applications considered by the Advisory Committee, their advice, alongside summary details of the applicant's last Civil Service post, will usually be made public once the appointment or employment has been taken up by the applicant or announced, and Departments have discretion to publicise their advice in the same way. In all other respects, the business appointment process is a confidential one<sup>8</sup>.

## WHERE TO FIND OUT MORE

23. Departmental guidance and advice on the Rules is available from local Human Resources functions, and, where applicable, on local intranets. More about the operation of the Rules, including details of appointments approved and taken up by the most senior members of the Civil Service, can be found on the website of the independent Advisory Committee on Business Appointments: (<http://acoba.independent.gov.uk>).
24. The Advisory Committee's Secretariat is available to provide advice and support to Departments on the application of the Business Appointment Rules and the handling of individual cases at any level. Contact details are:

Office of the Advisory Committee on Business Appointments  
1 Horse Guards Road  
London  
SW1A 2HQ  
Tel: 020 7271 0839  
Email: [acoba@acoba.gsi.gov.uk](mailto:acoba@acoba.gsi.gov.uk)

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<sup>8</sup> The Committee handles personal information provided to it in accordance with the Data Protection Act 1998. Such information may on limited occasions be published, for example, if the Committee is required to publish information in accordance with the Freedom of Information Act 2000.

# GUIDELINES FOR DEPARTMENTS ON ADMINISTERING THE BUSINESS APPOINTMENT RULES FOR CIVIL SERVANTS

## The Application

1. Departments should use the model application form supplied by the Secretariat to the independent Advisory Committee on Business Appointments which can be accessed at:  
<http://acoba.independent.gov.uk/media/21242/model-business-appointments-application-form-civil-servants.rtf>.
2. The countersigning officer should be someone in a position to understand the potential issues arising from the applicant's proposed outside appointment and judge the possible public perceptions should the appointment be taken up as proposed. This will normally be someone in the applicant's line management chain.
3. The relevant Permanent Secretary (or equivalent) is responsible for the effective operation of the Business Appointment Rules within their Department. Countersigned applications should be sent to Human Resources functions for departmental action. This should include scrutiny of the form to ensure that all the requested information has been completed by both the applicant and the countersigning officer, and that there is consistency in decision making across the Department.
4. Applications must be dealt with in the following manner:
  - SCS3 and above: All applications must be referred to the Advisory Committee who will give their advice to the Prime Minister who will make the final decision. The decision will be communicated to the Department as soon as practicable by the Advisory Committee's Secretariat.
  - SCS2: All applications should be dealt with by the relevant Permanent Secretary (or equivalent).
  - SCS1 and below: All applications should be dealt with by the Department.
  - Special advisers: All applications must be referred to the Advisory Committee, who will provide advice to the relevant Permanent Secretary (or equivalent), who will make the final decision.
  - The proposed decision on any application can be referred to the Advisory Committee's Secretariat for informal advice should the Department wish to do so.
  - An application at any level may be referred to the independent Advisory Committee if the Head of the Civil Service and/or the relevant Permanent Secretary (or equivalent) agree it is necessary to have independent advice.
5. Before sending any applications from SCS3 and above and applications from special advisers to the Advisory Committee's secretariat for submission to the Advisory Committee, Departments must make an initial assessment of the appointment, and take an initial view on what recommendation would be appropriate. This recommendation should accompany the completed application and any supporting documentation and should be sent to the address below:

Office of the Advisory Committee on Business Appointments  
1 Horse Guards Road  
London  
SW1A 2HQ  
Tel: 020 7271 0839  
Email: [acoba@acoba.gsi.gov.uk](mailto:acoba@acoba.gsi.gov.uk)
6. The Advisory Committee aims to provide its advice to the Prime Minister (or relevant Permanent Secretary in the case of applications from special advisers) within 20 working days of receipt of a fully completed



application from Departments. Complex cases may take longer, but in such cases, the Committee's Secretariat will advise the Department concerned.

7. Once the application process has been completed, the Department is responsible for making the decision on cases below SCS3.
8. For cases at SCS2, the Permanent Secretary's written recommendation to the applicant setting out the decision on the case must be copied to the Advisory Committee's Secretariat at the same time.
9. Where a Department recommends a waiting period, or conditions, the applicant should be given the opportunity to discuss the application with an appropriate departmental officer and make any representations to them before the final decision is reached. Those applicants dealt with by the Advisory Committee will normally be asked if they wish to meet with the Committee before any advice is offered to the Prime Minister (or relevant Permanent Secretary if the applicant is a special adviser).

### **Compliance Assurance**

10. Departments must manage the reputational and other risks associated with the movement of staff to other employers. Permanent Secretaries (and equivalents) are personally responsible to the Head of the Civil Service for the effective management of these risks, and the timely and appropriate handling of business appointment applications within their departments.
11. Permanent Secretaries (and equivalents) are required to send an annual confirmation of compliance to the Advisory Committee.
12. The Advisory Committee's Secretariat undertakes a programme of informal compliance checks of Departments' arrangements for handling business appointment applications.
13. Compliance checks will seek evidence of effective management of the Business Appointment Rules which should include the following:
  - a. Promoting Awareness: Departments should ensure that all staff have access to the Business Appointment Rules and be aware of their existence. To be enforceable, the Rules must be included in staff handbooks or equivalent documentation (for example, on departmental intranets).
  - b. Ensuring Consistency: Departments should put measures in place to ensure that the Rules are consistently applied within the organisation, and that they are broadly consistent with the Advisory Committee's approach.
  - c. Ensuring Fairness: Departments should deal with applications in line with their turnaround targets, and be open and honest with applicants about the handling of their applications.
  - d. Managing Leavers: Those leaving the department, for whatever reason, should have the Rules brought to their attention at the earliest opportunity. Care should also be taken when agreeing the terms of any career breaks as this can, on occasion, lead to someone leaving the Department on a permanent basis (for example, it would be difficult to set conditions on the appointment if the Department had already allowed it to be taken up during a career break which had subsequently been curtailed).
  - e. Managing Employment Contracts: Draft/model contracts of employment – for example, for fixed term appointees or members of the SCS – should make explicit reference to the Rules.
  - f. Protecting Third Parties: Where applicants have, at any time during their last two years in the Civil Service, had contractual dealings with any competitors of their prospective employer, or access to information concerning them which could be regarded as commercially sensitive, Departments should seek the views of the competitors about the proposed appointment as a matter of course.
  - g. Managing High Risk Areas: Departments should identify interchange trends and obvious areas of risk and ensure these are understood by senior management and monitored appropriately – for example, by ensuring that all secondees into the Civil Service are free from any conflict of interest, and that they are free to return to their parent employer without there being cause for concern on propriety grounds; and by

ensuring that all staff involved in procurement and their line management are aware of the requirement to report all job offers to their Departments; and by ensuring that relationships with suppliers and partner organisations remain on a proper footing.

h. Informing Parties of Decisions: In addition to advising the applicant of the final decision, the Department must also inform the prospective employer (and, if appropriate, their competitors) of any waiting periods or conditions imposed, as well as informing affected officials within Government – for example, an applicant's former colleagues will need to be aware if an appointment has been approved on the condition that the applicant does not personally engage in lobbying former colleagues on behalf of his or her new employer.

i. Managing Public Expectations: Whilst there is no requirement for Departments to publish their decisions on applications there may be occasions where a particular appointment attracts wider press or public attention. On these occasions, the Department will want to be able to explain their position quickly, and so should ideally structure their case management systems with this in mind – it is unlikely to instil public confidence in the system if Departments are unable to confirm the decisions they have or have not made.

14. In addition to making public their advice on applications referred to them, the Advisory Committee may also comment on their assessment of overall compliance with the Rules by Departments (and other bodies), in their Annual Report.
15. The Advisory Committee's Secretariat (contact details at paragraph 5 above) is available to provide advice and support to Departments on the application of the Business Appointment Rules and the handling of individual cases at any level.

## Annex D

### Recommendations on appointments taken up by former Crown servants

<b>Rolande Anderson</b> Former Director General, Office for Civil Society, Cabinet Office	
Retired from Crown service	December 2010
<b>Member of the Bar Standards Board</b>	
Took up new appointment	January 2012
<p>Ms Anderson sought permission to accept a part-time appointment as a lay member of the Bar Standards Board, the independent regulatory arm of the Bar Council.</p> <p>When considering the appointment, the Committee noted that it was solely concerned with the regulation of barristers and provided no scope for lobbying of government.</p> <p><b>The Prime Minister accepted the Committee's recommendation that the application be approved unconditionally.</b></p>	
<b>Date of Approval</b>	September 2011
<b>Lieutenant General Richard Applegate CB OBE</b> Former Chief of Materiel (Land), Ministry of Defence	
Retired from Crown service	August 2010
<b>Independent consultant (Eagle Strategic Consulting Ltd).</b>	
Took up new employment	April 2011
<p>Lieutenant General Applegate sought permission to set up as an independent consultant providing strategic planning and mentoring support to clients including Elbit Systems and Renaissance Strategic Advisors.</p> <p>When considering the application, the Committee noted that it had been over 18 months since Lieutenant General Applegate had stepped down as Chief of Materiel (Land).</p> <p><b>The Prime Minister accepted the recommendation of the Committee that the application be approved subject to the conditions that:</b></p> <ul style="list-style-type: none"> <li>- for nine months from his last day of service, he should not undertake any work which involved providing advice to any company or organisation on the terms of any bid or contract relating to the work of MOD; and that</li> <li>- for two years from the same date, he should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of any of his clients.</li> </ul>	
<b>Date of approval</b>	April 2011

<b>Sir David Bell</b> Former Permanent Secretary of the Department for Education	
Retired from Crown service	December 2011
<b>Vice Chancellor, Reading University</b>	
New appointment announced	October 2011
<b>The Committee declined to advise on this appointment as it was officially announced before the Committee had an opportunity to offer its advice.</b>	
<b>Date of approval</b>	n/a
<b>Sir Andrew Cahn KCMG</b> Former Chief Executive of UKTI	
Retired from Crown service	January 2011
<b>Chair, UK Advisory Board of Huawei (UK)</b>	
Took up new appointment	May 2011
<p>Sir Andrew sought permission to accept a part-time appointment as Chair of the UK Advisory Board of Huawei (UK). Huawei is one of the world's largest suppliers of mobile telecommunications infrastructure equipment and has been operating in Britain since 2001. Its UK Advisory Board was set up in 2011.</p> <p><b>The Prime Minister accepted the recommendation of the Committee that the application be approved subject to the condition that, for two years from his last day of service, Sir Andrew should not become personally involved in lobbying UK Ministers or Crown servants, including Special Advisers, on behalf of his new employer.</b></p>	
<b>Date of approval</b>	April 2011
<b>Member of the Advisory Board, Harvey Nash plc</b>	
Took up new appointment	June 2011
<p>Sir Andrew made a retrospective application for permission to accept a part-time appointment on the Advisory Board of global executive recruitment company and IT outsourcing service provider Harvey Nash plc.</p> <p>The Committee wrote to the Prime Minister noting with concern that the appointment had been accepted before an application was made for permission to do so but recommending that, as the Advisory Board had not yet met and that over a year had passed since Sir Andrew left Crown service, the application be approved unconditionally.</p> <p><b>The Prime Minister accepted the Committee's recommendation that the application be approved unconditionally.</b></p>	
<b>Date of approval</b>	January 2012

<b>Peter Campbell</b> Former Special Adviser, Prime Minister's Office	
Resigned from Crown service	September 2011
<b>Senior Corporate Affairs Officer, Business Services Association</b>	
Took up new appointment	October 2011
<p>Mr Campbell sought permission to accept a full-time appointment as Senior Corporate Affairs Officer for the Business Services Association, the trade organisation which represents companies that deliver outsourced services across the public and private sector.</p> <p>As Mr Campbell was a Special Adviser in the Prime Minister's Office, the Committee made its recommendation to the Head of the Civil Service.</p> <p><b>He accepted the Committee's recommendation that the application should be approved subject to the condition that, for two years from his last day of service, Mr Campbell should not become personally involved in lobbying UK government Ministers or Crown servants, including Special Advisers, on behalf of his new employer or its members.</b></p>	
Date of approval	September 2011
<b>Edward Chaplin CMG</b> Former HM Ambassador to Rome, Foreign and Commonwealth Office	
Retired from Crown service	January 2011
<b>Senior Adviser, Good Governance Group (G3)</b>	
Took up new appointment	May 2011
<p>Mr Chaplin sought permission to accept a part-time appointment as a Senior Adviser with G3, a consultancy formed in 2004 to provide strategic and risk assessment advice, typically to companies in Africa, the Middle East and Russia. Mr Chaplin will provide strategic advice on matters including the Middle East.</p> <p><b>The Foreign Secretary accepted the Committee's recommendation that the application be approved subject to the conditions that:</b></p> <ul style="list-style-type: none"> <li>- for six months from his last day in post, he should not return to Italy for business purposes, give advice on it or have dealings with businesses there; and</li> <li>- for two years from his last day of service, he should not become personally involved in lobbying UK government Ministers or Crown servants, including Special Advisers, on behalf of his new employer or its clients.</li> </ul>	
Date of approval	May 2011

<b>Clare Chapman</b> Former Director General, Workforce, Department of Health	
Resigned from Crown service	July 2011
<b>Group People Director, BT</b>	
Took up new appointment	September 2011
<p>Ms Chapman sought permission to accept a full-time appointment as Group People Director of telecommunications company BT. She will be responsible for Human Resources matters across the BT Group of companies both in the UK and internationally.</p> <p><b>The Prime Minister accepted the Committee's recommendation that the application be approved subject to the condition that, for two years from her last day of service, she should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of her new employer.</b></p>	
Date of approval	June 2011
<b>Tim Chatwin</b> Former Special Adviser, Prime Minister's Office	
Resigned from Crown service	October 2011
<b>Internal Communications Manager, Google Inc</b>	
Took up new appointment	October 2011
<p>Mr Chatwin was Strategic Communications and Olympics Adviser in the Prime Minister's Office from May 2010 until he resigned in October 2011.</p> <p>He sought permission to take up a full-time post as Internal Communications Manager for Google Inc, working with the company's leadership team to develop an effective internal communications strategy.</p> <p><b>The Permanent Secretary for the Prime Minister's Office accepted the Committee's recommendation that the appointment be approved subject to the condition that, for two years from his last day of service, he should not become personally involved in lobbying UK Government Ministers or officials, including Special Advisers, on behalf of his new employer.</b></p> <p>As with all Special Advisers, the Committee made its recommendation on the understanding that Mr Chatwin would be required to confirm in writing to the department that he recognises he will continue to be bound by the provisions of the criminal law (including the Official Secrets Act), which protect certain categories of information, and by his duty of confidentiality owed to the Crown.</p>	
Date of approval	October 2011

<b>Luke Coffey</b> Former Special Adviser to the Secretary of State, Ministry of Defence	
Resigned from Crown service	October 2011
<b>Margaret Thatcher Fellow, The Heritage Foundation</b>	
Took up new appointment	February 2012
Mr Coffey sought permission to accept a full-time post as the Margaret Thatcher Fellow at the Heritage Foundation, an American think-tank.	
<b>Under the Rules introduced in February 2011, all applications from Special Advisers must be referred to the Advisory Committee who then makes its recommendation to the appropriate Permanent Secretary. The Committee was concerned that this had not happened in this case. However, it agreed with the department's final decision that the application be approved subject to the condition that, for 12 months from his last day of service, he should not become personally involved in lobbying government on behalf of his new employer.</b>	
<b>Date of approval</b>	February 2012
<b>Jon Coles</b> Former Director General, Education Standards Directorate, Department for Education	
Resigned from Crown service	December 2011
<b>Group Chief Executive, United Schools Trust/United Learning Trust</b>	
New appointment announced	October 2011
New appointment taken up	January 2012
Mr Coles sought permission to accept a full-time appointment as the Group Chief Executive of the United Church Schools Trust/United Learning Trust which runs a network of private schools and Academies across the UK.	
When making its recommendation to the Prime Minister, the Committee did so on the basis of assurances provided by the department that there were no issues of propriety and that Mr Coles had not been involved in Academies policy for over a year. It also noted with considerable concern that the appointment had been announced before it had had the opportunity to provide its advice to the Prime Minister.	
<b>The Prime Minister accepted the Committee's recommendation that the application be approved subject to the condition that, for two years from his last day of service, he should not become personally involved in lobbying government on behalf of his new employer.</b>	
<b>Date of approval</b>	October 2011

<b>Martin Dinham</b> Former Director General International Department, Department for International Development	
Retired from Crown service	July 2010
<b>Chair of the Board, The Global Fund</b>	
Took up appointment	May 2011
<p>Mr Dinham sought permission to accept an appointment as the Chair of the Global Fund Board. The Global Fund provides funding for the treatment and prevention of AIDS, TB and malaria in developing countries.</p> <p>The Committee noted that the appointment had been accepted before approval of it had been sought. However, it advised the Prime Minister that, had an application been made at the appropriate time, it would have recommended that it be approved unconditionally.</p> <p><b>The Prime Minister accepted the Committee's recommendation that the application be approved retrospectively, unconditionally.</b></p>	
<b>Date of approval</b>	June 2012
<b>Sir Liam Donaldson</b> Former Chief Medical Officer, Department of Health	
Retired from Crown service	May 2010
<b>Member of the International Advisory Council, APCO Worldwide</b>	
Took up new appointment	July 2011
<p>Sir Liam sought permission to become a member of the International Advisory Council of APCO Worldwide, a global communications consultancy firm based in Washington, USA.</p> <p><b>The Prime Minister accepted the Committee's recommendation that the application be approved subject to the condition that, for 12 months from his last day of service, he should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of his new employer.</b></p>	
<b>Date of approval</b>	May 2011



<b>Carolyn Downs</b> Former Chief Executive of the Legal Services Commission, Ministry of Justice	
Retired from Crown service	November 2011
<b>Chief Executive, Local Government Association</b>	
Took up new appointment	November 2011
<p>Ms Downs sought retrospective approval to accept an appointment as the Chief Executive of the Local Government Association.</p> <p>The Committee wrote to the Prime Minister noting with considerable concern that the appointment had been taken up before its advice was sought. However, when considering the application, it noted that Ms Downs was a civil servant for a short period of time, much of which was spent in a Ministry of Justice arms-length body.</p> <p><b>The Prime Minister accepted the Committee's recommendation that the application be approved retrospectively subject to the condition that, for two years from her last day of service, she should not become personally involved in lobbying Ministry of Justice Ministers or officials, including Special Advisers, on behalf of her new employer.</b></p>	
Date of approval	January 2012
<b>Professor Jim Gallagher CB FRSE</b> Former Director General Devolution, Scottish Government	
Retired from Crown service	September 2010
<b>Member of the 'With-Profits' Committee of the Royal London Group</b>	
Took up new appointment	June 2012
<p>Professor Gallagher sought permission to accept a part-time appointment as a member of the 'With-Profits' Committee of the Royal London Group.</p> <p>The Committee noted the time that had elapsed since Professor Gallagher left the civil service in September 2010, which was some four months before the new Rules were introduced.</p> <p><b>The First Minister accepted the Committee's recommendation that the application be approved unconditionally.</b></p>	
Date of approval	March 2012

<b>Christine Gilbert CBE</b> Former HM Chief Inspector of Schools, Ofsted	
Retired from Crown service	June 2011
<b>Independent consultant</b>	
Took up new employment	October 2011
<p>Ms Gilbert sought permission to set up a small independent consultancy firm providing advice on whole systems issues and particular parts of organisational development to a range of organisations involved in education and children's services, such as schools, sponsors, nurseries, children's homes and local authorities, and larger organisations such as the OECD.</p> <p><b>The Prime Minister accepted the Committee's recommendation that, on the basis that Ms Gilbert would not:</b></p> <p><b>i) draw on any privileged information that was available to her as a civil servant;</b></p> <p><b>ii) use her contacts to secure any information from Ofsted or the Department of Education of a kind that would not be made available on request to any member of the public; and</b></p> <p><b>iii) that she would submit a separate application before accepting any commission with any company with which he had had official dealings in the last two years,</b></p> <p><b>the application be approved subject to:</b></p> <ul style="list-style-type: none"> <li>- a waiting period of three months from her last day of service;</li> <li>- the condition that, for 12 months from the same date, she should not undertake any work as a consultant which involves providing advice to any company, organisation or individual on the terms of any bid or contract relating directly to the work of Ofsted or the Department for Education;</li> <li>- that, for two years from the same date, she should not become personally involved in lobbying Government on behalf of any of her company's clients.</li> </ul>	
Date of approval	October 2011

<b>Dr Andrew Goudie</b> Former Chief Economic Adviser, Scottish Government	
Retired from Crown service	July 2011
<b>Visiting Professor, University of Strathclyde University of Strathclyde</b>	
Appointment announced July 2011	
<p>Dr Goudie sought approval to accept a part-time appointment as a Visiting Professor at the University of Strathclyde.</p> <p>The Committee noted that Dr Goudie had had informal and ad hoc contact with individual academic economists from many Scottish universities, including Strathclyde, in order to share insights and analysis on the Scottish economy, economic strategy and policy, but he had no access to any commercially sensitive information about any potential competitors of his new employer and no involvement in policy decisions which may affect his new employer or any competitors.</p> <p><b>The First Minister accepted the Committee's recommendation that the application be approved subject to the condition that, for two years from his last day of service, Dr Goudie should not become personally involved in lobbying Scottish Government Ministers or Crown servants, including Special Advisers, on behalf of his new employer.</b></p>	
<b>Date of approval</b>	July 2011
<b>Bill Hughes CBE QPM</b> Former Chief Executive, Serious Organised Crime Agency	
Retired from Crown service	August 2010
<b>Independent consultant (Bluelight Global Solutions)</b>	
Took up new employment	December 2010
<p>Mr Hughes sought retrospective approval to set up, with others, an independent consultancy firm (Bluelight Global Solutions), providing advice on law enforcement and policy transformation.</p> <p>The Committee wrote to the Prime Minister noting its concern that the employment had been taken up before approval had been sought and that, on leaving the Civil Service, he had not been reminded of his obligations under the Rules.</p> <p><b>The Prime Minister accepted the Committee's recommendation that the application be approved retrospectively subject to the condition that, for two years from his last day of service, he should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of any of his or Bluelight Solutions' clients.</b></p>	
<b>Date of approval</b>	November 2011

<b>Sian Jarvis CB</b> Former Director General of Communications, Department of Health	
Resigned from Crown service	September 2011
<b>Public Affairs and Communications Director, ASDA</b>	
Took up new appointment	January 2012
<p>Ms Jarvis sought permission to accept an appointment as the Public Affairs and Communications Director of ASDA, with responsibility for consumer PR, communities and government relations.</p> <p><b>The Prime Minister accepted the Committee's recommendation that the application be approved subject to a waiting period of three months from her last day of service and to the condition that, for two years from the same date, she should not become personally involved in lobbying UK Government Ministers or officials, including Special Advisers, on behalf of her new employer.</b></p>	
<b>Date of approval</b>	October 2011
<b>Joel Kenrick</b> Former Special Adviser to the Secretary of State, Department for Energy and Climate Change	
Resigned from Crown service	February 2012
<b>Independent consultant</b>	
Took up new appointment	March 2012
<p>Mr Kenrick sought permission to set up as an independent consultant advising clients on energy and climate change policy, and communications. His initial commission is with Adam Smith International in Nigeria working on a climate change and governance project being carried out with the Nigeria Infrastructure Advisory Facility.</p> <p><b>The Permanent Secretary accepted the Committee's recommendation that the application be approved subject to the conditions that:</b></p> <ul style="list-style-type: none"> <li>- for six months from his last day of service he should submit a fresh application for any commission he wishes to accept with companies in the energy sector;</li> <li>- for twelve months from the same date he should not undertake any work which involves providing advice to any company or organisation on the terms of any bid or contract relating to the work of DECC;</li> <li>- for two years from the same date, he should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special advisers, on behalf of his clients.</li> </ul> <p><b>In addition, once he has received approval to set up as an independent consultant, he must seek confirmation from the Committee directly that each individual commission is permissible under the terms of his consultancy before taking it up. If, after enquiry, the Committee takes the view that a commission is, or may be, outside the terms of the consultancy, he will be expected to submit a fresh application.</b></p> <p>As with all Special Advisers, the Committee made this recommendation on the understanding that, if he had not already done so, Mr Kenrick, will be required to confirm in writing to DECC that he recognises that he will continue to be bound by the provisions of the criminal law (including the Official Secrets Act) which protect certain categories of information, and by his duty of confidentiality owed to the Crown.</p>	

<b>Commissions</b> March 2012 - Adam Smith International/Nigeria Infrastructure Advisory Facility June 2012 - Greenpeace	
<b>Date of approval</b>	March 2012
<b>Vice Admiral Sir Tim Laurence KCVO CB ADC(p)</b> Former Chief Executive, Defence Estates, Ministry Defence	
Retired from Crown service	August 2010
<b>Non-executive Chairman, Dorchester Regeneration</b>	
Took up new appointment	November 2011
<p>Vice Admiral Laurence sought permission to accept an appointment as the Non-executive Chairman of Dorchester Regeneration, an international property and development and investment group specialising in large residential developments.</p> <p><b>The Prime Minister accepted the Committee's recommendation that the application be approved unconditionally.</b></p>	
<b>Date of approval</b>	August 2011
<b>Sir Stephen Laws KCB QC</b> Former First Parliamentary Counsel	
Retired from Crown service	January 2012
<b>Member of the Commission on the Parliamentary Effects of Devolution</b>	
Took up new appointment	February 2012
<p>Sir Stephen sought permission to accept an appointment as a Member of the Commission on the Parliamentary Effects of Devolution.</p> <p>The Committee noted that the appointment was unpaid, that it raised no propriety concerns and that it had come about through an approach made by Cabinet Office officials on behalf of Ministers who were aware of Sir Stephen's experience in this field.</p> <p><b>The Prime Minister accepted the Committee's advice that the application be approved unconditionally, the usual three-month waiting period and two-year lobbying ban imposed on former Permanent Secretaries being waived.</b></p>	
<b>Date of approval</b>	December 2011

<b>Sir Leigh Lewis KCB</b> Former Permanent Secretary of the Department for Work and Pensions	
Retired from Crown service	February 2011
<b>Member of the Board of Trustees of The Jewish Museum</b>	
Took up new appointment	April 2012
<p>The Jewish Museum houses collections related to the history of Jewish communities in Britain. It also runs Holocaust and anti-racist education programmes. Sir Leigh sought permission to take up an unpaid post as a member of its Board of Trustees.</p> <p>When considering the application the Committee noted that the three-month waiting period observed by former Permanent Secretaries had expired, and that the appointment had no connection with Sir Leigh's former role.</p> <p><b>The Prime Minister accepted the Committee's recommendation that the application be approved subject to the condition that, for two years from his last day of service, Sir Leigh should not become personally involved in lobbying UK Government on behalf of his new employer.</b></p>	
<b>Date of approval</b>	March 2012
<b>Irene Lucas CBE</b> Former Director General, Communities and Local Government	
Left Crown service	March 2011
<b>Chair, Hays Travel Ltd</b>	
Took up new appointment	April 2011
<p>Ms Lucas sought permission to accept an appointment as part-time Chair of Hays Travel, one of the UK's largest travel agents. The firm is owned by her husband's family and she has served on the Board as a non-executive director for a number of years.</p> <p><b>The Prime Minister accepted the Committee's recommendation that, for two years from her last day of service, she should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of her new employer.</b></p>	
<b>Date of approval</b>	April 2011
<b>Independent consultant</b>	
Took up new appointment	December 2011
<p>Ms Lucas sought permission to set up as an independent consultant. She would provide a general consultancy service in the areas of policy and strategy development and operational management to a range of organisations; to provide support for community and not for profit organisations in relation to business plan development and approaches to grant applications; to provide additional capacity to organisations requiring additional expertise in relation to either special projects or interim management; to offer advice and support to organisations wishing to review the capacity and capability of their organisation.</p>	

The Committee noted her undertaking not to bid for work from DCLG.

**The Prime Minister accepted the Committee's recommendation that the application be approved subject to the conditions that:**

**- for 12 months from her last day of service, she should not make any bid, or advise on the terms of any bid or contract, directly relating to the work of her former department; and that**

**- for two years from her last day of service, she should not be personally involved in lobbying UK Ministers or Crown servants, including Special Advisers on behalf of her new employer or her clients.**

This approval covers any commissions that she wishes to accept which fall within the scope of the consultancy she set out in her application. Should she wish to extend or otherwise alter the nature of her consultancy work, or accept other appointments with any of her clients or other organisations, she will need to seek further approval.

<b>Date of approval</b>	November 2011
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**Mark Lund**  
Former Chief Executive, Central Office of Information (COI)

Resigned from Civil Service	March 2011
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**Managing Partner, Now**

Took up new appointment	June 2011
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Mr Lund sought permission to become a Managing Partner of Now, a new communications agency he was setting up with two private sector advertising professionals, which would be targeting the automotive, fast-moving consumer goods, financial services, retail and telecoms sectors.

**The Prime Minister accepted the Committee's recommendation that the application be approved subject to the conditions that, for 12 months from his last day of service, he should stand aside from any bids for new business from government and that, for two years from the same date, he should not become personally involved in lobbying UK Government Ministers or officials, including Special Advisers on behalf of Now or its clients.**

<b>Date of approval</b>	June 2011
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<b>Colin McAllister</b> Former Special Adviser to the First Minister, Scottish Government	
Resigned from Crown service	August 2011
<b>Communications, Corporate Planning and Involvement Manager, Social Care and Social Work Improvement Scotland (SCSWIS)</b>	
Took up new appointment	August 2011
<p>Mr McAllister sought permission to accept a full-time appointment as Communications, Corporate Planning and Involvement Manager for Social Care and Social Work Improvement Scotland (SCSWIS).</p> <p><b>The Permanent Secretary accepted the Committee's recommendation that the application be approved subject to the condition that, for two years from his last day of service, he should not become personally involved in lobbying the Scottish Government, or have any direct dealings with the Scottish Government concerning funding issues, on behalf of his new employer.</b></p> <p>This condition is not intended to prevent him from having dealings with the Scottish Government, for example, in sharing information and co-ordinating external communications as a normal part of the role within the SCWIS to which he has been appointed.</p>	
<b>Date of approval</b>	August 2011
<b>Richard McCarthy CBE</b> Former Director General, Communities and Local Government	
Resigned from Crown service	November 2011
<b>Executive Director, Capita Symonds</b>	
Took up new appointment	February 2012
<p>Mr McCarthy sought permission to accept a full-time appointment as an Executive Director at Capita Symonds, a property and development-based consultancy services provider which is part of Capita Group.</p> <p><b>The Prime Minister accepted the Committee's recommendation that, on the basis that he would not draw on any privileged information that was available to him as a civil servant, the application be approved subject to:</b></p> <ul style="list-style-type: none"> <li>- a waiting period of three months from his last day in service; and</li> <li>- to the condition that, for two years from the same date, he should not advise on any bid or contract directly relating to the work of the Department for Communities and Local Government or be part of any bid delegation to DCLG; and</li> <li>- also for two years from the same date, he should not become personally involved in lobbying Government, including local government, on behalf of his new employer. This condition is not intended to prevent him from having dealings with Government, including local government, as part of the normal consultation process involving issues of mutual stakeholder interest.</li> </ul>	
<b>Date of approval</b>	September 2011



<b>William McLeish</b> Special Adviser to the First Minister, Scottish Government	
Resigned from Crown service	May 2011
<b>Communication Manager (Media), sportscotland</b>	
Took up new appointment	January 2012
<p>Mr McLeish sought permission to accept a full-time appointment as sportscotland's Communications Manager (Media). sportscotland is the national agency tasked with implementing the Scottish Government's strategy and polices in sport.</p> <p>The Committee noted with concern that the appointment had been taken up before approval had been given. However, it noted that he left the Civil Service at the Scottish Parliament Elections in May 2011 and that he had had no dealings with sportscotland while a special adviser.</p> <p><b>The Permanent Secretary accepted the Committee's recommendation that the application be approved subject to the conditions that, for two years from his last day of service, he should not become personally involved in lobbying the Scottish Government or have any direct dealings with the Government regarding any funding issues affecting his new employer.</b></p>	
Date of approval	February 2012
<b>Peter Makeham CB</b> Former Director General Strategy and International Group, Home Office	
Resigned from Crown Service	May 2011
<b>Independent Consultant</b>	
Took up new appointment	May 2011
<p>Mr Makeham sought permission to set up as an independent consultant providing advice on programmes and policy implementation to clients in the public and third sectors. He wished to accept a commission with the Big Lottery Fund which awards funds from the National Lottery to community groups and to projects in the UK that improve health, education and the environment.</p> <p><b>The Prime Minister accepted the Committee's recommendation that the application be approved subject to the condition that, for 12 months from his last day in service, he should not undertake any work as a consultant which involves providing advice to any company or organisation on the terms of any bid or contract relating directly to the work of the Home Office, and for two years from the same date, he should not become personally involved in lobbying Government on behalf of any of his clients.</b></p>	
Date of approval	April 2011

<b>Stella Manzie</b> Former Director General, Justice and Communities, Scottish Government	
Resigned from Crown service	February 2011
<b>Chief Executive, London Borough of Barking and Dagenham Council</b>	
Took up new appointment	April 2011
<p>Ms Manzie made a retrospective application for permission to accept a full-time position as Chief Executive of London Borough of Barking and Dagenham Council.</p> <p>When considering the application the Committee noted with concern that the appointment had been taken up before approval could be granted under the Rules.</p> <p><b>The First Minister accepted the Committee's recommendation that the application should be approved subject to the conditions that:</b></p> <ul style="list-style-type: none"> <li>- for 12 months from her last day in service in Scottish Government she should not draw on any confidential or privileged information that was available to her as a civil servant for the particular benefit her new employer.</li> <li>- for 12 months she should confine any contacts with Government to such matters as would normally be undertaken by the Chief Executive of a local authority as a necessary part of that role.</li> </ul>	
<b>Date of approval</b>	March 2011
<b>Jonathan May</b> Former Executive Director, Office of Fair Trading	
Retired from Crown service	August 2010
<b>Member of the Financial Services Consumer Panel of the Financial Services Authority</b>	
Took up new appointment	March 2012
<p>Mr May sought permission to accept a part-time appointment as a member of the Financial Service's Authority's Financial Services Consumer Panel. The Panel advises the FSA on the interests and concerns of consumers and reports on the FSA's performance in meeting its consumer objectives.</p> <p>The Committee noted that he retired from the Civil Service over 18 months ago and that the Financial Services Consumer Panel had no direct relationship with the Office of Fair Trading.</p> <p><b>The Prime Minister accepted the Committee's recommendation that the application be approved unconditionally.</b></p>	
<b>Date of approval</b>	March 2012

<b>Christine Mayer</b> Former Chief Executive, HM Courts and Tribunals Service, Ministry of Justice	
Retired from Crown service	September 2010
<b>Adviser, The Slynn Foundation</b>	
Took up new appointment	November 2011
<p>Ms Mayer sought permission to accept a part-time, fee-paid advisory appointment with the Slynn Foundation, a charitable organisation set up in 1998 to provide support, advice and training to lawyers in Central and Eastern Europe, and to promote a better understanding between Britain and countries in those areas.</p> <p>The Committee noted that the appointment had been take up before it was able to give its advice but, in view of the lapse of time since she left the Civil Service, it had no concerns about the appointment.</p> <p><b>The Prime Minister accepted the Committee's recommendation that the application be approved unconditionally.</b></p>	
<b>Date of approval</b>	November 2011
<b>Lieutenant General Paul Newton CBE</b> Former Commander Force Development and Training, Army	
Retired from Crown service	30 March 2012
<b>Professor of Security and Strategy, University of Exeter</b>	
Took up appointment	April 2012
<p>Lt Gen Newton sought permission to accept an appointment as Professor of Security and Strategy at the University of Exeter.</p> <p>The Committee noted Lt Gen Newton's undertakings that his previous contact with the University of Exeter was limited and did not involve any contractual obligations, and that he could therefore not impart any knowledge which may affect competitors. The Committee also noted that the offer of employment to Lt Gen Newton came about after he had applied for an advertised post, and that he had subsequently distanced himself from dealings with the University.</p> <p><b>The Prime Minister accepted the Committee's recommendation that, on the understanding that Lt Gen Newton would not draw on privileged information available to him whilst in post, the application be approved subject to the condition that, for two years from his last day of service, he should not become personally involved in lobbying Government on behalf of his new employer.</b></p>	
<b>Date of approval</b>	March 2012

<b>Air Marshal Christopher Nickols CB CBE</b> Former Chief of Defence Intelligence	
Retired from the RAF	May 2012
<b>Controller (Chief Executive) of the Royal Air Force Benevolent Fund</b>	
Took up new appointment	July 2012
<p>The RAF Benevolent Fund was founded in 1919 to provide support to all serving and former members of the RAF, their partners and dependent children. AM Nickols sought permission to accept a full-time appointment as the Fund's Controller.</p> <p><b>The Prime Minister accepted the Committee's recommendation that the appointment be approved subject to the condition that, for two years from his last day of service, he should not become personally involved in lobbying UK Government on behalf of his new employer.</b></p> <p>When making its recommendation that Committee stated that this restriction was not intended to prevent him from having dealings with MOD as a normal part of the role to which he had been appointed.</p>	
<b>Date of approval</b>	March 2012
<b>Sir David Normington GCB</b> Former Permanent Secretary of the Home Office	
Retired from Crown service	December 2010
<b>Member of the Governing Council of the University of Warwick</b>	
Took up new appointment	September 2011
<p>Sir David sought permission to accept an unpaid, part-time appointment as a member of the Governing Council of the University of Warwick.</p> <p>When considering the application, the Committee noted that Sir David had previously been the Permanent Secretary of the Department for Education and Skills but that his involvement with education policy ceased in 2005 when he moved to the Home Office. They also noted that the three-month waiting period had expired and that Sir David is subject to the rules which were in place in December 2010 when he retired and is therefore not required to observe a two-year lobbying ban as a matter of course.</p> <p><b>The Prime Minister accepted the recommendation of the Committee that the application be approved subject to the condition that, for 12 months from his last day of service, Sir David should not become personally involved in lobbying UK Government on behalf of his new employer.</b></p>	
<b>Date of Approval</b>	July 2011

<b>James O'Shaughnessy</b> Former Special Adviser, Prime Minister's Office	
Resigned from Crown service	October 2011
<b>Independent consultant</b>	
Took up new appointment	January 2012
<p>Mr O'Shaughnessy sought permission to set up as an independent strategy and research consultant advising charitable and corporate organisations, including the Policy Exchange and Pearson School Improvement.</p> <p><b>The Head of the Civil Service accepted the Committee's recommendation that his application be approved subject to the following conditions:</b></p> <ul style="list-style-type: none"> <li>– that he should wait three months from his last day of service before accepting any commissions with clients in the education sector;</li> <li>– for the following nine months (ie for 12 months from his last day in service) he should seek permission for any commission he wishes to accept with clients in the education sector;</li> <li>– with regard to his consultancy work with clients outside the education sector, he should not undertake any work which involves providing advice on the terms of any bid or contract relating directly to the work of the Prime Minister's Office or the Department for Education for 12 months from his last day of service, and for two years from the same date, he should not become personally involved in lobbying government on behalf of his clients.</li> </ul> <p>As with all Special Advisers, the Committee made this recommendation on the understanding that he will be required to confirm in writing to the department that he recognises that he will continue to be bound by the provisions of the criminal law (including the Official Secrets Act) which protects certain categories of information, and by his duty of confidentiality owed to the Crown.</p> <p>The approval refers specifically to his consultancy work as set out in his application, i.e. permission to set up an independent strategy and research consultancy advising charitable and corporate organisations. Should he wish to extend or otherwise alter the nature of his consultancy work, or accept other appointments with any of his clients or other organisations, it will be necessary for him to seek permission to do so.</p>	
<b>Date of approval</b>	January 2012
<b>Group Director of Strategy, Wellington College</b>	
Took up new appointment	March 2012
<p>Mr O'Shaughnessy sought approval to accept a year-long, part-time post as Group Director of Strategy of Wellington College, a co-educational public school in Berkshire. Mr O'Shaughnessy is a former pupil and current Fellow of the College.</p> <p>The Committee noted that Mr O'Shaughnessy will not be taking up the position until six months after leaving Crown service and that his previous involvement with the College was on a personal nature.</p> <p><b>The Permanent Secretary accepted the Committee's recommendation that the appointment subject to the condition that, for two years from his last day of service, he should not become personally involved in lobbying government on behalf of his new employer.</b></p> <p>As with all Special Advisers, the Committee made the recommendation on the understanding that Mr O'Shaughnessy had confirmed in writing to the department that he recognises that he will continue to be bound by the provisions of the criminal law (including the Official Secrets Act) which protect certain</p>	

categories of information, and by his duty of confidentiality owed to the Crown.	
<b>Date of approval</b>	March 2012
<b>Sir William Patey KCMG</b> Former HM Ambassador in Kabul	
Retired from the Diplomatic Service	March 2012
<b>Foreign Affairs Adviser, Control Risks</b>	
Took up appointment	July 2012
<p>Sir William sought permission to accept a part-time appointment as Foreign Affairs Adviser with Control Risks.</p> <p>The Committee noted that although Sir William had had general dealings with companies working in the security sector as Ambassador to Sudan, Iraq, Saudi Arabia and Afghanistan, he had not been involved in the commercial aspects of any contracts with government and his dealings with the companies concerned had not favoured any.</p> <p><b>The Foreign Secretary accepted the Committee's recommendation that: on the understanding that Sir William did not intend to take up the appointment until July 2012, three months after his retirement; and on the basis that there was no change in the relevant circumstances on his application up to the date of his last day in post on 31 March 2012; and that he would not in his new post draw on any privileged information that was available to him as an Ambassador; his application be approved subject to the conditions that, for six months from his last day of service, he should not revisit Afghanistan for business purposes or advise on Afghanistan; and that, for two years from the same date, he should not become personally involved in lobbying the UK Government on behalf of his new employer.</b></p>	
<b>Date of approval</b>	March 2012
<b>Dame Anne Pringle DCMG</b> Former HM Ambassador to Moscow	
Retired from Crown service	November 2011
<b>Public Appointments Assessor for the Commissioner for Public Appointments</b>	
Took up new appointment	April 2012
<p>Dame Anne sought permission to accept a part-time appointment as a Public Appointments Assessor, one of fourteen individuals appointed by the Commissioner for Public Appointments to work with him to uphold the principle of selection on merit in Ministerial appointments to public bodies and statutory offices.</p> <p>The Committee noted that Dame Anne did not intend to take up the appointment until four months after her retirement.</p> <p><b>The Foreign Secretary accepted the Committee's recommendation that the application be approved subject to the condition that, for two years from her last day of service, she should not become personally involved in lobbying UK Government on behalf of her new employer.</b></p>	
<b>Date of approval</b>	March 2012

<b>Gill Rider</b> Former Director General, Civil Service Capability Group, Cabinet Office	
Resigned from Crown service	May 2011
<b>Non-executive director, Charles Taylor Consulting plc</b>	
Took up new appointment	January 2012
<p>Ms Rider sought permission to accept a part-time paid position as a Non-executive Director of Charles Taylor Consulting plc., a global provider of management and consultancy services relating to insurance.</p> <p><b>The Prime Minister accepted the Committee's recommendation that the application should be approved subject to the condition that, for two years from her last day of service, she should not become personally involved in lobbying Government on behalf of her new employer or any of its clients.</b></p>	
<b>Date of approval</b>	January 2012
<b>Adam Sharples CB</b> Former Director General of Employment, Department for Work and Pensions	
Left Crown service	November 2011
<b>Director of Policy, Which?</b>	
Took up new appointment	January 2012
<p>Mr Sharples sought permission to accept a full-time appointment as Director of Policy for consumer rights organisations Which?</p> <p>When considering the application the Committee noted that he had had no official dealings with his prospective employer or any involvement in work which would have had a direct impact upon them. It also took into account Which?'s well-understood role as a campaigning charity and the consequent lessening of the risk that any contacts he may have with government would be open to criticism or misinterpretation.</p> <p><b>The Prime Minister accepted the recommendation of the Committee that the application be approved subject to the condition that, for two years from his last day of service, he should not become personally involved in lobbying UK Government on any issue which has a bearing on the commercial interests of Which? as an organisation.</b></p>	
<b>Date of Approval</b>	December 2011

<b>Sir Nigel Sheinwald GCMG</b> Former HM Ambassador in Washington	
Retired from Diplomatic Service	March 2012
<b>Non-executive Director, Royal Dutch Shell plc</b>	
Announced in March 2012 that he would be taking up the appointment in July 2012	
<p>Sir Nigel sought permission to accept an appointment as a Non-executive Director of Shell.</p> <p>The Committee made its recommendation on the basis that there was no change in the relevant circumstances of Sir Nigel's application up to the date of his last day in post in January 2012,</p> <p><b>The Foreign Secretary accepted the Committee's recommendation that the application be approved subject to:</b></p> <ul style="list-style-type: none"> <li>- a three months waiting period from Sir Nigel's last day of service; and</li> <li>- to the condition that, for two years from his last day of service, he should not become personally involved in lobbying UK Government on behalf of his new employer.</li> </ul> <p>In addition, it would be appropriate for him to observe the normal moratorium concerning former Ambassadors, which would mean that, for six months from his last day in post, he would not return to the US for business purposes, give advice on matters relating to the US, or have dealings with companies there.</p>	
<b>Date of approval</b>	December 2011
<b>Darra Singh</b> Former Chief Executive, Jobcentre Plus	
Resigned from Crown service	September 2011
<b>Executive Director, Local Public Services, Ernst &amp; Young</b>	
Took up new appointment	January 2012
<p>Mr Singh sought permission to accept a full-time appointment as Executive Director, Local Public Services at Ernst &amp; Young.</p> <p>When considering the application the Committee took into account the individual circumstances of the application, including that Mr Singh is not a career civil servant but left on redundancy grounds after only 23 months; that he had no official dealings with his new employer; that he had no commercial dealings with any part of Government outside the Department for Work and Pensions; and that the proposed employment is not a lobbying role.</p> <p><b>The Prime Minister accepted the Committee's recommendation that the application be approved subject to:</b></p> <ul style="list-style-type: none"> <li>- a waiting period of three months from his last day in service; and</li> <li>- the condition that for two years from his last day in service, he should not become personally involved in lobbying DWP ministers or officials, including special advisers, on behalf of his new employer, its partners or any of its clients.</li> </ul>	
<b>Date of approval</b>	November 2011



<b>John Suffolk</b> Former Government Chief Information Officer and Senior Information Risk Owner Cabinet Office	
Retired from Crown service	March 2011
<b>Global Cyber Security Officer, Huawei Technologies UK Co Ltd</b>	
Took up new appointment	October 2011
<p>Mr Suffolk sought permission to accept a full-time appointment as Global Cyber Security Officer at Huawei Technologies UK Co. Ltd.</p> <p>Following a thorough investigation of the case the Committee recommended that the application be approved on the basis that:</p> <ul style="list-style-type: none"> <li>- his continuing duty of confidentiality means that he would not draw on any privileged information that was available to him as a civil servant; and that</li> <li>- he would not seek to imply HM Government endorsement of any of his new employer's products or services in any dealings he has with other companies or organisations; and that</li> <li>- before taking up the appointment he would seek advice from the appropriate security authorities, as directed by the Cabinet Office, about any risks to the confidentiality of communications resulting from his new appointment which might be of concern to those authorities.</li> </ul> <p><b>The Prime Minister accepted the Committee's advice and approved the application subject to:</b></p> <ul style="list-style-type: none"> <li>- a waiting period of six months from the last day of service; and</li> <li>- to the condition that, for two years from the same date, he should not undertake any work which involves providing advice to his new employer or any company associated with it on the terms of any bid or contract relating directly to the work of any UK Department or Agency; and that</li> <li>- for the same two year period he should not become personally involved in lobbying Government, or have contacts with any Government employees for the purpose of recruiting their services, on behalf of his new employer or any company associated with it.</li> </ul>	
Date of approval	July 2011

<b>Matt Tee</b> Former Permanent Secretary, Government Communications, Cabinet Office	
Left Crown service	March 2011
<b>Independent consultant</b>	
Took up new appointment	March 2012
<p>Mr Tee sought permission to set up as an independent consultant providing communications and business strategy to clients.</p> <p><b>The Prime Minister accepted the Committee's recommendation that, on the basis that Mr Tee should not draw on any privileged information that was available to him as a civil servant, the application be approved subject to the conditions that:</b></p> <ul style="list-style-type: none"> <li>- for 12 months from his last day of service, he should not undertake any work which involves providing advice on the terms of any bid or contract relating directly to the work of any UK Government department; and</li> <li>- for two years from the same date, he should not become personally involved in lobbying government on behalf of any of his clients.</li> </ul> <p><b>In addition, for 12 months from his last day of service, he should notify the Committee of all individual commissions he wishes to accept as, depending on the circumstances, it may be necessary for him to submit a separate application.</b></p> <p><b>Commissions</b> March 2012 - Kings Heath Partners Academic Health Sciences Centre</p>	
<b>Date of approval</b>	February 2012
<b>Dr Andrew Tyler</b> Former Chief of Materiel (Joint Enablers), Defence Equipment and Support Organisation Ministry of Defence	
Left Crown service	June 2011
<b>Chief Executive Officer, Marine Current Turbines Ltd</b>	
Took up new appointment	July 2011
<p>Dr Tyler sought permission to accept a full-time appointment as the Chief Executive of Marine Current Turbines.</p> <p>When considering the application the Committee noted with concern that the appointment had been accepted before approval could be granted. It also took into account the individual circumstances of the application, including that Dr Tyler was not a career civil servant but joined the MOD in 2006 before leaving on redundancy grounds in June 2011, that he had had no official dealings with his new employer and that the company has never been a defence supplier, and that he had had no official dealings with any part of Government other than MOD and the Department for Business, Innovation and Skills (BIS).</p> <p><b>The Prime Minister accepted the Committee's recommendation that the application be approved subject to the conditions that:</b></p> <ul style="list-style-type: none"> <li>- for two years from his last day of service he should not become personally involved in lobbying MOD or</li> </ul>	

<p><b>BIS Ministers or officials, including Special Advisers, on behalf of his new employer; and that</b></p> <p><b>- for three months from the same date, he should not become personally involved in lobbying any other UK Government department or Agency, including Ministers, officials or special advisers, on behalf of his new employer.</b></p> <p><b>In addition, should there be any change in the new employer's business in the two year period in which he is subject to the Rules, such that the company had cause to have any dealings with the Ministry of Defence, he should inform the Advisory Committee as, depending on the circumstances, he may be required to submit a new application.</b></p>	
<b>Date of approval</b>	September 2011
<p><b>Philip Wheatley CB</b> Director General, National Offender Management Service</p>	
Retired from Crown service	June 2010
<b>Independent consultant</b>	
Took up new appointment	September 2011
<p>Mr Wheatley sought permission to set up as an independent consultant providing organisational, leadership and training advice and services in the UK and abroad to both Government and private sector organisations working in social welfare and the corrections environment.</p> <p><b>The Prime Minister accepted the Committee's recommendation that the application be approved unconditionally.</b></p> <p><b>The Committee gave its advice on the understanding that Mr Wheatley would not seek to accept any commissions with companies with which he had official dealings in the last two years of his service. Should he wish to accept commissions with any company with which he had official dealings in the last two years of his service, he should submit a separate application.</b></p>	
<b>Date of approval</b>	September 2011

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