



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: CHARLIE MASSEY

The Committee has been asked to consider an application from Charlie Massey, Director General for Strategy and External Relations in the Department of Health. He wishes to take up a new role as Chief Executive and Registrar of the General Medical Council (GMC) after he leaves Crown service on 31 October 2016.

The Committee took into account the fact that Mr Massey had applied for this role, and had been offered it following an open competition.

The Committee noted that this role is likely to involve contact with government as the legislation governing the GMC's processes for how it regulates doctors is owned by the Department of Health, and the GMC contributes to discussions with government both about this, and about patient safety issues that affect the GMC's work on medical education and setting standards for the clinical workforce. The Committee noted that, during his time in the Department of Health, Mr Massey has been involved in issues regarding patient safety and the GMC's role in relation to it, including discussions with the current Chair and CEO of the GMC, and with Ministers.

The Committee noted the Department of Health's view that this appointment was typical of the type of beneficial move between the department and the health and care sector that was of clear benefit to both sides, and that they did not believe that the appointment could be seen as improper. The department also noted that it has an important relationship with the GMC, as a professional regulator, and that communication between the two is essential as a part of normal day-to-day business.

The Prime Minister accepted the Committee's advice that there was no reason why Mr Massey should not accept this position, subject to the following conditions:

- He should not draw on privileged information available to him from his time in Crown service, including information relating to unannounced Government policy; and
- For two years from his last day in service, Mr Massey should not become personally involved in lobbying the UK Government on behalf of the GMC; in this case the Committee accepts that this would not prevent communications with the UK Government that are in the

normal course of business for the GMC as a regulator, but it would prevent his involvement in any discussions with Government relating to the funding of the GMC.

By 'privileged information' we mean official information to which a Minister or Crown servant has had access as a consequence of his or her office or employment and which has not been made publicly available. Applicants are also reminded that they may be subject to other duties of confidentiality, whether under the Official Secrets Act, the Civil Service Code or otherwise.

The Business Appointment Rules explain that the restriction on lobbying means that the former Crown servant/Minister "should not engage in communication with Government - including Ministers, special advisers and officials - with a view to influencing a Government decision or policy [including applications for awards or grants] in relation to their own interests, or the interests of the organisation by which they are employed, or to whom they are contracted".

I would be grateful if you could ensure that we are informed as soon as Mr Massey takes up this position, or if it is announced that he will do so (I enclose a form for this purpose). We shall otherwise not be able to deal with any enquiries, since we do not release information about appointments which have not been taken up or announced, and this could lead to a false assumption being made about whether he had complied with the rules.

I should also be grateful if you would ask that Mr Massey informs us if he proposes to extend or otherwise change the nature of his role as, depending on the circumstances, it may be necessary for him to make a fresh application.

Once the appointment has been publicly announced or taken up, we will publish this letter on the Committee's website and include the main details of the application, together with the Advisory Committee's advice, in the regularly updated consolidated list on our website and in the next annual report.

Yours sincerely

Catherine Millington
Committee Secretariat