



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: SIR JOHN KINGMAN

The Committee has been asked to consider an application from Sir John Kingman, former Second Permanent Secretary, HM Treasury. He would like to take up a new role as Senior Adviser at Rothschild & Co (Rothschild), an investment bank.

When considering this application, the Committee took into consideration that:

- Sir John noted that he wishes to join Rothschild as a Senior Advisor, a paid role involving around one day of work a week. He described the role as helping teams working on investment banking assignments; and with client relationships. Sir John states that he will not be working on assignments involving the UK Government. As a result, the appointment is not likely to include any contact or dealings with HMT or Government more widely.
- This is a role within the same sector for which Sir John had responsibility whilst he was in Crown Service. However, Sir John has had a career in finance across both public and private sectors. He previously worked at Rothschild, between 2010 and 2012, before returning to Government as Second Permanent Secretary at HMT in 2012.
- 12 months have now passed since Sir John left Crown Service.
- As Second Permanent Secretary and Acting Permanent Secretary at HMT, Sir John said he had no direct contractual dealings with Rothschild but he did have responsibility for those who did.
- HMT confirmed that Rothschild has a contractual relationship with HMT and that contracts are awarded through a competitive process.
- HMT told the Committee that during Sir John's time as Second Permanent Secretary and Acting Permanent Secretary there was only one relevant contract, which related to advice on the potential split of Royal Bank of Scotland (RBS) into a good bank and bad bank, in 2013. The contract was worth £850,00 and HMT said RBS had agreed to cover the costs. Due to his previous involvement with Rothschild Sir John told the Committee that he had no involvement in awarding the contract. HMT confirmed this was the case and that his recusal from the process was made public at the time. The Committee noted that once the process of awarding the contract had finished and Rothschild had been appointed, Sir John did work on the project.

- Sir John told the Committee he also had had some dealings with Rothschild and competitors whilst he was in post, at various industry events; and in relation to issues around the regulation of the financial sector. He told the Committee this was of a general nature and he did not believe there was anything that materially affected Rothschild.
- HMT considered that any any sensitive information around government policy of HMT's holdings would now be out of date, and of no material commercial value, given the time that has passed since he left office.
- HMT do not consider that Sir John's appointment could be seen as a reward; and raised no concerns about this appointment subject to: him not working on UK Government assignments; and the usual ban on lobbying Government. The Permanent Secretary also noted that Sir John is '*bound by the handling of sensitive information policies even when he has left the Civil Service.*'

Taking into account the above factors, the Prime Minister accepted the Committee's advice that, under the Business Appointment Rules, this appointment subject to the following conditions:

- he should not draw on privileged information available to him from his time in Crown service;
- for two years from his last day in Crown service he should not involve himself in work for Rothschild & Co, or its subsidiaries, that is related to UK Government assignments; and
- for two years from his last day in service, Sir John should not become personally involved in lobbying the UK Government on behalf of Rothschild & Co or its clients or subsidiaries; nor should he make use, directly or indirectly, of his contacts in Government and/or Crown service to influence policy or secure business on behalf of Rothschild & Co or or its clients or subsidiaries.

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 (Ministers, civil servants, including special advisers, and other relevant officials/public office holders) – wherever it takes place - with a view to influencing a Government decision, policy or contract award/grant in relation to their own interests or the interests of the organisation by which they are employed, or to whom they are contracted or with which they hold office.*"

I should be grateful if you would ensure that we are informed as soon as Sir John 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 Sir John informs us if he proposes to extend or otherwise change the nature of his/ her role as, depending on the circumstances, it may be necessary for him to make a fresh application.

Once these appointments have 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

Catriona Marshall
Committee Secretariat