



**OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS**

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You asked for the Committee's advice about taking up an appointment with Global Counsel Consulting Ltd (Global Counsel).

The Committee's remit

As you will be aware, it is the Committee's role to advise on any conditions that should apply to appointments or employment under the Government's Business Appointments Rules for Former Ministers (the Rules), which apply to former Ministers for two years after they leave office.

The Rules seek to counter suspicion that:

- a) the decisions and statements of a serving Minister might be influenced by the hope or expectation of future employment with a particular firm or organisation; or
- b) an employer could make improper use of official information to which a former Minister has had access; or
- c) there may be cause for concern about the appointment in some other particular respect.

When the Committee considers applications it must have in mind that Government has judged that it is in the public interest that former Ministers with experience in Government should be able to move into business or into other areas of public life, and to be able to start a new career or resume a former one. It is equally important that when a former Minister takes up a particular appointment or employment, there should be no cause for any suspicion of impropriety.

Appointment details

You wish to take up a paid, part-time role as a Senior Adviser with Global Counsel, a company that provides political risk analysis to companies and investors across a wide range of sectors. It describes its aim as anticipating the implications of the changing regulatory and public policy landscape; and to develop strategies to meet these challenges. Global

Counsel is part-owned by WPP Plc, a worldwide marketing and communication services group.

You described your role (Senior Adviser) as providing strategic advice to assist Global Counsel in providing political risk analysis on health, science and technology matters. You do not expect to have contact with Government in this role.

You stated you had no official dealings with Global Counsel or its competitors whilst you were in ministerial office; that you are not aware of any relationship between Global Counsel and the Department for Health (now the Department for Health and Social Care, referred to here as DH); and that you have no commercially sensitive information, which could unfairly benefit the company.

Your former department, DH, confirmed it has no relationship with Global Counsel; that you had no official dealings with it in a ministerial capacity; and that although you were privy to global health policy work as lead Minister, you do not hold information that is still relevant. DH raised no concerns about this appointment.

#### The Committee's consideration

As a Minister for Health, your portfolio included Data and Technology. However, the Committee noted DH has no relationship with Global Counsel; and that you had no official dealings with it as a Minister. The Committee therefore considered there is nothing to suggest you made decisions in office in expectation of this role; and it assessed the risk of it being perceived this appointment has been offered as a reward as low.

The Committee took into account it has now been approximately 10 months since you left ministerial office; and although this work is related to your ministerial portfolio, DH confirmed you do not hold information that is still relevant. However, the Committee recognises there are risks attached given you are seeking to advise on matters related to your ministerial responsibilities.

Given DH's view, the Committee considered the ban imposed on the use of privileged information appropriately mitigates any inherent risk associated with the access to information you had whilst you were a Minister. Further, it imposed a lobbying ban which makes it clear that any use of your contacts, gained from your time in ministerial office, in order to influence government policy or seek to do business with Government, would be inappropriate.

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

- that you should not draw on (disclose or use for the benefit of yourself or the organisations to which this advice refers) any privileged information available to you from your time in Crown service; and
- for two years from your last day in Crown service, you should not become personally involved in lobbying the UK Government on behalf of Global Counsel Consulting Ltd or its partners or clients, nor should you make use, directly or indirectly, of your contacts in Government and/or Crown service to influence policy or secure business on behalf of Global Counsel Consulting Ltd or its partners or clients.

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 inform us as soon as you take up employment with this organisation, or if it is announced that you will do so, either by returning the enclosed form or by emailing the office at the above address. We shall otherwise not be able to deal with any enquiries, since we do not release information about appointments that have not been taken up or announced. This could lead to a false assumption being made about whether you had complied with the Rules and the Ministerial Code.

Please also inform us if you propose to extend or otherwise change the nature of your role as, depending on the circumstances, it may be necessary for you to make a fresh application.

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.

The Baroness Browning

Mrs Nicola Blackwood-Bate

