



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

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31 May 2018

Dear Sir Martin,

You sought the Committee's advice about accepting a new commission with the City of London Corporation under the terms of your independent consultancy. The Committee has now considered your application.

Commission details

You informed the Committee that you propose to agree a short contract of approximately four days' work spread over several months with the City of London Corporation. This would involve you giving internal advice to the Corporation on its policy formulation process, and its wider strategic goals in the light of Brexit. You explained that it would not involve any contact or lobbying with government departments or agencies.

You informed the Committee that in your role as a Permanent Secretary you attended some City functions. Also, you had occasional meetings, when in the Department of Business and Industrial Strategy (BIS) up to summer 2016, with Corporation members as part of the Department's wider role of staying in touch with business, and supporting exports. You said that you were not responsible for financial services and did not deal directly with issues of regulatory or policy concern to the City.

The Department for International Trade (DIT) was consulted, and discussed the proposed commission with the Department for Business, Energy and Industrial Strategy (BEIS).

DIT responded as follows:

*"We do not have any concerns about this specific commission. Given that Martin left his post over 12 months ago – and at that time DIT was still a relatively new department – the information he had access to is unlikely to be relevant to the City of London Corporation, or to put them at an advantage. As an ex-Permanent Secretary Martin has to observe a 2-year ban on lobbying government on behalf of his new employer as part of the standard ACOBA rules, which will also prevent him from using his old networks to any advantage."*

The Committee's consideration

The Committee<sup>1</sup> agrees that this commission is consistent with the terms of your independent consultancy, which you explained would focus on global strategy.

The Committee assessed that the commission cannot reasonably be seen as reward for decisions made while in office as you were not responsible for financial services as Permanent Secretary and did not deal directly with issues of regulatory or policy concern to the City.

It concluded that the risk of your commission conferring an unfair advantage on the City of London Corporation is also low given DIT has confirmed that the information you had access to is unlikely to be relevant to the City of London Corporation, or to put them at an advantage.

As the Department has noted, the 2-year lobbying ban will prevent you from making use of your contacts in Government to secure any advantage for your client.

In accordance with the Government's Business Appointment Rules, the commission with the City of London Corporation should be subject to the same conditions that apply to your independent consultancy, namely:

- a waiting period of three months from your last day in Crown service (now expired);
- for 2 years from your last day in Crown service, you should not undertake any work as a consultant that involves providing advice to any company or organisation on the terms of, or with regard to the subject matter of, a bid or contract relating directly to the UK Government, or its trade negotiations;
- you should not draw on privileged information available to you from your time in Crown service;
- for two years from your last day in Crown service, you should not become personally involved in lobbying the UK Government on behalf of any of your clients or those you advise or make use, directly or indirectly, of your contacts in Government and/or Crown service to influence policy or secure business on behalf of any of your clients or those you advise; and
- for two years from your last day of service, before accepting any new commission you should apply to the Committee for confirmation that it is acceptable under the terms of the consultancy before taking it up. In considering the matter further, the Committee may seek the views of relevant departments. (If, after enquiry, the Committee takes the view that a commission is, or may be, outside the terms of the consultancy you will be expected to submit a fresh application).

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

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<sup>1</sup> This application for advice was considered by Sir Alex Allan; Jonathan Baume; Lord Michael German; Richard Thomas and John Wood. Baroness Helen Liddell recused herself from this application in line with ACOBA's published Code of Practice. Baroness Angela Browning; Terence Jagger and Susan Liautaud were unavailable.

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 *"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 let me know when you take up this commission, or if it is announced that you are to do so. This will enable the Committee to publish this letter on its website and, if appropriate, to refer to it in the relevant annual report.

Yours sincerely,

Nicola Richardson  
Committee Secretariat

