



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: MS LESLEY LONGSTONE CB

The Committee was asked to consider an application from Ms Longstone, former Interim CEO at the Crown Prosecution Service (the CPS) to take up a position as Interim CEO at the General Optical Council.

Ms Longstone was Interim CEO at the Crown Prosecution Service (the CPS) from December 2017 to May 2018. She was previously Interim CEO at the Independent Police Complaints Commission (the IPCC) from September 2014 to December 2017; an Independent Reviewer at the Northern Ireland Office from June 2014 to September 2014; and a Lead Investigator at the Ministry of Defence from November 2013 to June 2014. Ms Longstone has been in these roles whilst on secondment from the Department for Education (DfE).

Appointment details

Ms Longstone proposed to become the Interim CEO at the General Optical Council (the GOC). She explained this is a full-time position which is expected to last for six months.

The GOC is the regulator for optical professions in the UK. It sets standards for optical education and training, performance and conduct; approves qualifications leading to registration; maintains a register of individuals who are qualified and fit to practice, train or carry on business as optometrists and dispensing opticians; and investigates and acts where registrants' fitness to practice, train or carry on business is impaired. The GOC is funded entirely by registrants' fees; and partners with optical professional and representative bodies and training and educational institutions.

Ms Longstone stated that as Interim CEO, she will be responsible for the day to day running of the organisation; for setting standards for the professions; and for maintaining a register of optometrists, including conducting fitness for practice investigations and removing them from the register where necessary. She said she expects to have some contact with Government in this role - she stated:

- there may be contact with the CPS in the event that registrants are investigated criminally as well as for conduct matters, but that as she is not legally qualified, she played no role in any case related matters whilst she was at the CPS and she stated that she therefore sees no conflicts in this appointment;

- the role will involve contact with the Department for Health and Social Care (DHSC) and the Privy Council on regulatory policy matters (the Opticians Act gives the GOC powers to make orders, rules and regulations in relevant areas, subject to approval by the Privy Council); and
- she would be required to represent the organisation with officials at the DHSC as well as relevant Ministers. Ms Longstone noted she has never worked at DHSC and has had no official contact with the Department during the past five years whilst working in various government departments and arms length bodies.

Ms Longstone confirmed that in her last two years in office she had no official, or contractual, dealings with her prospective employer. She also confirmed she had no access to any commercially sensitive information.

Jonathan Slater, Permanent Secretary at DfE, confirmed this; and that the department has no relationship with the GOC. DfE raised no concerns about this appointment and said it would not conflict with her recent roles whilst on secondment from DfE.

Given Ms Longstone has not worked within DfE for some time, and has been on secondment, the CPS and the IPCC were also asked to provide a view on this appointment:

- the CPS confirmed Ms Longstone was not involved with casework whilst at the CPS; that she did not make any decisions that would have an impact on the GOC; that her role in the CPS would not have given her access to information or contacts that would be of advantage to the GOC; and that the CPS had no engagement with the GOC whilst she was in office.
- the IPCC stated Ms Longstone had no official dealings with the GOC; it is unaware she would have had access to any relevant sensitive information; it is unaware of any links between it and the GOC; Ms Longstone had no responsibility for decisions that would have affected the GOC; and that as she did not have a decision maker role on cases, it does not believe she would have been involved, or privy to, any investigations or cases involving the GOC.

Committee's consideration

The Committee considered that each of Ms Longstone's recent employing departments confirmed there was no direct link between her proposed appointment at the GOC and her roles and responsibilities in office. The Committee also recognised that this role is in keeping with Ms Longstone's recent career history of interim CEO roles in the public sector. The Committee considered that whilst there is a possible link here should cases at the GOC be related to criminal investigations, Ms Longstone had no direct involvement in casework either at the CPS or the IPCC. Therefore, the risk this appointment could be seen as a reward for Ms Longstone's time in office, is low.

Ms Longstone left her post at the CPS in May 2018; DfE, the CPS and the IPCC have all confirmed she had no access to commercially sensitive or case related information of relevance to the GOC.

Ms Longstone stated she will have contact with Government in this role. This is to be expected given her proposed role is as Interim CEO and Registrar at the GOC. Though her role will be focussed on the day to day operation of the organisation, the Committee

recognised the type of contact Ms Longstone describes with Government may be necessary in her role. Therefore, the Committee's consideration was centered around whether that contact would be proper. The Committee noted that the GOC is funded entirely by registrants' fees and that the policy relationship is ultimately held with a department for which Ms Longstone has never worked (DHSC) and the Privy Council. Further, given the GOC's overall purpose is to protect the public, the Committee considered it would not be improper for Ms Longstone to have contact with Government, as she has described, in line with her duties as Interim CEO.

The Prime Minister accepted the Committee's recommendation that, in accordance with the Government's Business Appointment Rules, this appointment be subject to the following conditions:

- that she should not draw on (disclose or use for the benefit of herself or the organisations to which this advice refers) any privileged information available to her from her time in Crown service; and
- for two years from her last day in Crown service, she should not become personally involved in lobbying the UK Government on behalf of the General Optical Council. This is not intended to prevent Ms Longstone from representing the General Optical Council on matters aligned with Government policy.

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 Ms Longstone takes up this position, or if it is announced that she 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 Ms Longstone informs us if she proposes to extend or otherwise change the nature of her role as, depending on the circumstances, it may be necessary for her to make a fresh application.

Once this appointment has been publicly announced or taken up, we will publish this letter on the Committee's website and, if appropriate, refer to it in the relevant annual report.

Yours sincerely

Sarah Parkington
Committee Secretariat

