



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: SIR ROBERT DEVEREUX KCB

1. The Committee has been asked to consider an application from Sir Robert Devereux, former Permanent Secretary the Department for Work and Pensions (DWP) in relation to taking up a role with Salesforce.
2. Sir Robert was Permanent Secretary at the Department for Work and Pensions (DWP) between January 2011 and January 2018.

Appointment details

3. Sir Robert seeks the Committee's advice on taking up an appointment with Salesforce as VP of Strategy in the Global Public Sector. This is a part-time, paid role set to involve a work commitment of 2 days per week.
4. Salesforce are an American cloud-based software company. It provides companies with an interface for case management and task management; and a system for automatically routing and escalating important events. Its customer service portal provides customers the ability to track their own cases, and provides analytical tools and other services including email alerts, Google search, and access to customers' entitlement and contracts
5. He informed the Committee that while this was an advertised post, he was first approached by Salesforce and later applied for and was offered the role.
6. Sir Robert advised the Committee the initial approach came from a former member of staff at DWP (who worked in the IT group between 2007 and 2015). Sir Robert said he met his former colleague once or twice like many other colleagues in the

department and was not aware he had joined Salesforce until he made contact years after leaving DWP.

7. Sir Robert informed the Committee his role within Salesforce will largely be a mix of thought leadership and strategy especially in the first year. He will be drawing on his knowledge of the government's general concerns for value for money and more for less, in helping Salesforce think through and demonstrate the strengths of its product and its likely appeal within the public sectors both in the UK and the rest of the world.
8. Sir Robert does not expect his role to involve any contact or dealings with his former department or government more generally. Sir Robert said he has made it clear that he has no intention of using his contacts in this role; and that he has been with clear Salesforce that he has no interest, nor intention, to lobby or work on contacts with the UK Government and is happy to abide by this requirement.
9. Sir Robert informed the Committee during his last two years in service he had no official contact or dealings with Salesforce; nor was he involved in the awarding of contracts. However, as Permanent Secretary he had responsibility for people who had contractual dealings with them. He informed the Committee Salesforce had one contract directly with DWP (in April 2017) providing support for Pensionwise. He said this contract was for the value of £42,350 and overseen by the Director of the Commercial directorate.
10. Sir Robert advised the Committee DWP had an IT budget of £800 million in 2017/18. However, the Director General for Digital, Data and Technology was responsible for this. He confirmed he was not party to any negotiations nor did he award grants or contracts as this was controlled by a joint IT and finance Panel. He also had no regulatory involvement in the sector.
11. Sir Robert informed the Committee he did have dealings with those who might be broadly considered competitors of Salesforce while in office. Namely, meeting occasionally with the UK head of Accenture and the global regional heads of Hewlett Packard, however he noted they are not considered direct competitors. He also spoke at an industry event organised by the Director General at DWP where they sought to promote recruitment within the department. He notes that Salesforce are relatively small in relation to UK Government contracts compared with the large integrators and its suppliers.
12. Sir Robert said he did not have access to commercially sensitive information that could confer an unfair advantage to Salesforce.
13. This application was countersigned by the Permanent Secretary at the Department for Work and Pensions (DWP) and the Cabinet Office on behalf of the Cabinet Secretary, who confirmed the information provided by Sir Robert is correct.
14. DWP confirmed it has had a contractual relationship with Salesforce. Two contracts were awarded (and are currently in place) with Salesforce:

- a. Heroku Platform for Pension Wise, from 1 May 2017 to 30 April 2020 (worth £70,800); and
 - b. Mulesoft Anypoint Platform subscription from 28 January 2019 until 27 January 2021 (worth £4,998,652).
15. In respect of the governance process, DWP explained that commercial spending is scrutinised by category specific Commercial Approval Boards. This is aimed at ensuring the correct process and procurement principles are applied; the need for and route to the commercial agreement is challenged and robust; and to ensure it offers value for money. Referral beyond the Commercial Approval Board is to ministers (at £5m). There is no internal governance directive to refer to the Permanent Secretary specifically; and as far as the records show, the contracts would not have been cleared by the Permanent Secretary.
16. The Department further confirmed that there is no record of Sir Robert having met with representatives of Salesforce between January 2014 and 15 January 2018. The department further confirmed he had no access to commercially sensitive information and had no involvement with his prospective employer. The department has no objections to the appointment and suggested the standard lobbying ban is sufficient.
14. In addition, the Cabinet Office noted that due to Sir Robert's seniority, he would have been aware of the Department's commercial strategy (which could have been considered commercially valuable), and had access to a wide range of sensitive information, including unannounced policy). However, it noted it was clear Sir Robert was not directly involved in contractual negotiations; did not award any grants or contracts personally; and more than 18 months have passed since he left office.
15. The Cabinet noted that although there may be a risk of perceived reward, there is no evidence to substantiate these risks; and in relation to any access to sensitive information and knowledge that may be relevant to Salesforce Sir Robert's time away from duties may mitigate the risk that his current knowledge would be of benefit to Salesforce.

The Committee's consideration

18. The Committee¹ has taken into account there has been some contact between Sir Robert and Salesforce regarding his proposed role via a former DWP member of staff. However, he confirmed this meeting took place after he left office and was not aware the individual had joined Salesforce until he made contact some years after leaving the DWP. The Committee has also taken into account this was an advertised role and both he and the department confirmed he did not meet with Salesforce whilst in office.
19. The Committee has taken into consideration that as Permanent Secretary, Sir Robert had ultimate responsibility for contracts/spend at his former department. However,

¹ This application for advice was considered by Sir Alex Allan; Jonathan Baume; Baroness Angela Browning; Lord Michael German; Terence Jagger; Richard Thomas; Lord Larry Whitty and John Wood. Dr Susan Liautaud was unavailable.

there is a Governance process surrounding this. Ultimately, the Director General for Digital, Data and Technology was responsible for managing contracts and Sir Robert confirmed he was not party to any negotiations, nor did he award grants or contracts as this was controlled by a joint IT and Finance Panel. The Department further confirmed the Permanent Secretary is not part of the internal governance in making these types of contractual decisions; and it has no record of the Permanent Secretary clearing these contacts with Salesforce. The Committee considered the objective evidence showed the risk this role was offered for decision or action taken in office was low.

20. The Committee notes Sir Robert's role within Salesforce is to involve thought leadership and strategy. Although its focus is related to business within the public sector, the role is described as a high level strategy role related to Salesforce working in the public sector globally; and not specifically with his former department or the UK Government. Though the Committee notes it is not Sir Robert's intention to do so, the Committee considered it appropriate to apply a condition that prevents him from advising Salesforce on bids or contracts relating to the UK Government.
21. Given Sir Robert's seniority, it could be perceived there is a risk of unfair advantage in relation to his contacts gained whilst in post. The Committee notes Sir Robert has been clear that he has no intention of lobbying on behalf of Salesforce. However, the Committee would draw his attention to the lobbying ban below, which makes clear that the use of his contacts across Government/Whitehall to the unfair advantage of Salesforce would be inappropriate.
22. DWP said Sir Robert offers Salesforce no particular commercial information that would confer an unfair advantage. The Committee has also taken into consideration that 19 months have passed since he left office and is minded to agree that enough time has passed to significantly reduce any risk associated with his access to 'inside' information at DWP. The Committee considered the conditions below which prevent him from drawing on his privileged access to information and contacts from his time in office, alongside this gap, sufficiently mitigate the risks in this case.
32. The Prime Ministers accepted the Committee's advice that, under the Government's Business Appointment Rules, the appointment with Salesforce should be subject to the following conditions:
 - that he should not draw on (disclose or use for the benefit of himself or the organisations to which this advice refers) any privileged information available to him from his time in Crown service;
 - for two years from his last day in Crown service he should not become personally involved in lobbying the UK Government on behalf of Salesforce or its clients, nor should he make use, directly or indirectly, of his government and/or Crown service contacts to influence policy or secure business on behalf of Salesforce or its clients; and

- for two years from his last day in office he should not undertake any work relating to the terms of, or with regard to the subject matter of, a bid or contract with, or relating directly to the work of the UK Government.
33. 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.
 2. 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.*"
 3. I should be grateful if you would inform us as soon as Sir Robert takes up employment with this organisation, or if it is announced that Sir Robert 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 Sir Robert has complied with the Rules.
 4. Once the appointment has been publicly announced or taken up, we will publish this letter on the Committee's website, and where appropriate, refer to it in the relevant annual report.

Tiffany Amusu
Committee Secretariat

