



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: Helen MacNamara

1. The Committee has been asked to consider an application for Helen MacNamara, former Deputy Cabinet Secretary Cabinet Office (May 2020 - Present). Ms MacNamara was previously Deputy Secretary to the Cabinet (January 2019 - May 2020) and Director General, Propriety and Ethics and PET - June 2018 to January 2019. She is scheduled to leave Crown Service in February 2021.

Appointment Details

2. Ms MacNamara sought the Committee's advice on taking up a paid full time role, with Premier League, as a Director of Policy and Corporate Affairs. The Premier League is the organising body of the Premier League football league in England with responsibility for the competition, its Rule Book and the centralised broadcast and other commercial rights. It is a private company wholly owned by its 20 Member Clubs who make up the League at any one time. It's website notes that it also works with its Member Clubs and the other football authorities to improve the quality of football in England and across the world.
3. Ms MacNamara said as Director of Policy and Corporate Affairs she would be in one of the senior executive jobs reporting to the Chief Executive. She said the role is responsible for communications, regulation and policy including engagement with fans and the Premier League's charities. This will include the development of the Premier League's future strategy and engagement with governments and global regulators - including football. In terms of contact with the UK Government, Ms MacNamara said there are other people in the team who would carry out day to day engagement with DCMS and she noted the Premier League understands the lobbying restrictions which will apply to her role. Ms MacNamara said she is *'...very unlikely to have need for any engagement with the Cabinet Office. [She] will be responsible for the strategy*

that the PL take towards Government in general (in the UK and also in other markets where appropriate). The UK Government regularly wants to work with the Premier League to highlight British exports or to support various causes including grassroots football or wider social policy aims (especially through the charities).'

4. Ms MacNamara stated she did not have official dealings with the Premier League (such as specific policy discussions or decision making) while in post; nor did she have official dealings with or access to commercially sensitive information on their competitors. This includes having no involvement in any discussions about the impact of the Covid-19 pandemic or support to the Premier League as a result. Ms MacNamara said she was not in any committee meeting where this was discussed; nor was she part of any discussion in the Cabinet Office or No 10 on the issue. She also confirmed she has not been in a discussion about sport or media policy for the past 5 years.
5. The Cabinet Office countersigned this application. It confirmed the details provided by Ms MacNamara and confirmed there is no relationship between the Cabinet Office and the Premier League. The Cabinet Office did not believe that Ms MacNamara's appointment could be seen as improper and also drew the committee's attention to Ms MacNamara's personal integrity. The Cabinet Secretary confirmed he had no reservations about the appointment but agreed that there should be standard conditions applied, preventing lobbying and the use of privileged information.

The Committee's Consideration

6. When considering this application, the Committee¹ took into account this appointment has no direct connection with Ms MacNamara's role in Crown service. It also noted that she made no decisions specific to the Premier League during her time in service. Therefore, the Committee considered there is no reason it might be perceived this appointment is a reward for decisions made or actions taken from his time in office.
7. As the former Deputy Cabinet Secretary, the Committee noted Ms MacNamara would have had general access to a wide range of privileged information which may be seen to be of use to any company she chooses to join. However, the Committee also noted the level of information seen by Ms MacNamara was high level and not specific to the Premier League. The Committee also noted the Cabinet Office's statement that it viewed any risk associated with her access to information as being mitigated by the condition in place which prevents the use of privileged information. Further, under the Government's Business Appointment Rules former Permanent Secretaries and their equivalents, such as Ms MacNamara are subject to a 3 month waiting period, to provide a gap between access to sensitive information at the highest levels of government and, and taking up any outside appointment.

¹ This application for advice was considered by Jonathan Baume; Mike Weir; Lord Larry Whitty; The Rt Hon. Lord Pickles; and Richard Thomas. Dr Susan Liautiat was unavailable.

8. The Committee considered that Ms MacNamara's seniority and profile means she will have a significant network of contacts across the Government. Ms MacNamara has stated her role may involve some contact with the Government given it is a stakeholder of the Department for Digital, Culture, Media and Sport (DCMS) and government has an interest in its work. However, Ms MacNamara was clear that the role will not involve lobbying the Government. The Committee would draw Ms MacNamara's attention to the lobbying ban imposed below. In this context the Committee did not consider it would be appropriate for her to initiate contact between the Premier League and the UK Government. To do so would risk offering her new employer an unfair advantage via influence and contacts gained within Government and across Whitehall as a result of her former role in government. The Committee considered any such contact should be limited to where the Government has sought the Premier League's view. The Committee recognised this is in keeping with her description of the role.
9. Further, the Committee would draw Ms MacNamara's attention to the restriction below on providing advice on the terms of a bid or contract relating directly to the work of the UK Government prevents her from providing an unfair advantage to the Premier League in respect of any possible future work with the UK Government.
10. Although this application has been made before Ms MacNamara has left office the Committee is prepared to provide advice now. However, the Committee wishes to make clear its recommendation is made on the basis of the information provided. If Ms MacNamara should become aware of any circumstances that would be relevant to her application and this advice, in the gap between receiving this advice and taking up this role, she should revert to the Committee for further advice.
11. Under the Government's Business Appointment Rules, the Prime Minister accepted the Committee's advice that Ms MacNamara's role with **the Premier League** should be subject to the following conditions:
 - a waiting period of three months from her last day in Crown service;
 - that she should not draw on (disclose or use for the benefit of herself or the organisation to which this advice refers) any privileged information available to her from Crown service.
 - for two years from her last day in Crown service, she should not become personally involved in lobbying the UK Government or its Arms' Length Bodies on behalf of the Premier League (including parent companies, subsidiaries, partners and clients). Nor should she make use, directly or indirectly, of her contacts in the Government and/or Crown service to influence policy, secure business/funding or otherwise unfairly advantage Premier League (including parent companies, its subsidiaries, partners and or clients). However, she is permitted to discuss matters with the UK Government on behalf of the Premier League only where she is invited to do so by the UK Government or its Arms Length Bodies;

- for two years from her last day in Crown service, she should not provide advice to the Premier League on the terms of, or with regard to the subject matter of, a bid with, or contract relating directly to the work of the Government.
12. 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.
 13. 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."*
 14. I should be grateful if you would inform us as soon as Ms MacNamara takes up employment with this organisation, or if it is announced that Ms MacNamara will do so. 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 Ms MacNamara has complied with the Rules.
 15. Please also inform us if Ms MacNamara proposes to extend or otherwise change the nature of his role as, depending on the circumstances, it may be necessary for him to make a fresh application.
 16. 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.
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Your Sincerely,

Catriona Marshall
Committee Secretariat