



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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1. You approached the Committee about taking up an appointment as a Senior Advisor with Psyma Mental Health Technologies Limited (Psyma).

The Committee's role and remit

2. It is the Committee's role to advise on the 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.

3. 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.

4. It is not the Committee's role to pass judgment on whether an appointment is appropriate or suitable in any other regard.

Appointment Details

5. You seek to take up a paid, part time appointment as a Senior Adviser at Psyma. You stated Psyma is an online mental health therapy provider. Their website states it is the *'UK's first mental health mobile app to offer psychological therapy through a live video call. It eliminates time spent on travelling and offers you access to professionally trained psychologists at a time and place that suits you'*. You said as a Senior Advisor you will be providing external advice to the leadership team across a range of activities, including fundraising, business development, HR and governance. You do not expect your role to involve contact with government.

6. You informed the Committee you neither met, nor made any commercial or contractual decisions with or on Psyma while in office. Nor did you have any involvement in policy development or decisions. You said you did not meet with competitors, nor did you have access to sensitive information on these competitors. You further stated while Psyma does not have a relationship with DHSC it does hold a contractual relationship with the NHS.

7. The Department for Health and Social Care (DHSC) were contacted regarding your application. DHSC confirmed the details you gave in your application and also confirmed you were not involved in the development of policy or policy decisions relevant to Psyma and would not have access to information of specific sensitivity that could be seen to benefit Psyma. DHSC did not have any concerns with you taking up this appointment.

The Committee's consideration

8. The Committee¹ you were not involved in any decisions that benefitted Psyma. The Committee also noted DHSC does not have a relationship with Psyma and has no concerns about you taking up this appointment. The Committee therefore considered the risk this appointment could be seen as a reward for decisions taken in office is low.

9. When considering your application, the Committee noted you did not hold responsibility for policy relevant to Psyma. Though, considered as a Minister at DHSC there is an inherent risk you would have general access to sensitive information that could be seen to provide an unfair advantage. However, the Committee put weight behind the Department's comment that you had no access to relevant sensitive information. Further, it noted the amount of time that has now passed since you were in office (almost 24 months). The Committee noted that you are prevented from drawing on your privileged information as with all former Ministers which helps to mitigate this risk.

10. Further, you will have developed contacts which may provide an unfair advantage to a company operating in the health sector. The Committee also noted the contractual relationship between Psyma and the NHS. Therefore, the Committee would like to draw your attention to the below conditions preventing you from lobbying and advising on contracts and bids. These conditions make it clear that you should not use your contacts and influence across government and Whitehall to the unfair advantage of Psyma. However the Committee did note this is in keeping with your role as a senior advisor as described. The Committee would also like to make it clear that these conditions in this case, would extend to the NHS and therefore this has been added below.

11. In accordance with the Government's Business Appointment Rules, the Committee advises this appointment with **Psyma Mental Health Technologies Limited** 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 Ministerial office;
- for two years from your last day in Ministerial office, you should not become personally involved in lobbying the UK Government or the NHS on behalf of Psyma Mental Health Technologies Limited (including parent companies, subsidiaries, partners and clients); nor should you make use, directly or indirectly, of your contacts

¹ This application for advice was considered by Sir Alex Allan; Jonathan Baume; Dr Susan Liataud; Richard Thomas; Mike Weir; The Rt Hon Lord Pickles and John Wood. Lord Larry Whitty was absent.

From the Chair

in the Government and/or Crown service to influence policy, secure business/funding or otherwise unfairly advantage Psyma Mental Health Technologies Limited (including parent companies, subsidiaries, partners and clients); and

- for two years from your last day in office you should not provide advice to Psyma Mental Health Technologies Limited (including parent companies, subsidiaries, partners and clients) on 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 and the NHS.

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 Ministerial Code/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. The Committee also notes that in addition to the conditions imposed on this appointment, there are separate rules in place with regard to your role in the House of Lords.

15. I should be grateful if you would inform us as soon as you take up this appointment, or if it is announced that you 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 you had complied with the Ministerial Code. Similarly, I should be grateful if you would inform us if you propose to extend or otherwise change your role with the organisation as depending on the circumstances, it might be necessary for you to seek fresh advice.

16. Once this 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.

The Rt Hon Lord Pickles

The Lord O'Shaughnessy

From the Chair