



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

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Lin Homer  
Chief Executive  
H M Revenue and Customs

Dear Lin

24 April 2013

**BUSINESS APPOINTMENT APPLICATION: STEPHEN BANYARD**

The Committee has been asked to consider an application from Stephen Banyard, the former Acting Director for personal tax at HMRC, who is seeking permission to carry out a single, short (2-3 days), paid consultancy for CGI Logica (CGIL). Mr Banyard retired from Crown Service on 31 August 2012. He hopes to take up the new post on 22 April 2013.

When considering this application, the Committee took into account that Mr Banyard has not had any direct official or contractual dealings and he was not responsible for people who have had contractual dealings with his prospective employer during his last two years of service. It noted, however, that he had dealings with a possible competitor of his prospective employer, Cap Gemini, during his last two years of service, as the Director General of a business area supported by IT services that they and Accenture provided. The Committee took into account that Mr Banyard was also the SRO for programmes where Cap Gemini delivered the IT and he was the Executive Committee member at the time of the renegotiation of the Cap Gemini part of the ASPIRE contract. It noted that Accenture is not a competitor of his prospective employer but that Cap Gemini might be a prospective competitor for future tenders. The Committee took into account that, in his capacity as business Director, he had little or no involvement in the commercial arrangements with Cap Gemini, which were a matter for HMRC's CIO. He states that when the Cap Gemini contract was renegotiated in 2013, he (along with the rest of the Executive Committee) kept in close contact with the negotiations. Mr Banyard states that his proposed work will not touch on confidential commercial arrangements at all or make use of any confidential knowledge that he has of that

nature. The Committee noted he has not been involved in the development or administration of any policy or decisions (including the award of grants) that could affect his proposed employer.

The Prime Minister has accepted the recommendation that the application be approved subject to the following conditions;

- Mr Banyard should not draw on privileged information available to him as a Crown servant;
- that for the duration of his consultancy, Mr Banyard should not undertake any duties that involve advising on the terms of any bid or contract relating to HMRC or have contact with senior officials in HMRC in relation to any bids or contracts on behalf of his new employer;
- Mr Banyard should only provide general and not specific advice on the relationship with Government; and
- that for duration of his consultancy, he should not become personally involved in lobbying the UK Government on behalf of his new employer or its clients.

The Business Appointment Rules define lobbying in the following way: "Lobbying in this context means that the former civil servant should not engage in communication with Government - including Ministers, special advisers and officials - with a view to influencing a Government decision or policy in relation to their own interests, or the interests of the organisation by which they are employed, or to whom they are contracted".

I should be grateful if **you would ensure that we are told when Mr Banyard takes up this post or, if earlier, when it is announced that he 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, and this could lead to a false assumption being made about whether she had complied with the Rules. In line with our usual practice, we will then publish brief details on our website (<http://acoba.independent.gov.uk>) including a copy of this letter.

Finally, I should be grateful if you would ask that Mr Banyard informs us if he proposes to extend or otherwise change his role with the CGIL because, depending on the circumstances, it may be necessary for him to make a fresh application.

Yours sincerely,



Dean Ponder  
Committee Secretariat