



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

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**BUSINESS APPOINTMENTS APPLICATION: STEPHEN LOTINGA**

The Committee has been asked to consider an application from Stephen Lotinga, the former Director of Communications in the Office of the Deputy Prime Minister. He is seeking to accept an appointment as Director of External Affairs and Strategy at the Parliamentary and Health Service Ombudsman (PHSO).

When considering the application, the Committee took into consideration that the PHSO is an independent complaints handling service set up by Parliament which aims to help individuals and the public, and that the role would involve providing strategy and leadership on all matters relating to public affairs, communications, shareholder relations, and reputation management, and advising on the consultation and legislation for the transition to a new public service ombudsman. Mr Lotinga has had no previous dealings with the PHSO, and no involvement in policy that has or could have affected its work. His former Department has no concerns about the appointment.

In addition, the Committee took into account Mr Lotinga's former Department's suggestion that the standard two-year lobbying ban be amended to allow him to liaise with the Government as part of his role.

The Committee's advice is that it sees no reason why Mr Lotinga should not take up the proposed appointment, subject to the following condition:

- Mr Lotinga should not draw on [disclose, or use, for the benefit of himself or the Parliamentary and Health Service Ombudsman (PHSO)] privileged information available to him from his time in Crown Service; and
- for two years from his last day of service, he should not generally become personally involved in lobbying the UK Government on behalf of the PHSO. However, the Committee considers that, in view of the nature of the PHSO's work, this restriction should not apply, in this case, to communications with Government on matters that are an integral part of the work of the PHSO in handling public service complaints; nor with regard to matters arising from the current consultation and any subsequent legislation leading to the creation of and transition to a new public service ombudsman.

**Members:**

Mark Addison CB, Sir Alex Allan KCB, Baroness Browning (Chair),  
Lord German OBE, Mary Jo Jacobi, Terence Jagger CBE,  
Rt Hon Baroness Liddell of Coatdyke, John Wood

By 'privileged information' we mean official information to which a Crown Servant has had access as a consequence of his or her 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 "should not engage in communication with Government - including Ministers, special advisers and officials - with a view to influencing a Government decision or policy [including applications for awards or grants] in relation to their own interests, or the interests of the organisation by which they are employed, or to whom they are contracted".

As with all Special Advisers, the Committee makes this recommendation on the understanding that, if Mr Lotinga has not already done so, he must confirm in writing to the Department that he recognises that he continues to be bound by the provisions of the criminal law (including the Official Secrets Act) which protect certain categories of information, and by his duty of confidentiality owed to the Crown.

I would be grateful if you would let us know whether you are content to approve the application in line with the Committee's recommendations, and copy us into the final decision. I should also be grateful if you would ensure that we are informed as soon as Mr Lotinga takes up this appointment, or if it is announced that he 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. This could lead to a false assumption about whether Mr Lotinga complied with the Business Appointments Rules.

Deborah De Beukelaer  
Committee Secretariat

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