



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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13 September 2016

BUSINESS APPOINTMENT APPLICATION: DR WILL CAVENDISH

The Committee has been asked to consider an application from Dr Will Cavendish, former DG for Innovation, Growth and Technology in the Department of Health (DH) about taking up an appointment with Google DeepMind.

Dr Cavendish was seconded from DH to the Cabinet Office between February and September 2016 to lead short-term projects. Between June 2014 and February 2016 he was DG for Innovation, Growth and Technology in DH and Executive Committee member. He will resign from the Civil Service after receiving approval for this external appointment.

As DG IGT, DH, Dr Cavendish's duties included overall responsibility for the public funding and strategic direction of technology and digital programmes in the English health care system; overall responsibility for policy on data and data sharing in the English health care system and oversight of the Health and Social Care Information Centre (HSCIC, now renamed NHS Digital), and the Medicines and Healthcare Regulatory Agency (MHRA), responsible for the assessment and licensing of medicines and medical products.

Dr Cavendish proposes to become Director of Strategy at Google DeepMind (GDM), a technology company in the field of artificial intelligence.

When considering this application the Committee took into account that Dr Cavendish has not had any direct contractual dealings with GDM or its parent company, Alphabet (indeed DH is not aware of a current relationship between the Department and GDM. GDM has contracts with both the Royal Free and Moorfields Eye Hospital, but DH is not party to them).

Dr Cavendish has not had any meetings with Google DeepMind or Alphabet. As DG IGT, DH, he met twice with Verily, a separate sub-organisation of Alphabet, to discuss their work on new health technologies such as digital contact lenses and digital diabetes monitoring. As part of those

meetings, he encouraged them to work with local NHS organisations to test these new technologies in the NHS.

Dr Cavendish was involved in contractual dealings with a group of organisations that included Google Life Sciences (now Verily) as part of the NHS Test Beds programme (a programme to trial digital innovations through partnerships between the NHS and a range of organisations). Dr Cavendish sat on the panel that made recommendations to Ministers on the Test Beds applications that it felt were suitable for award. Verily was part of a partnership led by NHS Heywood, Middleton and Rochdale (NHS HM&S) and including Health E-Research and Greater Manchester Academic Health Science Network, which was announced as one of the 7 successful Test Beds in January 2016. The Test Beds competition was run by Innovate UK in accordance with their rules for fair and open competition and the contracts will be formally let by NHS England, not DH.

The Committee was mindful that while at DH Mr Cavendish would have had inside knowledge of policy development in this area. However, it took into account confirmation from DH that he would have no detailed knowledge of current delivery planning activities and likely market opportunities for suppliers: by the time he takes up post he will have been out of the Department for over six months and the department's long term strategic thinking around technology in health (of which the applicant has knowledge) is largely in the public domain.

When considering this application the Committee took into account that DH had no reservations about the appointment given that there will have been a six-month period between Dr Cavendish leaving his role in DH and his start at GDM. The Committee considered that had Dr Cavendish been looking to move directly from DH to GDM, a waiting period of up to six months would have been appropriate.

The Prime Minister accepted the Committee's advice that there was no reason why Dr Cavendish should not take up this appointment, subject to the following conditions:

- For 12 months from his last day of service he should not provide advice to Google DeepMind on the terms of a bid or contract relating directly to the work of the Department of Health;
- He should not draw on any privileged information available to him from his time in Crown service; and
- For two years from his last day in service, he should not become personally involved in lobbying the UK Government on behalf of Google DeepMind, its subsidiaries or Alphabet, its parent company.

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.

The Business Appointment Rules explain that the restriction on lobbying means that the former Crown servant/Minister "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".

I should be grateful if you would ensure that we are informed as soon as Dr Cavendish takes up this position, 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, and this could lead to a false assumption being made about whether he had complied with the rules.

I should also be grateful if you would ask that Dr Cavendish informs us if he 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.

Once the appointment has been publicly announced or taken up, we will publish this letter on the Committee's website and include the main details of the application, together with the Advisory Committee's advice, in the regularly updated consolidated list on our website and in the next annual report.

Yours sincerely

Nicola Richardson
Committee Secretariat