



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: SIR MARTIN DONNELLY, KCB

The Committee has been asked to consider an application for advice from Sir Martin Donnelly, Permanent Secretary at the Department for International Trade (DIT) between July 2016 and March 2017 and Permanent Secretary at the Department of Business, Innovation and Skills (BIS) from 2010 to September 2016.

Appointment details

Sir Martin has been invited to take up a position as Adviser to Llewellyn Consulting, which specialises in macroeconomic analysis and thought leadership. The role will involve 1-2 days per month.

Sir Martin has explained that his duties will involve providing advice on macroeconomic and sectorial analyses, international economic trends, and the impact of globalisation on business sectors. He will also participate in economic seminars organised for clients.

He has noted that he would not expect to deal with Government directly in this role and has made this clear to the Consultancy. On some occasions specific economic seminars may include one or more government representatives who tend to be there in a listening capacity.

Sir Martin has explained that he had no structured contact with Llewellyn Consulting while in post, but did on occasion meet Dr Llewellyn at City and economic events. He has known Dr Llewellyn for many years, as an economist. There were no detailed or government related discussions but an occasional exchange of views on the wider economic outlook, which he explained that he would have with a range of professional contacts.

Sir Martin has noted in his application that he had no official dealings with any competitors of Llewellyn Consulting while in post or access to commercially sensitive information. He additionally noted that Llewellyn Consulting produce general economic analysis for clients but not firm-specific advice.

Sue Gray, DG Propriety and Ethics at the Cabinet Office, has no concerns about this appointment, subject to the usual conditions regarding lobbying and use of privileged information are applied.

Committee's consideration

The Committee¹ has concluded that this application does not appear to give rise to any propriety concerns. There is no objective reason for the appointment to be perceived as a reward for decisions made while in office as Sir Martin had only minimal contact with Llewellyn Consulting over his last two years in service and was not involved in any policy or contractual decisions that may have affected the company.

It would appear that the risk of Sir Martin's appointment affording Llewellyn Consulting an unfair advantage is low. Cabinet Office has confirmed that he would not have had access to commercially sensitive information that could benefit his proposed employer. Further, Sir Martin does not intend to have contact with Government other than by potentially attending some of the same economic seminars as government representatives.

The Prime Minister accepted the Committee's advice that this appointment be subject to the following conditions:

- he should not draw on (disclose or use for the benefit of himself or the organisation to which this advice refers) any privileged information available to him from his time in Crown Service;
- for two years from his last day in Crown service, he should not undertake any work for Llewellyn Consulting or its clients that involves providing advice on the terms of, or with regard to the subject matter of, a bid or contract relating directly to the UK Government, or its trade negotiations; and
- for two years from his last day in Crown service, Sir Martin should not become personally involved in lobbying the UK Government on behalf of Llewellyn Consulting or its clients or make use, directly or indirectly, of his contacts in Government and/or Crown service to influence policy or secure business on their behalf.

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 (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.*"

I should be grateful if you would ensure that we are informed as soon as Sir Martin 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.

¹ This application for advice was considered by Sir Alex Allan; Baroness Angela Browning; Lord Michael German; Terence Jagger and John Wood. Baroness Helen Liddell recused herself from this application in line with ACOBA's published Code of Practice.

I should also be grateful if you would ask that Sir Martin 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

