



## OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

Room G/8, 1 Horse Guards Road, London, SW1A 2HQ

Telephone: 020 7271 0839

Email: [acoba@acoba.gov.uk](mailto:acoba@acoba.gov.uk)

Website: <http://www.gov.uk/acoba>

12 February 2018

### **BUSINESS APPOINTMENT APPLICATION: MALCOLM HARRISON**

The Committee has been asked to consider an application from Malcolm Harrison, CEO and Accounting Officer of Crown Commercial Service (CCS).

Mr Harrison's last day in the Civil Service will be 31 July 2018 when his contract ends.

#### Appointment details

Mr Harrison proposes to become Group CEO of the Chartered Institute of Procurement and Supply (CIPS), the professional body for the procurement profession. CIPS operates under a royal charter, with charitable status, and is the recognised professional body representing the Procurement and Supply profession.

This is a full-time role. He submitted an application after being approached by the Chairman of CIPS to ask if he would be interested in the post. He explained that he then went through a full, fair and open selection process.

Mr Harrison has informed the Committee that his duties would include:

- Representing CIPS and the Profession as an ambassador, ensuring reputational growth and influence at individual, global corporate and government levels across all sectors.
- With the Global Board of Trustees, setting and driving the strategic direction of CIPS.
- Ensuring customer-driven growth and sustainable change in new and existing markets and products.
- Developing the CIPS' customer base ensuring sustainability and delivering value.
- Raising standards of the profession and the profile of CIPS' global brand.
- Establishing and maintaining networks (formal and informal) with major customers, Government departments and agencies, key decision-makers and stakeholders to exchange information and views to ensure that CIPS remains at the forefront of the profession.
- Developing and directing the introduction and implementation of policies and procedures to ensure that CIPS remains compliant across all regulatory requirements.

Mr Harrison has explained that the appointment would involve engaging with commercial functions in Government on professional standards for the procurement profession and supporting commercial functions in Government to support the development of capabilities of commercial employees.

In terms of official dealings with his proposed employer, he said that he had one meeting with CIPS, in August 2016, when he wanted to learn about what CIPS was doing and how they might support the training of CCS employees. There was no further action taken resulting from this meeting. He is a Member and Fellow of CIPS.

Gareth Rhys Williams, the Government Chief Commercial Officer has no concerns about the appointment. He observed that there are no competitors to CIPS – it is the only relevant chartered body in the UK. He also noted that Mr Harrison would not have had meaningful discussions with CIPS as to how Government works with them, as the CIPS relationship is held elsewhere in the Cabinet Office.

The Department has recommended a ban on lobbying Government for two years, modified to allow Mr Harrison to talk to Government on day-to-day business. Sue Gray, Director General, Propriety and Ethics, has been consulted about this application and supports the recommendation.

#### Committee's consideration

Mr Harrison is seeking to take up an appointment with the professional organisation for procurement staff, which is within the same sector, in terms of his profession, as the Crown Commercial Service. It is clear that his role will require him to have a close relationship with Government in order to establish and maintain networks with a view to raising the standards of the profession and the profile of CIPS.

The Committee considered the risk of this appointment being perceived as a reward for decisions made while in office is low, given that Mr Harrison has not been involved in any decisions that may have affected his employer and only met CIPS once in office – to discuss a matter that was not taken further. It is also relevant that he applied for the role through an open recruitment process.

The Department has explained that CIPS is the only relevant chartered body in the UK. In addition, the Department has confirmed that Mr Harrison had no access to policy or other departmental information that could assist CIPS. The Committee concluded that the risk of the appointment conferring an unfair advantage on CIPS is therefore low. Whilst the Committee recognised that Mr Harrison will be building on the network of contacts he has in Government, given the nature of the organisation and providing he does not engage in lobbying on behalf of CIPS, it considered it would not be inappropriate for him to have contact with Government in relation to the core educational purposes of the organisation. The lobbying ban set out below makes this clear.

The Committee also noted that Mr Harrison's career was in procurement roles in the private sector before he joined the Civil Service.

It is unusual for the Committee to consider applications significantly in advance of the proposed start date of an appointment. However, in view of the need for the Department to commence an early search for Mr Harrison's replacement, the Committee is prepared to provide advice now. Its recommendation is made on the understanding that he will have no involvement in awarding any contracts to CIPS (eg, for training) for the remainder of his time at CCS.

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) 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 the Chartered Institute of Procurement and Supply or its members. This is not intended to prevent him having contact with Government on matters which are within the core educational purposes of the organisation (including support for increasing the capabilities of commercial employees in Government) provided that he should not make use directly or indirectly of his contacts in government to influence policy or secure business or funding on behalf of the Chartered Institute of Procurement and Supply or its members.

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 it is announced that Mr Harrison will take up this position (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 Mr Harrison 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

