



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: SIR MARTIN DONNELLY KCB CMG

The Committee has been asked to consider an application from Sir Martin Donnelly, the outgoing Permanent Secretary at the Department for International Trade (DIT). He would like to establish an independent consultancy.

The consultancy, which will be known as 'MD Global Strategy', will focus on Global Strategy, including public sector reform in the third countries; and on assisting fast growing tech and digital firms to build global networks for trade and innovation.

When considering this application, the Committee noted Sir Martin's assurance that he would not be involved in consulting or lobbying UK government on behalf of clients. They also took into account the view of Sir Martin's former department which had no concerns about him setting up an independent consultancy as described.

The Prime Minister accepted the Committee's advice that, in accordance with the Government's Business Appointment Rules, the appointment be subject to the following conditions:

- he should observe a waiting period of three months from his last day in Crown service;
- for 12 months from his last day in Crown service, he should not undertake any work as a consultant that involves providing advice to any company or organisation 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;
- he should not draw on privileged information available to him from his time in Crown service;
- for two years from his last day in service, Sir Martin should not become personally involved in lobbying the UK Government on behalf of any of his clients or those he advises or make use, directly or indirectly, of his contacts in Government and/or Crown service to influence policy or secure business on behalf of any of his clients or those he advises; and
- for two years from his last day of service, before accepting any new commission he should apply to the Committee for confirmation that it is acceptable under the terms of the consultancy before taking it up. In considering the matter further, the Committee may seek the views of relevant departments. (If, after enquiry, the Committee takes the view that a

commission is, or may be, outside the terms of the consultancy he will be expected to submit a fresh application.)

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 work, 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 that have not been taken up or announced. This could lead to a false assumption being made about whether Sir Martin had complied with the Rules.

I should also be grateful if you would ask that Sir Martin informs us if he/ she proposes to extend or otherwise change the nature of his/ her role as, depending on the circumstances, it may be necessary for him to make a fresh application.

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

Yours sincerely

Alexander Newton
Committee Secretariat