



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: DR FELICITY HARVEY CBE

The Committee has been asked to consider an application from Dr Felicity Harvey, former Director General of Public and International Healthcare at the Department of Health (DH), to take up roles with Mediclinic International; as a Non-Executive Director of the Main Board, and as a Member of a sub-committee, the Clinical Performance and Sustainability Board.

Dr Felicity Harvey was Director General of Public and International Healthcare at DH from April 2012 to June 2016. Previous to this, she was Director of the Performance and Reform Unit for January 2011 to March 2012 and the Prime Minister's Delivery Unit from June 2009 to December 2011. Both of these roles were at Her Majesty's Treasury.

Her last day in the Civil service was 30 June 2016.

Appointment details

Dr Harvey stated that her prospective roles will be paid and part-time. She will become a Non-Executive Director of the main Board at Mediclinic and a Member of a sub-committee, the Clinical Performance and Sustainability Board. Her responsibilities across both roles will be to:

- provide appropriate oversight, scrutiny, challenge and leadership to the Committee in the pursuit of its aim to ensure safe, effective and efficient clinical performance;
- support the non-executive directors in scrutinising the performance of the executive management team in meeting agreed goals and objectives, and monitoring the reporting of performance in the field of clinical performance;
- provide clinical leadership regarding quality improvement initiatives; and
- as a Member of the sub-committee, report into the main Board.

Dr Harvey confirmed that she had no previous official contact, or contractual dealings with her prospective employer or its competitors. Further she noted the only contact she had with private hospital healthcare throughout her time in the Civil service was with BUPA and some other UK private providers whilst launching 'A First Class Service' - the NHS strategy in 1998. In addition,

Dr Harvey stated she has no commercially sensitive information about Mediclinic or its competitors, and does not expect to have contact with Government going forward.

This application was countersigned by Mr Chris Wormald, Permanent Secretary at Department for Health, who raised no concerns about these appointments. He stated that Health Care UK (a joint initiative between the Department and the Department for International Trade) met with Mediclinic in 2015, however, there is no further recorded engagement between Mediclinic and Healthcare UK staff. Mr Wormald also confirmed there is no record of any official involvement between Dr Harvey and her prospective employer; that she had no access to sensitive information relating to Mediclinic or its competitors; and that there is no record she had involvement in policy discussion relating to private healthcare providers.

The Committee's consideration

The Committee noted that both the Department and Dr Harvey confirmed she had no official dealings with Mediclinic whilst in office. In addition, although the Department, through Healthcare UK, met with Mediclinic in 2015, there is no relationship beyond this. As the department confirmed that Dr Harvey had no involvement in policy discussion relating to private healthcare providers and she had no official contact with them prior to her being offered this job, the Committee considered there is nothing to suggest the role could reasonably be perceived as a reward for her time in office.

As confirmed by the Department for Health, Dr Harvey stated she has no commercially sensitive information about Mediclinic or its competitors and she does not expect to have contact with Government going forward. As such, the risk that Mediclinic could potentially gain an unfair advantage as a result of Dr Harvey's role is very low. However, the Committee noted that Dr Harvey will be working within the same sector and has spent a number of years in senior roles in Government. Therefore, the conditions below make it clear that any use of contacts gained while in office to advantage Mediclinic would be inappropriate.

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

- she should not draw on (disclose or use for the benefit of herself or the organisation to which this advice refers) any privileged information available to her from her time in Crown service;
- for two years from her last day in Crown service, she should not become personally involved in lobbying the UK Government on behalf of Mediclinic International, its partners or its clients, nor should she make use, directly or indirectly, of her contacts in Government and/or Crown service to influence policy, or secure business or funding on behalf of Mediclinic International, its partners or its clients.

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 Dr Harvey takes up this position, or if it is announced that she 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 Harvey informs us if she proposes to extend or otherwise change the nature of her roles as, depending on the circumstances, it may be necessary for her to make a fresh application.

Once these appointments have 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

Sarah Parkington
Committee Secretariat

