



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: MISS CATHERINE LEE CBE

The Committee has been asked to consider an application from Miss Catherine Lee, former Director General, Law and Access to Justice, at the Ministry of Justice (MOJ), to take up a role with Maudsley Charity as a Trustee.

Appointment details

Maudsley is an independent NHS charity, which funds neurological and mental health research, service improvements and therapeutic programmes. It invests in and promotes improvements that make a difference to the treatment and care of mental health service users; and raises public awareness and understanding.

Miss Lee stated that her role will be unpaid and part-time. She listed her responsibilities as a Trustee, which will include:

- ensuring the Charity operates in close collaboration with the Maudsley Foundation Trust Board, its patients, carers and staff, to identify appropriate opportunities for grant funding;
- agreeing and maintaining organisational purpose, objectives and values for the Charity;
- ensuring it complies with charity law and with the requirements of the Charity Commission as regulator;
- setting strategic direction, defining goals and evaluating performance;
- approving proposed plans and budgets;
- monitoring the Chief Executive's performance and ensure charity staff are effectively managed, developed, appraised and rewarded;
- ensuring all grants are awarded in line with objectives and are appropriate charitable funding in the context of the NHS;
- providing oversight and direction in the management of its investment and property assets;
- providing oversight of its fundraising activities (currently operated through a partnership with King's College London) ensuring compliance with Charity Commission guidance;
- ensuring donations are spent and placed in a restricted or designated fund as appropriate, for the purposes for which they were donated and that the interests of donors are protected; and
- representing its activities, acting in an ambassador role as required.

Miss Lee does not expect to have contact with Government in this appointment. However, Miss Lee stated *"it is possible that the Charity may wish at some future point to make links with the Ministry of Justice in the interests of promoting awareness of and/or improvement in mental health in the justice system. This could involve making contact with officials in the prison and probation service."*

MOJ confirmed it has no relationship with Maudsley; that Miss Lee had no official dealings with it whilst she was in office and has no access to commercially sensitive information, or any relevant policy or departmental information. MOJ raised no concerns about this appointment.

The Committee's consideration

The Committee noted this is an unpaid role with a charity. It also noted the Department confirmed it has no relationship with Maudsley and that Miss Lee had no official dealings with it whilst in office. As such, the Committee considered the role could not reasonably be considered as a reward for her time in office.

The MOJ confirmed Miss Lee had no access to any commercially sensitive information or policy or departmental information which would benefit Maudsley. The Committee also noted it has now been approximately six months since Miss Lee left office and that the MOJ raised no concerns about this appointment, limiting any potential risk of unfair advantage as a result of Miss Lee's time in office.

The Committee recognised Maudsley may have some contact with Government in the future, in order to promote the awareness of mental health in the justice system. The Committee would therefore draw Miss Lee's attention to the conditions below, which state that it would be improper for her to make use of any contacts she may have gained in office, to the advantage of Maudsley.

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; and
- for two years from her last day in Crown service, she should not become personally involved in lobbying the UK Government on behalf of Maudsley Charity or its partners or subsidiaries, nor should she make use, directly or indirectly, of her contacts in Government and/or Crown service to influence policy or secure funding on behalf of Maudsley Charity or its partners or subsidiaries.

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 Miss Lee 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 Miss Lee informs us if she proposes to extend or otherwise change the nature of her role as, depending on the circumstances, it may be necessary for her to make a fresh application.

Once this 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

Sarah Parkington
Committee Secretariat

