



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: SIR (MARK) IVAN ROGERS

The Committee has been asked to consider an application from Sir Ivan Rogers, former Permanent Representative to the EU, who wants to take up an appointment with Market News Ltd (MNI).

Application

Sir Ivan has been invited to become a Board Member of MNI Connect Advisory Board. MNI Connect is a service provided by MNI that brings together financial market participants in Asia, Europe & North America and policymakers from the world's major central banks plus other key macroeconomic policymaking agencies.

Sir Ivan told the Committee his responsibilities would include:

- attracting speakers from macroeconomic policymaking and related areas to MNI Connect Roundtable events;
- participating in monthly meeting of the MNI Connect Advisory Board;
- speaking at occasional MNI Connect Roundtables globally; and
- 2-3 days per quarter attending meetings with MNI clients on Brexit issues, as well as assisting MNI generally with its financial journalism.

This role will not involve contact with Government and Sir Ivan has said that he has no intention of taking any lobbying role. It will be a paid position, likely to involve 12 days' work per year.

The job offer arose from occasional contact with MNI Connect and occasional appearances at events after leaving office. Sir John Gieve, former Deputy Governor of the Bank of England, is on the Advisory Board.

Sir Ivan noted that while in office he met periodically with representatives of the financial sector media industry, including Reuters and Bloomberg, as well as numerous trade

delegations from across UK and EU in his role as UK Permanent Representative. However, he confirmed he had no contact of any sort with MNI Connect when in office.

Departmental view

The DG for EU Exit at FCO has no reservations about this appointment.

She is satisfied that Sir Ivan had no contact with this organisation in office and has confirmed that there is no relationship between the Department and MNI.

She noted that Sir Ivan had influence on the Government's policy towards the EU but no influence over decisions by Government that would have directly affected the company. She does not think the appointment could be reasonably perceived as any kind of reward. She advised there is no reason to think that particularly commercially sensitive information about MNI's competitors would have been available to Sir Ivan; and noted he would know about the financial investment media sector as a whole. She added that policy on EU Exit has evolved since Sir Ivan's departure from Government. There is no reason to judge that the information he has would constitute an unfair advantage for a financial media group.

The Committee's consideration

The Committee has found that this appointment cannot reasonably be seen as a reward for decisions made while in office. Sir Ivan had no contact with the organisation in post and had no influence over the Government's approach to decisions that directly affected it.

The Committee has also considered the risk that this role could provide Sir Ivan's employer with an unfair advantage. It noted Sir Ivan's role would not involve lobbying Government and he would not have any involvement in procurement processes.

The Committee concluded that there was little risk the appointment with MNI would confer an unfair advantage on the company. With regard to information he was privy to whilst in office, the Department confirmed that policy on the UK's exit from the EU has evolved since Sir Ivan's departure; and said that there is no reason to think that he would hold commercially sensitive information about MNI's competitors. The Committee also noted that nearly a year has passed since he left office, mitigating any residual risks. Whilst the Committee noted the role would not involve contact with Government, the conditions imposed make clear that any use of his contacts in Whitehall/Government to the benefit of MNI would be inappropriate.

The Committee's advice to the Foreign Secretary is that, under the Government's Business Appointment Rules, Sir Ivan's appointment with Market News Ltd should be subject to the following conditions:

- he should not draw on (disclose or use for the benefit of himself or the organisations to which this advice refers) any 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 Market News Ltd or its subsidiaries. Neither should he make use, directly or indirectly, of his contacts in Government to influence policy or secure business on behalf of Market News Ltd or its 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, in addition to sending us a copy of your letter to Sir Ivan informing him of the outcome of his application, you could also ensure that we are told when he takes up this post or, when it is announced that he will do so, if earlier. We are otherwise unable to deal with any enquiries, as we do not release information about appointments that have not been announced or taken up and this could lead to the false assumption that he did not comply with the rules. In line with our usual practice, we will then publish brief details on our website including, with your agreement, a copy of your letter, 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.

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

Yours sincerely

Nicola Richardson
Committee Secretariat

