



## **OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS**

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### **BUSINESS APPOINTMENT APPLICATION: Dame Sue Owen DCB DCB**

1. The Committee has been asked to consider an application for Dame Sue Owen DCB, former Permanent Secretary for the Department for Culture, Media and Sport (DCMS) between 01 October 2013 - 24 April 2019. Her last day in service was 24 April 2019.

#### Appointment Details

2. Dame Sue Owen DCB sought the Committee's advice on taking up a paid, part-time role, 14 days per year with Pantheon International plc as an Independent Non Executive Director.
3. Pantheon International plc (Pantheon) is an investment business, specialising in investment trusts and private equity funds. According to their website, they operate globally in a number of international markets.
4. As Non Executive Director, Dame Sue Owen DCB stated her role will be to:
  - Contribute as a director towards the Board's responsibility in ensuring that the Company's portfolio is properly invested and managed in accordance with the investment objective;
  - Maintain and enhance the range of the Board's skills, expertise, experience and knowledge;
  - Maintain the reputation and profile of the Company as a recognised leader in the investment trust industry and bring expertise to enable ongoing growth;

- contribute to strategy formulation, discussions on investment policy, the monitoring and assessment of investment performance, balance sheet management, the assessment of risk and control analysis and to the maintenance and development of best corporate governance by the Company generally.

5. Dame Sue Owen DCB stated:

- The role is not likely to include contact with DCMS or Government;
- She had no contact with the employer during her last two years in office;
- She was not responsible for contractual dealings or responsible for anyone who had contractual dealings with the employer;
- She had no official dealings with the company's competitors.

6. Dame Sue Owen DCB knows the Chairman of the Board, in his capacity as Chair of Historic England, an Arms' Length Body of DCMS. However, she noted she had no involvement in his appointment. Further, she applied for the role online, and the Chairman was only involved in the second stage of the interview process for the role.

7. DCMS were consulted on this application and Helen MacNamara, Director General for Propriety and Ethics at the Cabinet Office countersigned this application on behalf of the Cabinet Secretary. This included:

- DCMS has no contractual relationship with Pantheon;
- Dame Sue Owen DCB was not involved in his appointment or the recruitment which led to his appointment, though was sighted on it;
- Dame Sue Owen DCB had no official dealings with competitors of the company;
- As Permanent Secretary of DCMS, Dame Sue Owen DCB's policy area did not cover the finance industry;
- Dame Sue Owen DCB previously worked in HM Treasury however left in 2006.

8. The Department also stated that the company may have an interest in contacts Dame Sue Owen DCB has gained in post. Therefore, whilst Dame Sue Owen DCB is aware of the lobbying ban and the ban on the use of privileged information, that will be applied, these conditions may want to be highlighted subject to her taking up the post.

### The Committee's Consideration

9. The Committee<sup>1</sup> noted that Dame Sue Owen DCB knew the Chair of the Board due to his role as Chair of DCMS's Arms' Length Body, Historic England. However, the Committee noted that she did not have any involvement in his appointment, as confirmed by the department; and Dame Sue Owen DCB Owen applied for this role through an open competition, of which the Chair was involved in the second stage of interview only. The Committee further noted the company does not have a contractual relationship with DCMS and that Dame Sue Owen DCB made no decisions, nor was responsible for those who made any decisions, regarding contracts or grants with the company. This role is unrelated to her time in office and, as such, the Committee considered there was little risk this appointment could be seen as reward for actions taken or decision made in office.
10. Due to Dame Sue Owen DCB's seniority as Permanent Secretary, she would have had access to privileged information which may be seen to be of general use to the company. For example, access to information related to Culture, Media or Sports might be perceived to offer insight into that market. However, neither department has any concerns in this area and confirmed she had no access to commercially sensitive information and it has been just over three months since Dame Sue Owen DCB left office, so any risk here is low and adequately mitigated by the ban on use of privileged information. Further, the Committee would draw her attention to the lobbying ban which makes it clear that she should not make use of Government or Crown Service contacts gained during office, mitigating the risk of her using such contacts to the unfair advantage of Pantheon International plc.
11. Under the Government's Business Appointment Rules, the Prime Minister accepted the the Committee's advice that this appointment with Pantheon International plc should be subject to the following conditions:
  - Dame Sue Owen DCB should not draw on (disclose or use for the benefit of herself or the organisations to which this advice refers) any privileged information available to him from his time in Crown service;
  - for two years from his last day of service she should not become personally involved in lobbying the UK Government on behalf of Pantheon International plc, subsidiaries partners or clients nor should she make use, directly or indirectly, of Government and/or Crown Service contacts gained during office.
12. 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

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<sup>1</sup> This application for advice was considered by Sir Alex Allan; Jonathan Baume; Baroness Browning; Lord Michael German; Lord Larry Whitty; John Wood; Terence Jagger; and Richard Thomas. Dr Susan Liataud was unavailable

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.

13. 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."**
14. I should be grateful if you would inform us as soon as Dame Sue Owen DCB takes up employment with this organisation, or if it is announced that Dame Sue Owen DCB will do so, either by returning the enclosed form or by emailing the office at the above address. 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 Dame Sue Owen DCB has complied with the Rules.
15. Please also inform us if the Dame Sue Owen DCB 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.
16. Once the appointment has been publicly announced or taken up, we will publish this letter on the Committee's website, and where appropriate, refer to it in the relevant annual report.

Andrea Benjamin  
Committee Secretariat