



## OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

Room G/8, 1 Horse Guards Road, London, SW1A 2HQ

Telephone: 020 7271 0839

Email: [acoba@acoba.gov.uk](mailto:acoba@acoba.gov.uk)

Website: <http://www.gov.uk/acoba>

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

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.

#### Application Details

Dame Sue sought advice on taking up a paid, part-time role as a Specialist Advisor involving two days of work per week, with Flint Global. Flint Global is an advisory company which according to their website, focuses on business, politics, government and policy.

Dame Sue stated her role will be to advise client teams on policy issues and work with the senior leadership of Flint to build the company's positioning. She also stated the role will likely involve contact and dealings with Government, however without a view to lobbying.

With regard to her time in office, Dame Sue confirmed she was neither responsible for, nor personally involved in, any decisions relating to the company. Also, she did not have any official contact with Flint while in office. Dame Sue confirmed that she did not have access to commercially sensitive information on competitors.

DCMS and the Cabinet Office countersigned this application. DCMS noted that Dame Sue left office in April 2019, and as a result considered it relevant that any knowledge gained during post would be out of date.

The Director General Secretariat and Deputy Secretary to the Cabinet countersigned this application on behalf of the Cabinet Secretary and:

- Noted that Dame Sue expects to engage with government without a view of lobbying. The Cabinet Office raised no issue with this.

- Stated that as a specialist for Flint, Dame Sue will need to maintain confidentiality and not use privileged information acquired as DCMS perm sec to benefit Flint, particularly with regards to UK Government related work.
- Suggested that Dame Sue recuse herself from work related to DCMS sectors (Tech, Comms etc) given her recent role, though acknowledged the applicant's departure in April 2019 provides distance from DCMS business.

### The Committee's Consideration

The Committee<sup>1</sup> noted that Dame Sue had no official contact with Flint; made no policy or commercial decisions on the company and was not responsible for anyone who did. As such, the Committee considered the risk of reward for actions taken or decisions made in office here is low.

The Committee noted that as former Permanent Secretary, Dame Sue would have had access to sensitive information on a broad range of issues which would be relevant to any company working within this and other sectors. The Committee also noted that this would include information on DCMS related policy and agreed with the Cabinet Office's view that Dame Sue should recuse herself from working on such. The Committee considered the ban on using privileged information, in addition to a condition preventing her from working on such policy, mitigates the risks here.

The Committee noted Dame Sue stated her role may involve contact and dealings with Government, however she was explicit this will not include lobbying Government. The Committee noted that, due to her seniority as former Permanent Secretary, should Dame Sue contact Government to, for instance, gain information on the latest policy, or seek to establish a relationship should the company, or those it advises wish to enter into a commercial relationship with the Government, this would provide an unfair advantage to Flint. As such, the Committee would draw her attention to the extended lobbying ban below which makes it clear she must not use her contacts to the unfair advantage of her new employer or its clients; and to the ban on advising on bids and contracts related to the work of the Government, which mitigate these risks.

The Prime Minister accepted the Committee's advice that, under the Government's Business Appointment Rules, this appointment with Flint Global 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 her from her time in Crown service;
- for two years from her last day of service she should not become personally involved in lobbying the UK Government (or any of its Arms Length Bodies) on behalf of Flint Global, its subsidiaries, partners or clients, nor should she make use, directly or indirectly, of Government (or any of its Arms Length Bodies), and/or Crown Service

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

- contacts gained during office to influence government (or any of its Arms Length Bodies) policy, or secure business or funding on their behalf;
- for two years from her last day in Crown service, she should not advise, or undertake any work for any company or organisation, with regard to any policy, regulation or other measure falling within the scope of DCMS's responsibilities which was considered, formulated or introduced during her time in office as Permanent Secretary at DCMS; and
  - for two years from her last day in Crown service, she should not undertake any work as a consultant that involves providing advice to any company organisation on the terms of, or with regard to the subject matter of, a bid with or contract relating directly to the work of, the UK Government (or any of its Arms Length Bodies).

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 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."

Once the appointment has been publicly announced or taken up, we will publish this letter on the Committee's website and in the relevant annual report.

Yours sincerely

Andrea Benjamin  
Committee Secretariat