



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: Mayank Prakash

1. The Committee has been asked to consider an application from Mayank Prakash, Director General, Digital, at the Department for Work and Pensions (DWP). He has taken up an appointment with Uber London Limited & Uber Britannia Limited (Uber UK).
2. Mr Prakash sought advice on taking up an appointment as a Non-Executive Director on the board of Uber UK. He submitted his application to DWP on 11 May 2020 and the Committee received the application from the Department on 20 May 2020. This was after the appointment had been formalised by Uber UK at their April Board meeting and after it was added to his LinkedIn profile.
3. The Government's Business Appointment Rules (the Rules) apply by virtue of the Civil Service Management Code. The Rules state that for someone of Mr Prakash's standing, 'An application is required for any new appointment or employment that individuals wish to take up during the **two** year period after leaving office' and that no new appointment or offer of employment should be accepted or announced before receiving advice.
4. Mr Prakash explained to the Committee that in March he had misinterpreted guidance on this subject. He said he considered a paid appointment as a Non-Executive Director did not fall into employment or client engagements so did not seek to make an application in advance of Uber UK's formal appointment of him at its Board meeting in April. In May, he subsequently revisited the guidance and considered it appropriate to simultaneously check and submit an application to DWP for advice at that stage.

5. The Committee noted Mr Prakash's explanation that, around this time he was distracted by serious matters in his personal life, which may have caused a delay in him seeking the clarification from DWP. He has apologised to the Committee for this mistake. However, it remains the case that it was in breach of his requirement to seek and await the Committee's advice before taking up or announcing an appointment.
6. To fulfil the remit given to it by the Government, the Committee needs to be able to consider an application fully and freely before offering its advice. It is impossible to do this in a way that will command public confidence if an appointment has already been announced and/or taken up. The Committee noted DWP have nonetheless confirmed he had no dealings with Uber UK; and that DWP itself has no relationship with Uber UK. The Committee also noted that any crossover between Uber UK and the Government and its Arms' Length Bodies (including matters related to Uber UK's licence to operate in London) fall outside of DWP and your previous role.
7. It therefore recognised this application raises no direct conflict with his time at the DWP. Nevertheless, finds it unacceptable that Mr Prakash made his application retrospectively, nor did it find it credible that there is any ambiguity as to whether a Non-Executive Director appointment requires advice in the stated circumstances. Consequently, there is a clear breach of Civil Service Management Code and the Government's Business Appointment Rules.

Yours sincerely,

Catrina Marshall
Committee Secretariat