



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: SIR JOHN MANZONI

1. The Committee has been asked to consider an application for Sir John Manzoni, former Chief Executive of Civil Service (October 2014 - March 2020) and former Permanent Secretary for the Cabinet Office (August 2015 - March 2020). His last day in Crown Service was 12 April 2020.

Appointment Details

2. Sir John sought the Committee's advice on taking up a paid, part-time role with SSE plc (SSE), as a Non-Executive Director (from September 2020) and then as the Chair of the company Board (April 2021, following the departure of the current Chair in March 2020). SSE is an energy company in Scotland. It is listed on the London stock exchange and is a FTSE 100 company. SSE operates in the United Kingdom and Ireland.
3. Sir John said that he would carry out the standard responsibilities of a non-executive director for September 2020 until March 2021 (providing independent oversight and serving on committees for example). When he takes up post as Chair in April 2021, he said he would be responsible for the usual requirements of running the board of a Plc: oversight of strategy; performance; stakeholder relations; the appointment of board members and the Chief Executive, (via committee). In terms of his possible contact with the Government, he noted the existing stakeholder relationship SSE has with the Department of Business, Energy and Industrial Strategy (BEIS) and with OFGEM as the regulator. He said the Board of SSE, may be approached by the Government for views and any possible interaction he would have would be in line with these every day interactions - what he described as normal relations between Chair and the Government. He confirmed he would not lobby the government and saw no specific reason to interact with his former department, the Cabinet Office.

4. Sir John stated he did not have any official dealings with SSE while in post; nor did he have official dealings with or access to commercially sensitive information on its competitors. He further said he was not involved in awarding contracts or funding to SSE.
5. Sir John also noted he was at BP for 30 years before joining Crown service, so was broadly involved in the energy sector. He noted his work did not relate to electricity transmission (as BP worked with solar energy) and was not involved in specific parts of the energy supply chain SSE operates in.
6. The Cabinet Office countersigned this application. It confirmed the details provided by Sir John and said it did not consider the appointment could be perceived as a reward. It further said, while it has no relationship with SSE, as a British FTSE100 company, it is a key stakeholder for BEIS and would be subject to the UK Government's policies and regulated by OFGEM.
7. The Cabinet Office further said due to Sir John's high profile and his seniority whilst in office, he will have had access to a wide range of information. It also confirmed Sir John's statement that he does not have access to any commercially sensitive information that would be relevant to SSE.
8. The Cabinet Office confirmed it has no reservations about Sir John taking up this appointment subject to the standard conditions.

The Committee's Consideration

9. When considering this application, the Committee¹ took into account this appointment has no direct connection with Sir John's role in Crown service. It also noted that he had no dealings with SSE during his time in service. It is also relevant that Sir John is returning to an area of business where he worked before joining Crown service. Therefore, the Committee considered there is no reason it might be perceived this appointment is a reward for decisions made or actions taken from his time in office.
10. As the former Chief Executive of Civil Service, the Committee noted he would have had access to privileged information which may be seen to be of general use to any company he chooses to join. Specifically the Committee noted that his access to EU exit policy/negotiations may be seen to offer an advantage to any commercial business. However, the Committee also noted the level of information seen by Sir John would likely have been high level and was not specific to a particular company. The Committee also noted the Cabinet Office's statement that it viewed any risk associated with his access to information as being mitigated by the condition in place which prevents the use of privileged information.
11. The Committee also noted that Sir John will have been out of Crown service for 5 months before starting his role as Non-Executive Director. The Committee

¹ This application for advice was considered by Sir Alex Allan; Jonathan Baume; Mike Weir; Lord Larry Whitty; John Wood; The Rt Hon. Lord Eric Pickles; Dr Susan Liataud and Richard Thomas.

would draw his attention to the ban on using privileged information imposed below. The Committee considered that in this context he should specifically avoid giving his new employer privileged insight into the possible negotiating strategy of the UK Government in relation to the UK's exit from EU, deriving from his time in service.

12. The Committee considered that Sir John's seniority and profile means he will have a significant network of contacts across the Government and Whitehall. Sir John has stated he is likely to have contact with the Government in his roles at SSE given it is a significant stakeholder of BEIS and is regulated by OFGEM. Sir John has noted any contact would be aligned to the routine nature of contact that already exists and where the Government asks for a view from SSE. There is no direct conflict with his time at the Cabinet Office and the Committee noted his previous experience in energy. The Committee considered any such contact should be limited to reporting on the activities of SSE, or where the Government (including OFGEM) has sought SSE's views, and noted there is a framework already in place for such contact. However, the Committee would emphasise he should not personally seek to influence government policy or OFGEM's decisions as the regulator. The Committee recognised this is in keeping with his description of the role as Chair and his confirmation he will not lobby the Government.
13. The Prime Minister, under the Government's Business Appointment Rules, has accepted the Committee's advice that Sir John Manzoni's role with **SSE plc** should be subject to the following conditions:
 - that he should not draw on (disclose or use for the benefit of yourself or the organisation to which this advice refers) any privileged information available to him from Crown service. In the context of this general provision, the Committee considers he should specifically avoid giving SSE plc, or its subsidiaries, partners or clients, privileged insight into the Brexit related issues, insofar as it as it pertains to the negotiating position of the UK Government and other parties to the negotiations prior to the date upon which he left Crown service, whether generally or regarding fiscal matters;
 - for two years from his last day in Crown service, as a Non-executive Director (sept 2020 to April 2021) and as Chair of the board of SSE plc (as of April 2021) he is permitted to report to Government and its Arm's Length Bodies on the activities of SSE plc. However, discussion with the UK Government and its Arm's Length Bodies more widely should only be at their request; as he is prevented from becoming personally involved in lobbying the UK Government on behalf of SSE plc (including parent companies, subsidiaries, partners and clients); nor should he make use, directly or indirectly, of his contacts in the Government and/or Crown service to influence policy, secure business/funding or otherwise unfairly advantage SSE Plc (including parent companies, its subsidiaries, partners and or clients);
 - for two years from his last day in Crown service, he should not provide advice to SSE plc 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.

14. 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.
15. 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.*"
16. I should be grateful if you would inform us as soon as Sir John takes up employment with this organisation, or if it is announced that Sir John will do so. 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 Sir John has complied with the Rules.
17. Please also inform us if Sir John proposes to extend or otherwise change the nature of his role as, depending on the circumstances, it may be necessary for him to make a fresh application.
18. 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.

Sam Lynch
Committee Secretariat