



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 Diageo plc (Diageo), as a Non-Executive Director. Diageo, a UK based company states it was created in 1997 and is a global leader in beverage alcohol with more than 200 brands across spirits and beer.
3. Sir John said his role as Non-Executive Director will involve '*standard non exec responsibility for the main board*'. He states this appointment could involve contact with government but only as part of relationship maintenance. Sir John was clear that he will not be expected to lobby the UK Government or represent Diageo in this way.
4. Sir John stated he did not have any official dealings with Diageo while in post; nor did he have official dealings with or access to commercially sensitive information on their competitors. He further said he was not involved in awarding contracts or funding to Diageo.
5. Sir John noted in his application that prior to joining the Civil Service he was a Non-Executive Main Board Director for SABMiller (a multinational brewing and beverage company) for 10 years from 2004 to 2014.
6. 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 Diageo, as a British FTSE100 company, it is likely to be a key stakeholder for DEFRA. Further, the company has publicly stated that it was providing "*considerable background input for Whitehall's negotiators*" in

preparation for post EU Exit trade deals. The Cabinet Office notes that Diageo may be subject to the UK Government's policies set/regulated by the Food Standards Agency.

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. This would include access to sensitive information regarding EU exit policy/negotiations that would affect any business impacted by EU exit. However, it confirmed this information is not specific to Diageo, or the food and drink sector as a whole. The Cabinet Office confirmed and it is unaware of any commercially sensitive information he may hold that would be relevant to Diageo.
8. The Deputy Secretary to the Cabinet confirmed the Cabinet Office has no reservations about Sir John taking up this appointment subject to the standard conditions and the integrity upheld by the applicant.

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 Diageo during his time in 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 the Cabinet Office's comments regarding his access to EU exit policy/negotiations. The Committee recognised any company operating in the UK and internationally may be considered to be gaining from his insight unavailable to its competitors (such as insight into possible approaches to future trade agreements). 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; and put weight behind the Cabinet Office's statement that it does not believe he has any sensitive information that would be relevant to Diageo.
11. Under the Government's Business Appointment Rules, all former Permanent Secretaries, such as Sir John are subject to a 3 month waiting period to provide a gap between access to sensitive information at the highest levels of government and, and taking up any outside appointment. Further, the Committee 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. Additionally, the Committee noted due to Sir John's profile and seniority there is a risk it could be perceived his network and influence might assist Diageo unfairly. The Committee notes Diageo already has a stakeholder relationship with the UK Government. The Committee would draw Sir John's attention to the lobbying ban imposed below. In this context the Committee did not consider it would be appropriate for him to initiate or maintain Diageo's relationship with the UK Government. To do so would risk offering his new employer an unfair advantage via influence and contacts gained within Government and across Whitehall as a result of his former role in

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.

government. This is particularly relevant should Diageo seek to influence Government in respect of regulations in the food and drinks industry. Further, the restriction below on providing advice on the terms of a bid or contract relating directly to the work of the UK Government prevents him from providing an unfair advantage to Diageo in respect of future work with the UK 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 **Diageo plc** should be subject to the following conditions:

- a waiting period of three months from his last day in Crown service;
- 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 Diageo plc, or its subsidiaries, partners or clients, privileged insight into issues related to Brexit and UK's future trading relationship with the EU, 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;
- for two years from his last day in Crown service, he should not become personally involved in lobbying the UK Government on behalf of Diageo plc (including parent companies, subsidiaries, partners and clients); nor should he make use, directly or indirectly, of his contacts in the Government and/or Ministerial contacts to influence policy, secure business/funding or otherwise unfairly advantage Diageo plc (including parent companies, subsidiaries, partners and clients). This would include contact as part of relationship maintenance; and
- for two years from his last day in Crown service, he should not provide advice to Diageo 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 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, 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 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.

Isabella Wynn
Committee Secretariat