



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

G/7 Ground Floor, 1 Horse Guards Road SW1A 2HQ

Telephone: 020 7271 0839

Email: acoba@acoba.gov.uk

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

May 2021

BUSINESS APPOINTMENT APPLICATION: Sir Richard Heaton KCB, Robinson College Cambridge

1. The Committee has been asked to consider an application for Sir Richard Heaton, former Permanent Secretary to the Ministry of Justice. His last day in service was 31 August 2020.

Application details

2. Sir Richard sought advice on taking a role with a paid, full-time role with Robinson College, Cambridge (RCC) as its Warden. He stated that his role will be acting as the effective Chair and Chief Executive Officer of the college.

3. Sir Richard stated that as Permanent Secretary at the Ministry of Justice (MoJ), he had no contact with RCC. He confirmed that he had no direct involvement in any commercial dealings regarding the college. He also confirmed he did not have access to policy information or commercially sensitive information on competitors of the organisation while in post.

4. The MoJ provided its views on this application. It confirmed Sir Richard's details and stated he did not have access to sensitive information, meet the college whilst in office or make decisions that would have affected RCC whilst in office.

The Committee's Consideration

5. The Committee noted that Sir Richard did not meet with RCC and the department confirmed he did not make any decisions specific to RCC and there is limited overlap between this role and his time in office. The Committee considered the risk he could be seen to have been offered this role as a reward for decisions made, or actions taken in office, was low.

6. The Committee noted, there are inherent risks that Sir Richard will have general access to policy and information that could be perceived to benefit any organisation. There is not however any direct crossover in this role and the Committee would draw Sir Richard's attention to the restriction on using privileged information, subject to all former Crown servants on leaving post.

7. Additionally, there is an inherent risk Sir Richard may offer an unfair advantage to the organisation in relation to access to the contacts he gained while in service. The lobbying restriction imposed below makes clear that it would be inappropriate for him to use his contacts to the unfair advantage of the organisation. Further, he is prevented from providing advice on bids and contracts with the UK Government. However, the Committee noted this was in keeping with his role as described.

8. The Prime Minister has accepted the Committee's advice, under the Government's Business Appointment Rules, that this appointment with **Robinson College Cambridge** should be subject to the following conditions:

- he should not draw on (disclose or use for the benefit of himself or the persons or 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 in Crown service, he should not become personally involved in lobbying the UK Government or its Arms' Length Bodies on behalf of Robinson College Cambridge and all its constituent parts (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 of Robinson College Cambridge and all its constituent parts (including parent companies, subsidiaries, partners and clients); and
- for two years from his last day in Crown service he should not undertake any work with Robinson College Cambridge and all its constituent parts (including parent companies, subsidiaries, partners and clients) that involves providing advice 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 its Arms' Length Bodies.

9. 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.

10. 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.*"

11. I should be grateful if you would inform us as soon as Sir Richard takes up this appointment, or if it is announced that he 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 he has complied with the Rules.

12. Please also inform us if Sir Richard proposes to extend or otherwise change the nature of appointment as, depending on the circumstances, it may be necessary for her to make a fresh application.

13. 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.

Yours Sincerely,

Sam Lynch
Committee Secretariat