



**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](mailto:acoba@acoba.gov.uk)

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

March 2021

**BUSINESS APPOINTMENT APPLICATION: Clare Moriarty, Citizens Advice**

1. The Committee has been asked to consider an application from Ms Clare Moriarty, former Permanent Secretary at the Department for Exiting the EU (DExEU), who seeks to take up a role with Citizens Advice.

2. Ms Moriarty's last day in Crown service was 31 March 2020. As Permanent Secretary, she had responsibility for leading the department in all its work on the Government's preparations for Brexit (DExEU is responsible for the negotiations to leave the EU and establishing the future relationship between the UK and EU). Ms Moriarty was previously Permanent Secretary at the Department for Environment Food & Rural Affairs from August 2015 to March 2019.

Appointment Details

3. Ms Moriarty sought the Committee's advice on taking up a paid and full-time role with Citizens Advice as Chief Executive.

4. Ms Moriarty said Citizens Advice is a network of charities offering confidential advice and providing advocacy. Citizens Advice is a network of 316 independent charities throughout the United Kingdom that give free, confidential information and advice to assist people with money, legal, consumer and other problems.

5. Ms Moriarty told the Committee she had applied for this advertised role. She said the Chief Executive role carries the usual range of responsibilities for providing leadership, vision and direction to Citizens Advice as it delivers the next stage of its strategy and responds to the needs of its clients. She said the Chief Executive manages the executive team for the national organisation and ensures delivery of an efficient, financially-sustainable and high-performing service to the local network of charities and to clients. She said she will work with the senior leadership to develop operational plans and budgets, and ensure the organisation discharges its governance, constitutional and legal responsibilities effectively. Ms Moriarty said Citizens Advice is not a campaigning organisation but, '*...a leading charity driving long term social policy development, aims to be a strong voice on the issues that matter to*

*its clients*'. She said the Chief Executive's role in this includes building influential relationships; creating partnerships to foster and contribute to cutting-edge thinking; acting as the senior spokesperson for Citizens Advice; and ensuring that the brand and profile of Citizens Advice is developed and promoted to foster support for the organisation with all stakeholders.

6. Ms Moriarty also informed the Committee her role would include contact with the Government, but not with departments that she has served in, over the last 10 years. She said Citizens Advice has a longstanding relationship with the Government and receives a core grant from the Department for Business, Energy and Industrial Strategy (BEIS). She added that the organisation received funding from seven departments in 2019/20, including principal contracts with BEIS, the Department for Work and Pensions (DWP), the Ministry of Justice (MoJ) and the Welsh Government for service delivery. She also noted the charity advocates on social policy issues, bringing insights from the experience of those who come to Citizens Advice for help. As Chief Executive she will be responsible for shaping strategy and positioning Citizens Advice to fulfil its purpose. She expects this to involve developing relationships with key partners in the Government and being part of wider discussions about social justice. She also said she is '*...mindful, however, of the requirement not to use confidential information for the benefit of the charity or to lobby on its behalf within two years of leaving the civil service, and will ensure that she adhere to this in her dealings with Government*'.

7. Ms Moriarty informed the Committee she had no contact with Citizens Advice during her time in service and had no involvement in policy decisions or development. She also highlighted she has not worked for the departments that hold a relationship with Citizens Advice, and as such has had no involvement in awarding contracts or funding.

8. The Cabinet Office confirmed the details provided above. It further said Ms Moriarty has not had access to policy or other departmental information which could give the prospective employer an unfair advantage. Though it noted as a Permanent Secretary (up until March 2020) she would have had access to a wide range of information; it considered the currency of this information is limited given the time that has lapsed. It stated that given she had no involvement in social policy in her last 5 years of in office and she is prevented from lobbying and using privileged information, it has no concerns about her taking up this appointment.

### The Committee's consideration

9. The Committee<sup>1</sup> took into account that Ms Moriarty did not meet with Citizens Advice while in office and did not make any policy or funding decision in relation to Citizens Advice specifically. The Committee considered the risk this appointment, which was offered following an open recruitment exercise, was offered as a reward for actions or decisions taken in office is low.

---

<sup>1</sup> This application for advice was considered by ty and Andrew Cumptsy; Jonathan Baume; Isabel Doverly; Sarah de Gay; Dr Susan Liautaud; The Rt Hon Lord Pickles; Richard Thomas; Mike Weir; and Lord Larry Whitty.

10. The Committee also noted as a former Permanent Secretary she may have general access to policy and information that could be perceived to benefit any future employer. However, her former department has confirmed she has not had access or involvement in relevant policy and any information she did have access to is not sufficiently up to date, given the amount of time that has passed. Therefore, the Committee considered the risk she could offer an unfair advantage to Citizens Advice through her access to sensitive information is low. However, the Committee would also draw her attention to the ban on using privileged information.

11. The Committee considered whether Ms Moriarty's proposed contact with the Government in her proposed role would be proper. She noted there is already a stakeholder relationship between the Government and Citizens Advice which advocates on social policy issues, sharing insight from its experience. The Committee considered the nature of the organisation was relevant, Citizens Advice is a charity focussed on providing advice to the public. In the circumstances, it did not consider this proposed contact would be improper as the work of Citizens Advice aligns with the work and priorities of the UK Government. However, the Committee would draw Ms Moriarty's attention to the conditions below, which makes it clear she should not use her contacts to the unfair advantage of Citizens Advice. This is specifically relevant as Citizens Advice does receive funding from the Government.

12. The Prime Minister, under the Government's Business Appointment Rules, has accepted the Committee's advice that Ms Moriarty role with **Citizens Advice** should be subject to the following conditions:

- she 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 in Crown service, she should not become personally involved in lobbying the UK Government on behalf of Citizens Advice (including parent companies, clients, subsidiaries and partners). This is not intended to prevent Ms Moriarty from undertaking the duties as CEO as described above. However, it would prevent her from making use, directly or indirectly, of her government and/or Crown service contacts to influence policy, secure funding/business or otherwise unfairly benefit of Citizens Advice (including parent companies, subsidiaries, partners and clients); and
- for two years from her last day in Crown service she should not directly engage with the UK Government on the terms of bids or contracts relating directly to the work of the UK Government.

13. 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.

14. 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."*

15. I would be grateful if you would ensure that we are informed as soon as Ms Moriarty's role is live, or if it is announced that she will do so. We shall otherwise not be able to deal with any enquiries, since we do not release information about appointments which have not been taken up or announced, and this could lead to a false assumption being made about whether she had complied with the rules.

16. I should also be grateful if you would ask that Ms Moriarty informs us if she proposes to expand or otherwise change the nature of this role, depending on the circumstances, it may be necessary for her to make a fresh application.

17. Once Ms Moriarty's role is taken up and/or has been announced, we will publish this letter on the Committee's website and in the relevant annual report.

Isabella Wynn  
**Committee Secretariat**