



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: Mrs Kate Josephs

1. Kate Josephs sought advice on taking up the role of Chief Executive Officer for Sheffield City Council.
2. Mrs Josephs has been the Director General for the Covid 19 Taskforce, at the Cabinet Office since 13 July 2020. She was Director of Funding for the Funding Directorate, Education and Skills Funding Agency between 24 April 2020 - 12 July 2020 and Director of National Operations for the Academics Regional Delivery Directorate at the Department for Education between 31 August 2016 - 22 April 2019.
3. Her last day in post will be 6 January 2021.

Application

4. Mrs Josephs sought the Committee's advice on taking up a paid, full time role as CEO with Sheffield City Council (the Council). She stated her responsibilities will include the below, in addition to management duties:
 - To support the ambition and development of the vision for the city, through key strategies and plans, with the ability to translate this into deliverable change and reform across the city, sectors and within the Council itself.
 - To provide broad strategic leadership within the Council to meet the objectives of the policies and strategies of the Council, embedding the new ways of working required and delivering the public service reform agenda.
 - To provide strategic system leadership across its partnerships within the city and the region across all public services; championing its participation within the devolution, health and social care reforms, and wider cross-authority partnerships.
 - To work with the Leader of the Council, Cabinet, Members, Chief Officers, Partners and Stakeholders in stating the City's case across the regional, national and international arenas for growth and prosperity; benefiting the residents of the city.

- To lead the organisation in the development of policies and proposals that deliver against its strategic priorities.
 - To be responsible for developing and cultivating long-term relationships across sectors of the city.
 - To enable and empower its workforce to utilise its strengths and challenge them ,focusing on Culture, Leadership and behaviours.
5. Mrs Josephs confirmed the role is likely to include some interaction with Ministry of Housing Communities and Local Government (MHCLG) and other government departments in relation to '*strategic and policy issues important to the city of Sheffield*' - and stated this will be analogous with any other local authority Chief Executive.
 6. Mrs Josephs confirmed that she had no previous involvement in official dealings with the Council , and she was not involved in any relevant policy or development decisions regarding the council. Mrs Josephs noted that she would have met and spoken with seniors in local government as part of her roles within the last four years. However, she confirmed this would have been informal and involving a large range of local authorities. She confirmed she had no involvement in commercial or contractual decisions regarding the Council.
 7. The Cabinet Office and Department for Education were considered this application. The details above as Ms Joseph provided in her application were confirmed as correct. It was stated that:
 - '*..as Director or Director General (she) has had commensurate influence. Any policy issues have been pan-sector rather than focusing on Sheffield or any other local authority. There is no sense in which the appointment could be perceived as a reward.*'
 - Neither the Cabinet Office nor the Department for Education (as home department), has a direct relationship with Sheffield City Council.
 - *Any information from Kate's current role deadline with the COVID-19 response will be out of date almost immediately. There's no prospect of Sheffield gaining "unfair advantage" from her employment'*
 8. Neither department had any reservations regarding Mrs Josephs taking up this role.

The Committee's consideration

9. The Committee noted that both Mrs Josephs and the departments confirmed she had no official contact with the Council while in post. She did meet with a range of
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local authorities from her time in Crown service, however these would have been regarding pan-sector rather than local government specific issues. She also made no decisions regarding the Council. The Committee agreed with the department's consideration that the risk Mrs Josephs was offered the role as a reward for decisions made in office, is low.

10. The Committee took into consideration that Mrs Josephs and the departments confirmed she had no access to information that would provide an unfair advantage. The departments confirmed any information relating to COVID-19 that Mrs Josephs would have gained from her current role will be out of date '*almost immediately*'. The Committee notes information in this area is fast-changing and that she is prevented from using privileged information from her time in office, as with all Crown servants.
11. There are also inherent risks that the contacts and wider information gained may provide an unfair advantage to the Council. As such, the Committee would draw her attention to the conditions below which also prevent her from lobbying or advising on a bid or contract with the Government.
12. The Committee recognised this appointment is likely to include contact with the Government, in particular MHCLG. Neither department raised concerns about this aspect of her role. The Committee noted it would be improper for her to use her contacts to the unfair benefit of the Council, but considered the contact as described would not be improper, subject to the conditions below.
13. Under the Government's Business Appointment Rules, the Committee's advice is that Mrs Josephs' appointment with Sheffield City Council should be subject to the following conditions:
 - that 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 or its Arms' Length Bodies on behalf of Sheffield City Council (including its council owned companies or partners and clients partners or clients). This is not intended to prevent Mrs Josephs from undertaking the duties as CEO as described above. However, it would prevent her from making use, directly or indirectly of her contacts in the Government and/or Crown service to secure funding or otherwise unfairly benefit Sheffield City Council, its parent companies, subsidiaries, partners or clients.
 - for two years from her last day in Crown service she should not undertake any work with Sheffield City Council (including its council owned companies or partners and clients partners or 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.

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 Mrs Josephs takes up employment with this organisation(s), or if it is announced that Mrs Josephs 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 Mrs Josephs has complied with the Rules.
17. Please also inform us if Mrs Josephs proposes to extend or otherwise change the nature of her role as, depending on the circumstances, it may be necessary for her 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.

Andrea Benjamin
Committee Secretariat