



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: Lee Cain, commission with Camelot UK Lotteries Limited under his Independent Consultancy.

1. You sought advice from the Advisory Committee on Business Appointments (the Committee) under the government's Business Appointments Rules for former Crown servants (the Rules) on taking up a role with Camelot UK Lotteries Limited (Camelot) under your independent consultancy (Charlesbye). The material information taken into consideration by the Committee is set out in the annex.
2. The purpose of the Rules is to protect the integrity of the government. Under the Rules, the Committee's remit is to consider the risks associated with the actions and decisions made during your time in office, alongside the information and influence you may offer Camelot.
3. The Committee has advised that a number of conditions be imposed to mitigate the potential risks government associated with this work under the Rules; this does not imply the Committee has taken a view on the appropriateness of this appointment in any other respect.
4. The Rules set out that Crown servants must abide by the Committee's advice¹. It is an applicant's personal responsibility to manage the propriety of any appointment. Former Crown servants are expected to uphold the highest standards of propriety and act in accordance with the 7 Principles of Public Life.

The Committee's consideration of the risk presented

¹ Which apply by virtue of the Civil Service Management Code, The Code of Conduct for Special Advisers, The Queen's Regulations and the Diplomatic Service Code

5. The Committee² considered this commission to be consistent with the description of your consultancy which you described as offering '*strategic counsel to CEOs and senior executives - giving advice on corporate strategy, crisis management, reputational safeguarding and effective communication campaigns*'.
6. When considering this application, the Committee noted there is a stakeholder and regulatory relationship between Camelot and the government. However this relationship sits with the Department for Digital, Culture, Media and Sport, outside of your area of work. You did not meet with, nor make any decisions specific to, Camelot whilst you were in office. Therefore, the Committee considered there is no reason it might be perceived this appointment is a reward for decisions made or actions taken from your time in government service.
7. As the former Director of Communications at No. 10, the Committee noted you would have had access to privileged information which may be seen to benefit any company you chooses to join. The Committee recognised any company operating in the UK and internationally may be considered to be gaining from his insight at the centre of government that is unavailable to its competitors. However, the Committee considered it significant that:
 - a. this is a general risk, you had no specific responsibilities for this sector in office;
 - b. almost 8 months have passed since you had access to information in office; and
 - c. You have an ongoing duty of confidentiality.
8. Additionally, the Committee noted due to your seniority and influence at the centre of the government, there is a risk it could be perceived your network and influence might assist Camelot unfairly.

The Committee's advice

9. The Committee determined the risks above can be appropriately mitigated by the conditions that apply to your consultancy, below. Further, given the regulatory relationship with government and its arms length bodies, the Committee wishes to make it explicit that it would be inappropriate for you to use contacts gained in office (directly or indirectly) to the advantage of Camelot. This helps to mitigate the risk you may be seen to offer Camelot any unfair access to government.
10. The Committee advises, under the Government's Business Appointment Rules, that your role with **Camelot UK Lotteries Limited** should be subject to the same conditions which were previously applied to his independent consultancy:
 - You should not draw on (disclose or use for the benefit of yourself or the persons or organisations to which this advice refers) any privileged information available to you from your time in Crown service. In the context of this general

² This application for advice was considered by Jonathan Baume; Andrew Cumpsty; Sarah de Gay; Isabel Doverty; The Rt Hon Lord Pickles; Richard Thomas; Mike Weir; Lord Larry Whitty. Dr Susan Liautaud was unavailable.

provision, the Committee considers you should specifically avoid giving your independent consultancy or its clients, privileged insight based on information from your time in Crown service into Brexit related issues, insofar as it as it pertains to UK's negotiating strategy post its departure from the EU;

- for two years from your last day in Crown service, you should not become personally involved in lobbying the UK government or any of its Arm's Length Bodies on behalf of those you advise under your independent consultancy (including parent companies, subsidiaries, partners and clients); nor should you make use, directly or indirectly, of your contacts in the government and/or Crown service to influence policy, secure business/funding or otherwise unfairly advantage those you advise under your independent consultancy (including parent companies, subsidiaries, partners and clients);
 - for two years from your last day in Crown service you should not provide advice to any company or organisation on the terms of, or with regard to the subject matter of, a bid or contract with, or relating directly to the work of the UK government or any of its Arm's Length Bodies; and
 - for two years from your last day in Crown service, before accepting any commissions for your independent consultancy and or/before extending or otherwise changing the nature of his commissions, you should seek advice from the Committee. The Committee will decide whether each commission is consistent with the terms of the consultancy and consider any relevant factors under the Business Appointment Rules.
11. 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.
12. 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."*
13. As with all Special Advisers, the Committee makes this recommendation on the understanding that, if you have not already done so, you must confirm in writing to your department that you recognises that you continues to be bound by the provisions of the criminal law (including the Official Secrets Act) which protect certain categories of information, and by his duty of confidentiality owed to the Crown.
14. You must inform us as soon as you take up this work, orit is announced you will do so.

15. Please also inform us if you 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.
16. Once the appointment has been publicly announced or taken up, we will publish this letter on the Committee's website.

Yours Sincerely,

Isabella Wynn
Committee Secretariat

Annex - Material information

The role

1. You said Camelot is the operator of the UK National Lottery. The website states Camelot's mission is to change lives – '*...both the lives of National Lottery winners who have scooped life-changing prizes, as well as the lives of millions of people who benefit from the £36 million in Good Causes funding that is raised every week by National Lottery players*'. It states it aims to maximise returns to Good Causes through selling National Lottery products in an efficient and socially responsible way. This involves:
 - Creating, marketing and promoting new games
 - Developing and running The National Lottery's infrastructure
 - Providing services for players and winners
 - Working in partnership with over 44,000 retailers
2. You said you will provide senior strategic advice.

Dealings in office

3. You advised the Committee you did not meet with Camelot while in office and there is no relationship between Cabinet Office and Camelot. Further, you said you did not have any involvement in any relevant policy development or decisions that would have affected Camelot and no commercial or contractual responsibilities relating to Camelot. Further, you did not meet with competitors of Camelot; nor did you have access to sensitive information regarding these competitors.

Department Assessment

4. Cabinet Office and No.10 confirmed you had no official dealings with Camelot and confirmed it did not have any concerns regarding this appointment.

