



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS
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**BUSINESS APPOINTMENT APPLICATION: Kevin Cunnington, Director General
International Government, Cabinet Office between August 2019 - March 2021.**

1. Kevin Cunnington, former Director General, International Government, Cabinet Office, has 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 an appointment he wishes to take up with McKinsey and Company (McKinsey) as a Technical Advisor. 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 an applicant's time in office, alongside the information and influence a former Crown servant may offer McKinsey. The Committee has advised that a number of conditions be imposed to mitigate the potential risks to the government associated with this appointment under the Rules; this does not imply the Committee has taken a view on the appropriateness of this appointment in any other respect.
3. The Rules¹ set out that Crown servants must abide by the Committee's advice. 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 risks 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.

4. The Committee² noted that Mr Cunnington affirmed he worked on a number of digital and transformation programmes between 2016 - 2019 for McKinsey, commissioned by the Civil Service. However, the department confirmed he did not make policy, regulatory or commercial decisions specific to McKinsey or their competitors while in post. Therefore, 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, is low.
5. The Committee noted that this proposed role overlaps with Mr Cunnington's time in office. Therefore, there could be a perceived risk he had access to relevant privileged information which could unfairly benefit McKinsey. The Cabinet Office noted the risks here are limited given he did not work with McKinsey in the Middle East in the last two years and recommended narrowing the role to this region be made a condition of his appointment.
6. There are inherent risks of providing an unfair influence when any former senior Crown servant takes up a role outside of government. Mr Cunnington worked on an international scale and is seeking to work internationally (though limited to the Middle East) for McKinsey. Therefore, the Committee considered there was a risk he could be seen to use contacts gained in other governments to the unfair advantage of McKinsey.
7. As in all such cases, the unknown nature of McKinsey's clients raises unknown risks. Specifically, should clients be a company or organisation Mr Cunnington had specific involvement in whilst in post.

The Committee's advice

8. The Committee gave weight to the department's confirmation it did not consider he had specific access to information that could provide an unfair advantage; and the role would be limited to working in the Middle East. The Committee also noted that 6 months have passed since he left office; and he has an ongoing duty of confidentiality.
9. However, there remain unknown risks related to this work. As a result it agreed to the Cabinet Office's recommendation to make the limitation of his role (working in the Middle East only) a condition. The Committee noted this is in line with Mr Cunnington's description of his role. Further, as is usual in such cases, it would be appropriate to impose a condition to prevent him from advising McKinsey or its clients on matters he had involvement with in post.
10. The Committee would also draw Mr Cunnington's attention to the conditions which prevent him making improper use of contacts gained domestically and internationally to the unfair advantage of McKinsey.

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

11. Taking into account these factors, in accordance with the government's Business Appointment Rules, the Committee advises this appointment with **McKinsey and Company** 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 on behalf of McKinsey and Company (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 McKinsey and Company (including parent companies, subsidiaries, partners and clients);
- for two years from his last day in Crown service, his role will be limited to advising McKinsey & Company in the Middle East;
- for two years from his last day in Crown service, he should not provide advice to McKinsey and Company 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;
- for two years from his last day in Crown service, he should not become personally involved in lobbying contacts he has developed during his time in Crown service and in other governments and organisations for the purpose of securing business for any company or organisation (including parent companies, subsidiaries and partners);
- for two years since his last day in Crown service, he should not advise McKinsey and Company or its clients on any work with regard to any policy decisions which he had a material role in developing or determining as Director General, International Government, or where he had a relationship with the relevant client during his time as Director General, International Government.

12. Mr Cunnington must inform us as soon as he takes up employment with this organisation(s), or if it is announced that he will do so and we will publish this letter on our website.

13. Any failure to do so may lead to a false assumption being made about whether they have complied with the Rules.

14. Mr Cunnington must inform us if they propose to extend or otherwise change the nature of their role as, depending on the circumstances, it may be necessary for them to make a fresh application.

15. Once the appointment(s) 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 annual report.

Yours sincerely

Annex - Material information

The role

1. Mr Cunnington sought advice on joining McKinsey in a part-time paid role as a Technical Advisor.
2. He said McKinsey is a worldwide management consulting firm. Its website states it helps people across the private, public and social sectors to *'transform their organizations, embed technology into everything they do, and build enduring capacities'*. Its website states it works in a number of industries, including: advanced electronics; aerospace and defence; chemicals, oil and gas; private equity and principal investors; paper, forest products and packaging and electric power and natural gas. It is a global company, operating within Africa, Asia-Pacific, Central and South America, Europe, the Middle East and North America.
3. Mr Cunnington said in his role as Technical Advisor he would be responsible for: *'Providing technical expertise to McKinsey to support their consulting activities only in the Middle East region. The nature of this technical expertise w[ill] vary but will be based in the technology experiences that I acquired in the private and public sector over the course of my career'*.
4. He does not expect his role to involve contact with the UK government.

Dealings in office

5. Mr Cunnington said he worked on McKinsey projects as part of his role in the Cabinet Office. Most notably, on the UK Digital Identity programme (VERIFY) from 2016 - 18 and transformation programmes commissioned to the Chief Executive of the Civil Service, John Manzoni, 2016 - 2019. He confirmed that he had no dealings with McKinsey in the Middle East during the last two years in the Cabinet Office.

Department Assessment

6. The Cabinet Office confirmed the details given in Mr Cunnington's application. It confirmed a contractual relationship with McKinsey though stated Mr Cunnington did not make any decisions, contractual or otherwise, on McKinsey or their competitors while in post.
7. The department confirmed Mr Cunnington previously worked in the Middle East region for government, however not regarding McKinsey in the Middle East. The department added:
 - It gives no rise to concerns and there is nothing to suggest Mr Cunnington will be '*working with or influencing contracts with the Civil Service*'
 - The application should be approved with the condition that he works only in Middle East practice

