



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: Sir Philip Rutnam KCB, Oxford Health NHS Foundation Trust

1. Sir Philip, former Permanent Secretary at the Home Office, 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 Oxford Health NHS Foundation Trust (Oxford Health Trust) as Non-Executive Director. 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 Sir Philip's time in office, alongside the information and influence he may offer Oxford Health Trust, based on the information provided by him and his former department.
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

4. When considering this application the Committee² noted Sir Philip did not meet with Oxford Health Trust and there is no relationship between it and his former department, the Home Office. Further, there is no overlap with his policy responsibilities and the department confirmed he did not make any decisions specific to Oxford Health Trust. Therefore, the Committee considered the risk

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.

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

of this work being seen as a reward for decisions made of actions taken in office as low.

5. Although there is no direct overlap with his time at the Home Office, the Committee noted Sir Philip would have had access to privileged information which may be seen to be of general use to any organisation he chooses to join. However, the Committee considered any inherent risks are significantly mitigated given 20 months have passed since he had access to information in office, and he has an ongoing duty of confidentiality.
6. Additionally, the Committee noted due to Sir Philip's seniority and influence at the centre of the government, there is a risk it could be perceived that his network and influence might assist Oxford Health Trust unfairly.

The Committee's advice

7. The Committee did not consider this appointment to raise any particular proprietary concerns under the Government's Business Appointment Rules. The standard conditions below, preventing him from drawing on his privileged information and using his contacts to the unfair advantage of his new employer, will sufficiently mitigate the risks in this case.
8. Taking into account these factors, in accordance with the Government's Business Appointment Rules, the Committee advises this appointment with **Oxford Health NHS Foundation Trust** 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 Oxford Health NHS Foundation Trust (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 contacts to influence policy, secure business/funding or otherwise unfairly benefit Oxford Health NHS Foundation Trust (including parent companies, subsidiaries, partners and clients); and
 - for two years from his last day in Crown service, he should not provide advice to Oxford Health NHS Foundation Trust (including parent companies, subsidiaries, partners and clients) 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 and its arm's 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 Philip takes up employment with this organisation, or if it is announced that Sir Philip will do so. 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 Sir Philip has complied with the Rules.
12. Please also inform us if Sir Philip 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.
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,

William Young
Committee Secretariat

Annex - Material information

The role

1. Sir Philip seeks to join Oxford Health Trust in a paid, part-time role as a Non-Executive Director.
2. Sir Philip described the nature of Oxford Health's business as the '*Provision of health services in Oxfordshire and areas beyond*'. Oxford Health Trust's website states it provides physical, mental health and social care for people across Oxfordshire, Buckinghamshire, Swindon, Wiltshire, Bath and North East Somerset. Its services are delivered at community bases, hospitals, clinics and in people's homes.

3. In this role Sir Philip said he would be a member of Oxford Health Trust's Board of Directors and would provide '*...governance to the Trust's affairs, especially on overall strategic direction and oversight of performance*'.

Dealings in office

4. Sir Philip advised the Committee he did not meet with Oxford Health Trust whilst in office. Further, he said he did not have any involvement in any policy development or decisions with regard to Oxford Health Trust; nor any relevant commercial/contractual responsibilities or access to sensitive information.

Department Assessment

5. The Home Office confirmed the details Sir Philip provided, stating they have no concerns with the appointment and recommended that the standard conditions be attached.
6. The Home Office confirmed that whilst in government, Sir Philip had no official dealings with Oxford Health Trust, its competitors, or the sector in which they operate. As such, the department does not think that this appointment would be perceived as a reward.
7. The Home Office confirmed Sir Philip does not have access to any privileged information that would provide Oxford Health Trust an unfair advantage.
8. The Home Office said '*This is a low risk application that does not impose any risk to the integrity of HMG*'.