



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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Dame Caroline Dinenage MP, former Minister Of State For Digital & Culture at the Department for Digital, Culture, Media and Sport, appointment with LNT Care Developments Group.

1. You approached the Advisory Committee on Business Appointments (the Committee) under the government's Business Appointments Rules for former ministers (the Rules) seeking advice on taking up a role as Non-executive director for LNT Care Developments Group (LNT). The material information taken into consideration by the Committee is set out in the below 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 time in office, alongside the information and influence a former minister may offer LNT.
3. The Ministerial Code sets out that ministers must abide by the Committee's advice. It is an applicant's personal responsibility to manage the propriety of any appointment. Former ministers of the Crown, and Members of Parliament, are expected to uphold the highest standards of propriety and act in accordance with the 7 Principles of Public Life.
4. It should also be noted that in addition to the conditions imposed on this appointment under the government's Business Appointment Rules, there are separate rules in place with regard to your role as a member of the House of Commons.

The Committee's Consideration

5. The Committee¹ took into consideration that you did not make any specific decisions impacting LNT and there is no relationship between LNT and your former department. Therefore, there is no evidence this role was offered as a reward for decisions made in office.

6. The Committee also considered as minister you may have had access to general information that could provide an unfair advantage. It further noted you were previously Minister of State for Care at the Department of Health and Social Care (DHSC) and as such may have access to sensitive information regarding the social care sector. However, two years have passed since you were at DHSC and both departments (DHSC and DCMS) did not consider your access to information to pose any particular risk in relation to this work.

7. Additionally, while you do not expect this role to include contact with the UK government, the Committee noted that you would have gained contacts within government that could provide an unfair advantage to LNT.

The Committee's advice

8. The Committee noted the department's confirmation that it had no concerns with you taking up this appointment. Further you are subject to the conditions below which prevent you from drawing on your network and information to unfairly benefit LNT. As such, whilst LNT will undoubtedly gain from your skills and experience in government, the risk you could use your contacts and information to unfairly benefit LNT are mitigated.

9. In accordance with the government's Business Appointment Rules, the Committee advises this role with **LNT Care Developments Group** be subject to the below conditions:

- 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 ministerial office or in any capacity in which you continue to work with the UK Government;
- for two years from your last day in ministerial office, you should not become personally involved in lobbying the UK government on behalf of LNT Care Developments Group (including parent companies, subsidiaries, partners and clients); nor should you make use, directly or indirectly, of your contacts in the government and/or ministerial contacts to influence policy, secure business/funding or otherwise unfairly advantage LNT Care Developments Group (including parent companies, subsidiaries, partners and clients); and
- for two years from your last day in office you should not provide advice to LNT Care Developments Group 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.

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

10. The advice and the conditions under the government's Business Appointment Rules relate to your previous role in government only; they are separate to rules administered by other bodies such as the Office of the Registrar of Consultant Lobbyists or the Parliamentary Commissioner for Standards. It is your personal responsibility to understand any other rules and regulations you may be subject to in parallel with this Committee's advice.

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 Ministerial Code/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. I should be grateful if you would inform us as soon as you take up this work or if it is announced that you 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 you had complied with the Ministerial Code. Similarly, I should be grateful if you would inform us if you propose to extend or otherwise change your role with the organisation as depending on the circumstances, it might be necessary for you to seek fresh advice.

14. Once this 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.

The Rt Hon Lord Pickles

Committee Secretariat Annex A - Material information

The role

1. You said LNT is a market leading construction company who specialise in acquiring land and building care homes for sale to operators and investors. The website states LNT is *'UK's leading purpose build residential care home developer and constructor'*.
2. You said you will take up a paid, part time role as a Non-executive director on the newly restructured board of LNT. You said you have 20 years as a business director before parliamentary and ministerial roles and her involvement will add a diversity of background and experience to the board of this construction company.
3. You said you will offer a unique perspective to board level discussions, broadening thought, challenging process and promoting gender diversity in an under-represented industry. She stated she may draw on skills and experience gained in office but will not share any privileged information. You do not expect your role to involve contact with government.

Dealings in office

4. You stated you neither had any dealings with, met with nor made any decisions, contractual or otherwise specific to LNT while you were minister at DCMS. You did inform the Committee in July 2019, as care minister, you visited one of the newly constructed LNT care homes, as part of a wider tour of multiple care providers in North Yorkshire. You confirmed you ceased to be Minister of State for Care at DHSC in February 2020.
5. You also informed the Committee you:
 - had no involvement in policy decision or development;
 - did not meet competitors of LNT; and
 - Had no access to information that could provide an unfair advantage

Department Assessment

6. Both DHSC and DCMS were consulted on this application. Both departments confirmed the details you provided and confirmed there was no relationship between DCMS or DHSC and LNT. DHSC stated while you were Care Minister at DHSC you would have acquired knowledge of the social care sector but it cannot see any direct issues of concern with the appointment.
7. Neither department raised any concerns with you taking up this role.