



**OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS**

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Chair of the Board  
West Hertfordshire Hospitals NHS Trust  
By email:

29 April 2022

Dear Phil Townsend,

I am writing to you, in my capacity as Chair of the independent Advisory Committee on Business Appointments (ACOBA).

Mr Coats made an application for advice to join the West Hertfordshire Hospitals NHS Trust (the Trust) as Chief Executive Officer (CEO), which ACOBA received from the Cabinet Office on 6 April 2022. The day after, on 7 April, the Watford Observer published an article with the headline 'Matthew Coats appointed new chief exec of West Hertfordshire hospitals'<sup>1</sup>, stating Matthew Coats will join West Hertfordshire Teaching Hospitals NHS Trust in July as the new Chief Executive. This was as a result of Mr Coats being publicly named at the Trust's Board Meeting on 7 April 2022 as the new CEO.

Mr Coats confirmed he told the Trust that he was subject to the Business Appointment Rules (the Rules), and that any announcement had to wait until the full business appointments process had been completed. I understand from the information provided by Mr Coats that the Trust felt it had to name the new Chief Executive due to concerns an anonymous announcement did not create enough certainty after the Deputy Chief Executive also announced their departure on 5 April.

It is a matter of some regret that the Trust chose to put its needs before that of the Rules, which has put Mr Coats in an untenable position. To fulfil the remit given to it by the government, ACOBA must be able to consider applications fully and freely before offering its advice - which may be that the role is unsuitable or include conditions on the employment to protect the integrity of government - such as a waiting period. It is impossible to do this in a

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<sup>1</sup> <https://www.watfordobserver.co.uk/news/20052058.matthew-coats-appointed-new-chief-exec-west-hertfordshire-hospitals/>

way that will command public confidence and avoid embarrassment to the applicant, if a proposed appointment is already in the public domain.

It is not clear if the Trust considered whether it could take an alternative approach to protecting its own interests and that of Mr Coats and the government by following the Rules. While it is the Committee's experience, the risks under the Rules in appointments with public sector organisations are usually limited, it is unacceptable to share details of a possible appointment where an applicant has yet to receive advice.

In line with the Committee's policy of transparency, correspondence on this matter will be published on our website. If you wish to respond, please reply to this letter before Friday 9 May 2022. Any response will be published on our website and failure to respond will be noted.

The Rt Hon Lord Pickles