



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

Room G/08, 1 Horse Guards Road, London, SW1A 2HQ

Telephone: 020 7271 0839

Email: acoba@acoba.gov.uk

Website: <http://www.gov.uk/acoba>

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BUSINESS APPOINTMENT APPLICATION: Dame Lynne Owens CBE, former Director General at the National Crime Agency. Appointment with the Royal Military Academy Sandhurst.

1. Dame Lynne approached the Advisory Committee on Business Appointments (the Committee) under the Government's Business Appointments Rules for former Crown servants (the Rules) seeking advice on taking up an appointment as a Member of the Royal Military Academy Sandhurst's Independent Advisory Panel. The material information taken into consideration by the Committee is set out in the annex below.
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 Crown servant may offer the Royal Military Academy Sandhurst (RMAS).
3. The Rules 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

4. When considering this application, the Committee¹ took into account that this role as a Panel Member is unpaid. Generally, the Committee's experience is that the risks related to unpaid roles are limited. The purpose of the Rules is to protect the integrity of the government by considering the real and perceived risks associated with former Crown servants using privileged access to contacts and information to the benefit of themselves or those they

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

represent; and to mitigate the risks that individuals may make decisions or take action in office to in expectation of rewards, on leaving government. These risks are significantly limited in unpaid cases due to the lack of financial gain to the individual.

5. The Committee took into account that Dame Lynne did not directly meet with the RMAS while in service and did not make any funding or policy decisions directly affecting the RMAS. Therefore, the Committee considered the risk that she could be seen to have been offered this role as a reward for decisions made, or actions taken in office, was low.
6. The Committee noted that as the former Director General at the National Crime Agency there is an inherent risk Dame Lynne could be perceived as having access to relevant privileged information and knowledge, which could unfairly benefit the RMAS. However, the unpaid nature of this appointment limits the real and perceived risk of her making improper use of information she had access to while in office for her personal benefit and she has an ongoing duty of confidentiality.

The Committee's advice

7. The Committee did not consider this appointment raises any particular proprietary concerns under the government's Business Appointment Rules. Whilst there are inherent risks associated with Dame Lynne's access to sensitive information and contacts, the standard conditions below, preventing her from drawing on her privileged information and using her contacts to the unfair advantage of her new employer, will sufficiently mitigate in this case.
8. Taking into account these factors, in accordance with the Government's Business Appointment Rules, the Committee advises this appointment with **the Royal Military Academy Sandhurst** be subject to the following conditions:
 - She should not draw on (disclose or use for the benefit of herself or the persons or organisations to which this advice refers) any privileged information available to her from her time in Crown service;
 - for two years from her last day in Crown service, she should not become personally involved in lobbying the UK or its arms' length bodies on behalf of the Royal Military Academy Sandhurst (including parent companies, subsidiaries, partners and clients); nor should she make use, directly or indirectly, of her contacts in the government and/or Crown service to influence policy, secure business/funding or otherwise unfairly advantage the Royal Military Academy Sandhurst (including parent companies, subsidiaries, partners and clients); and
 - for two years from her last day in Crown service she should not undertake any work with the Royal Military Academy Sandhurst (including parent companies, subsidiaries, partners and clients) that involves providing advice 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 or its arms' 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.*' This Rule is separate and not a replacement for the Rules in the House.
11. I should be grateful if Dame Lynne would inform us as soon as she takes up this role, or if it is announced that she 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 Dame Lynne had complied with the Rules.
12. Please also inform us if Dame Lynne proposes to extend or otherwise change the nature of her role as, depending on the circumstances, it may be necessary for her 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,

Isabella Wynn
Committee Secretariat

Annex - Material information

The role

1. Dame Lynne seeks to join the Royal Military Academy Sandhurst (RMAS) in an unpaid, part-time role as a Member of the Royal Military Academy Sandhurst's Independent Advisory Panel.
2. Dame Lynne said RMAS provide training and Development for Army Officer cadets. The website states RMAS is where all officers in the British Army are trained to take on the responsibility of leading their soldiers. During training, all officer cadets learn to live by the academy's motto 'Serve to Lead'.
3. RMAS said the panel membership is a voluntary unpaid role. It comprises of senior figures from the public, academic, and private sectors. It provides the Commandant of RMAS, Major General Duncan Capps, with independent, non-statutory source of advice, challenge, encouragement and support to RMAS units and organisations in order to exchange information, provide feedback and assist in identifying areas for improvement. They are to explore over time aspects of the Training and Supervisory Care of the Recruits and Permanent Staff. The Panel conducts fact finding visits to the Academy as necessary to support the development of the annual report.
4. She does not expect her role to involve contact with government.

Dealings in office

5. Dame Lynne confirmed she had no direct dealings with the RMAS from her role with the National Crime Agency (NCA).
6. Dame Lynne said the NCA does not have a relationship with RMAS but does have a relationship with the Ministry of Defence (through National Security Council officials meeting) and she has worked with the previous three Chief of the Defence Staff in this forum. But confirmed there is no direct link with the RMAS.
7. She also said she had no access to privileged information that could unfairly benefit RMAS.

Department Assessment

8. The NCA confirmed the details Dame Lynne provided and confirmed it had no relationship with the RMAS. It confirmed she did not have access to information that would provide an unfair advantage.

9. The department confirmed it had no concerns and fully supports the application.