



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

G/7 Ground Floor, 1 Horse Guards Road SW1A 2HQ

Telephone: 020 7271 0839

Email: acoba@acoba.gov.uk

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

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BUSINESS APPOINTMENT APPLICATION: Matthew Gould CMG MBE, former Director General for Digital Transformation at the Department of Health and Social Care (DHSC) and National Director for Digital Transformation at NHS England. Appointment with the Quantexa, Member of the Advisory Board.

1. Matthew Gould sought advice from the Advisory Committee on Business Appointments (the Committee) under the government's Business Appointments Rules for former Civil Servants (the Rules) on an appointment he wishes to take up with Quantexa Limited (Quantexa) as Member of the Advisory Board. 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 Mr Gould's time in office, alongside the information and influence a former Crown servant may offer Quantexa.
3. The Committee considered whether this work was unsuitable given his former roles in digital transformation and the nature of Quantexa's work - which has the potential to overlap with his time in office. The Committee also considered the information provided by the department. 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.
4. 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.

¹ Which apply by virtue of the Civil Service Management Code, The Code of Conduct for Special Advisers, The King's Regulations and the Diplomatic Service Code.

The Committee's consideration of the risks presented

5. Quantexa is a data and analytics firm based in the UK. There is a contractual relationship with the government, as Quantexa has a framework agreement with Crown Commercial Services for 'off the shelf' software for big data and analytics. Whilst it has previously also had contacts with Mr Gould's former department (DHSC), it does not currently and Mr Gould had no commercial dealings with Quantexa in office. Mr Gould was involved in procurement during the pandemic for the NHS data store, which involved making recommendations to award a contract to a competitor of Quantexa - Palantir. There is no evidence this appointment could reasonably be seen as a reward for decisions or actions taken by Mr Gould in office for the benefit of Quantexa.
6. Mr Gould had involvement in the data strategy for the NHS and for plans to award a further data contract. Quantexa and Palantir are both reported to be bidding for a further digital contract with the NHS - the Federated Data Platform, which is worth £360 million over 5 years. There are mitigating factors associated with Mr Gould's access to data in this regard. DHSC did not consider he has access to sensitive information, particularly as:
 - a. it has been over a year since he had access to this work and related information;
 - b. he is prevented from drawing on privileged information and has an ongoing duty of confidentiality; and
 - c. the department contacted Palantir as the main competitor, which does not object to this appointment.
7. The Committee² agrees with DHSC that the factors above do not fully mitigate the risk Mr Gould could be seen to offer an unfair advantage to Quantexa. To do so DHSC recommends that Mr Gould is prevented from having any involvement in this aspect of the company's work. Mr Gould has also recognised this risk in his application and suggested he be recused from this work in his role with Quantexa.
8. DHSC recommended that Mr Gould should have no contact with the department given the ongoing commercial discussion. The Committee agreed there is a risk his influence and contacts could be perceived to assist Quantexa unfairly. Further, Mr Gould has had significant involvement in an influence on digital transformation during his time in government service (he was previously responsible for the digital sector at DCMS, though not for several years). As a result, the Committee considered that any contact with government on Quantexa's behalf would risk offering the company an unfair advantage. The Committee noted this is in keeping with the role as described, as Mr Gould has no intention of having contact with government.

The Committee's advice

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

9. Given the overlap with Mr Gould's role in office and Quantexa's current and potential future bids for work with government - the Committee considered he should be prevented from advising the company on any work it does with the government. The conditions below include a ban on working on the subject matter of bids and contracts related to the UK government (including the NHS) and this extends to all matters relating to working with the UK government. Further, the Committee considered it necessary to prevent Mr Gould from having any direct engagement with the government on behalf of Quantexa.
10. The Committee considered a waiting period would be appropriate to put a gap between Mr Gould having access to information on digital transformation in the NHS and taking up this role. It has been three months since Mr Gould left Crown service, eight months since he left his role at DHSC and had access to information; and over a year since he was involved in any plans for the commercial data provision within the NHS. The Committee considered this was an appropriate gap, alongside the conditions below. These mitigate the risks around Mr Gould's access to information, influence and contacts that could offer an unfair advantage to Quantexa.
11. The Committee's advice, under the government's Business Appointment Rules, that this appointment with Quantexa Limited 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 any of its arm's length bodies on behalf of Quantexa Limited (including parent companies, subsidiaries, partners and clients); nor should he make use, directly or indirectly, of his contacts in government and/or Crown service to influence policy, secure business/funding or otherwise unfairly advantage Quantexa Limited (including parent companies, subsidiaries, partners and clients);
 - for two years from his last day in Crown service he should not have any engagement on behalf of Quantexa Limited (including parent companies, subsidiaries, partners and clients) with the UK government or any of its arm's length bodies (including the NHS);
 - for two years from his last day in Crown service, he should not provide advice to Quantexa Limited (including parent companies, subsidiaries, partners and clients) 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 or any of its arm's length bodies (including the NHS).
12. The advice and the conditions under the government's Business Appointment Rules relate to his 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 an individual's

personal responsibility to understand any other rules and regulations they may be subject to in parallel with this Committee's advice.

13. 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.
14. 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.
15. Mr Gould must inform us as soon as he takes up this role, or if it is announced that he 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 he had complied with the Rules and the Civil Service Code.
16. Mr Gould must also inform us if he 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.
17. 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,

Cat Marshall
Committee Secretariat

Annex - Material information

The Role

1. Mr Gould seeks to join Quantexa as a paid, part-time member of Quantexa's Advisory Board. Quantexa's website states that it pioneered network analytics, and uses data and analytics technology to help organisations identify and connect the relationships which matter most to enable better operational decisions. Quantexa's website states that it works across banking, insurance and the public sector. Quantexa's website says that its government work has included work for tax authorities, healthcare, customs agencies, border control and fraud, waste and

abuse investigation.

2. He said he would provide strategic advice on growing Quantexa's business across all sectors. In particular, he would focus on helping Quantexa make decisions on commercial strategy and identifying which economies and sectors to focus on. He said this role will not include contact with the government or the NHS, nor will he lobby on behalf of Quantexa.

Dealings in office

3. Mr Gould did not have dealings with Quantexa in office. However, he informed the Committee he established the NHS datastore at the start of the pandemic. He told the Committee that *'...at the time, I recommended to Ministers that we used emergency powers to award the contract to Palantir, who then did a good job at giving the NHS the data insight and access it needed to manage the pandemic effectively'*. Since then, he noted he was involved in discussions on the process for awarding a further data contract and wider discussions on data strategy and improving data-sharing across the NHS. Mr Gould said he would be rescued from any discussion of this contract with the Advisory Board, and nor would he have any contact with the NHS or government about this.

4. Mr Gould also noted that when he was the Director General for Digital and Media Policy at DCMS (which he left in early 2019) he had overall responsibility for the digital sector, in which Quantexa operates. He said he was not privy to any privileged insight or information that could assist Quantexa as a result.

Quantexa's relationship with government

5. In August, 2022 it was announced that Quantexa had been chosen by the Crown Commercial Service (CCS) to be a supplier for its Big Data Analytics procurement framework. The purpose of this framework *'allow government departments and local authorities to choose from a range of best-in-class specialist suppliers to help unlock the value of data and improve public sector services'*. The framework aims to cover up to £2bn of potential spending over a 4 year period from 2022-2026. In this capacity, Quantexa will respond to tenders for commercial off-the-shelf software specifically for big data and analytics capabilities. Quantexa's software will *'...help government services use data from their legacy systems and create a better understanding and single view of citizens, businesses, or organizations across a broad range of use cases including citizen insight, counter fraud, data intelligence and data management'*.

6. The Cabinet Office signed a call-off contract valued at £362,000 over a year from July 2021 with Quantexa for use of its Contextual Decision Intelligence platform to help detect fraud in the Covid 19 loan schemes and assist in detecting financial crimes³.

7. NHS England has also started a procurement process for a Federated Data Platform (part of the government's digital agenda). The Federated Data Platform

³ <https://www.ukauthority.com/articles/cabinet-office-signs-for-anti-fraud-technology/>

aims to use technology to drive breakthroughs and transformations across the NHS and social care. Quantexa has placed a bid for this contract⁴. The contract is worth £360m and will last 5 years. Quantexa was the first organisation to publicly announce its decision to join the procurement process. According to Quantexa, the Federated Data Platform will ‘...focus on creating automated workflows, allowing more integrated ways of working, using high-quality data and analytics to recover from the backlog, and moving from reactive to proactive data-driven decisions’⁵. According to press it is believed that Palantir will also place a bid; with some media outlet suggesting it is in the front running⁶.

Departmental assessment

8. DHSC confirmed the details of his applications, as above.

9. DHSC said that Quantexa is a registered supplier with the department, but it does not currently hold any contracts with the company. DHSC confirmed he did not have access to any privileged insight, or specific information related to Quantexa.

10. In particular, DHSC noted that there was some overlap with his time in office - with regard to his recommendation to use emergency powers to award a contract to Palantir. It noted this company is ‘...a key likely competitor to Quantexa’. In terms of the mitigating factors in this case, the department confirmed Mr Gould had not been part of the tendering process for over a year. Further, DHSC preemptively consulted the UK Head of Palantir, about this application and they raised no objections.

11. DHSC said the suggested restrictions below provide additional assurance, with particular regard to public perception’:

- he should be recused from any discussion on data strategy and improving data sharing across the NHS
- for two years from his last day of service, he should not have professional contact with DHSC or its executive agencies in the context of this role
- for two years from his last day of service he should not become personally involved in lobbying the UK government on behalf of Quantexa or any associated organisation; or make use of his contacts in Government to influence policy or secure funding.
- he should not draw on any privileged information available to him from his time in the Civil Service and NHS.

⁴ <https://www.quantexa.com/press/nhs-bid/>

⁵ See here <https://www.quantexa.com/nhs-federated-data-platform/>

⁶ <https://www.digitalhealth.net/2022/12/federated-data-platform-palantir-juggernaut-continues/>