

From the Chair



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: Lord Bethell of Romford, former Minister of Innovation, Department of Health and Social Care (DHSC). Paid appointment with Plessey Semiconductors Ltd.

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 an appointment as a Board Advisor for Plessey Semiconductors Ltd. 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 minister may offer Plessey Semiconductors Ltd.
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 Lords.

The Committee's consideration

5. The Committee¹ noted there is no relationship between Plessey Semiconductors Ltd and DHSC and you did not meet with Plessey Semiconductors Ltd during your time as minister. While DHSC said you were regularly consulted on Covid restrictions that would have affected the company and industry this was not specific to Plessey Semiconductors Ltd and DHSC confirmed you did not make any decisions specific to the company during your time in office. Therefore, the Committee considered the risk this appointment could reasonably be perceived as a reward for decisions made or actions taken in office is low.
6. As a former minister, there are inherent risks associated with your access to privileged information and knowledge, which could unfairly benefit Plessey Semiconductors Ltd. However, DHSC said you were not briefed on content relevant to the company and did not have access to privileged information relevant to Plessey Semiconductors or its competitors in the sector. The Committee also noted DHSC's comments that the currency of any sensitive information you may hold has been devalued since you left government a year ago. DHSC had no concerns regarding your access to information.
7. There is also inherent risks associated with your network and influence within government but the Committee noted your role will not involve contact with government.

The Committee's advice:

8. The Committee did not consider this appointment raises any particular proprietary concerns under the government's Business Appointment Rules. The standard conditions below, preventing you from drawing on your privileged information and using your contacts to the unfair advantage of Plessey Semiconductors Ltd, will sufficiently mitigate the risks in this case. These make it clear you cannot make use of your privileged access to contacts, information and influence gained from your time in ministerial office to the unfair advantage of your employer
9. Taking these factors into account, in accordance with the government's Business Appointment Rules, the Committee's advice is this appointment with **Plessey Semiconductors Ltd** be subject to the following 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;
 - for two years from your last day in ministerial office, you should not become personally involved in lobbying the UK government or its arms' length bodies on behalf of Plessey Semiconductors Ltd (including parent companies, subsidiaries, partners and clients); nor should you make use, directly or indirectly, of your contacts in the government and/or

¹ This application for advice was considered by Jonathan Baume; Isabel Doverty; Andrew Cumpsty; Sarah de Gay; The Rt Hon Lord Eric Pickles; Mike Weir; and Lord Larry Whitty. Dr Susan Liataud and Richard Thomas were not available.

Crown service to influence policy, secure business/funding or otherwise unfairly advantage Plessey Semiconductors Ltd (including parent companies, subsidiaries, partners and clients); and

- for two years from your last day in ministerial office you should not undertake any work with Plessey Semiconductors Ltd (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.
10. 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 his personal responsibility to understand any other rules and regulations he 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 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." This Rule is separate and not a replacement for the Rules in the House.
 13. You must inform us as soon as you take up this role, 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 Rules and the Ministerial Code.
 14. You must also inform us if you propose to extend or otherwise change the nature of your role as, depending on the circumstances, it may be necessary for you to make a fresh application.
 15. 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.

Annex - Material Information

The role

1. You said Plessey Semiconductors Ltd is *'a semiconductor research and manufacturer. Specifically, an embedded technologies developer at the forefront of microLED technology for augmented and mixed reality (AR/MR) display applications'*. Its website says from 2017, the company pivoted its focus to R&D and manufacturing of microLED tech for a wide range of applications including: Augmented Reality, Mixed Reality, smartphones, televisions, smartwatches, head-up displays, head-mounted displays and more.
2. You said in your paid part-time role as Board Advisor you would operate in an advisory capacity, offering strategic advice including on acquisitions and development, and would attend occasional management meetings and would have no corporate governance or legal obligations. You also described your role as:
 - *'An advisory position supporting the Company in the local community with external stakeholders to maintain and develop the Company's corporate social responsibilities'*.
 - *'An advisory position supporting the Company's profile and strategic direction at the national level including strategic advice on acquisitions and development, and occasional attendance at management meetings'*.
3. You said you would have no contact with government in this role and that Plessey Semiconductors Ltd *'...is not seeking contracts with government - currently its sole business is a research contract with a US Tech company'*.

Dealings in office

4. You advised the Committee that you did not meet with Plessey Semiconductors Ltd whilst in office. You said you did not have any involvement in policy, regulatory or commercial decisions that would have been specific to the company.

Departmental assessment

5. DHSC confirmed the details you provided. DHSC also said that you were regularly consulted on Covid restrictions that would have affected the company and industry that Plessey Semiconductors Ltd operates in. However, it said you did not make any regulatory or policy decisions specific to Plessey Semiconductors Ltd.
6. DHSC confirmed you did not have access to privileged information relating to Plessey Semiconductors Ltd or its competitors and that the currency of any information you may possess is devalued, as it has been a year since you left your ministerial position. It did not have any concerns about this appointment and recommended mitigating measures on your network of contacts in HMG.

