

From the Chair



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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May 2023

BUSINESS APPOINTMENT APPLICATION: Lord Bethell of Romford, former Minister of Innovation, Department of Health and Social Care. Unpaid appointment with the Milken Institute.

1. You sought advice from the Advisory Committee on Business Appointments (the Committee) under the Government's Business Appointments Rules for Former Ministers (the Rules) on an unpaid role you want to take up with the Milken Institute.
2. The purpose of the Rules is to protect the integrity of the government. The Committee has considered the risks associated with the actions and decisions made during your time in office, alongside the information and influence you may offer to the Milken Institute. The material information taken into consideration by the Committee is set out in the annex.
3. The Committee's advice is not an endorsement of the appointment- it imposes a number of conditions to mitigate the potential risks to the government associated with the appointment under the rules.
4. 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.

The Committee's consideration

5. When considering this application, the Committee¹ took into account that the role as Senior Advisor to the Milken Institute is unpaid². 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 the former ministers joining outside organisations. Those risks include: using privileged access to contacts and information to the benefit of themselves or those they represent. The Rules also seek 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.

6. As Minister for Innovation at the Department of Health and Social Care, this proposed role overlaps with your time in office. The Department of Health and Social Care confirmed that there was no engagement with Milken Institute. The unpaid nature of this appointment limits the real and perceived risk of you making improper use of information you had access to while in office for your personal benefit.

7. As a former health minister there are inherent risks associated with your access to information and a network within government. The unpaid nature of this appointment limits the real and perceived risks associated with improper use of contacts or information from your time in office for personal benefit.

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 contacts to the unfair advantage of the Milken Institute, will sufficiently mitigate the risks in this case.

9. Taking into account these factors, in accordance with the government's Business Appointment Rules, the Committee advises this appointment with the **Milken Institute** 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;

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

² By unpaid the Committee means that no remuneration of any kind is received for the role. Applicants must declare where it is agreed or anticipated they may receive remuneration or some other compensation at some stage in the future.

- 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 the Milken Institute (including parent companies, subsidiaries, partners and clients); nor should you make use, directly or indirectly, of your contacts in the government and/or Crown service to influence policy, secure business/funding or otherwise unfairly advantage the Milken Institute (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 the Milken Institute (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 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 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.

Yours sincerely,

The Rt Hon Lord Pickles

Annex - Material information

The role

1. You said the Milken Institute is a nonprofit, nonpartisan economic think tank primarily based in Santa Monica, California USA. You said the Milken Institute develops research, programs, and initiatives designed to envision and activate sustainable solutions leading to better health for individuals and communities worldwide, working with government partners in emerging and developing economies to build strong domestic financial markets. You said the Milken Institute has long-standing programmes in health including public health and longevity.
2. You informed the Committee that your role as Senior Advisor to the Milken Institute entails- Collaborating on a special project on rethinking public health and UK healthcare to shift from a treatment-first to prevention-frist system; review draft project deliverables and collaborate to ensure high-quality convenings to help further the aims of the project; review current strategic plans for the Milken Institute and identify areas where the Milken Institute can play a role in the UK, be it in health or other sectors; provide suggestions and possible introductions for other health-related convening in London; attend and participate in Future of Health Summit, Partnering for Patients, Global Conferences and other convenings (as needed); monthly calls (as needed) with Executive Vice President of Milken Institute Health and Milken Institute Head of Strategy on programmatic direction as well as quarterly calls with Senior Director on strategic direction in UK; and represent Milken Institute Health externally.
3. You said your role will not involve any contact or dealings with government.

Dealings in office

4. You confirmed you had had no official contact with the Milken Institute when you were Minister of Innovation at the Department of Health and Social Care and you said:
 - did not have any involvement in any relevant policy development or decisions that would have affected the Milken Institute;
 - do not have access to sensitive information that would provide an unfair advantage to the Milken Institute;

- had no commercial or contractual responsibilities relating to the Milken Institute; and
- did not meet with competitors of the Milken Institute nor have access to sensitive information regarding competitors.

Department Assessment

5. The department confirmed the details you provided and stated you did not meet the Milken Institute in your official capacity.

6. The Department of Health and Social Care confirmed it has no concerns regarding this application.