



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>

March 2024

BUSINESS APPOINTMENTS APPLICATION FOR ADVICE: Samantha Harrison, former Expert Adviser at the Department of Health and Social Care and prior to that, Expert Adviser and Interim Permanent Secretary and Chief Operating Officer at 10 Downing Street. Application to work with PA Consulting Services Ltd under independent consultancy.

1. You sought advice from the Advisory Committee on Business Appointments (the Committee) under the government's Business Appointments Rules for former Crown servants (the Rules) on your proposal to work with PA Consulting Services Ltd (PA Consulting) under your independent consultancy.
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 a former health adviser within government may offer PA Consulting. 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 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 risk presented

5. The Committee² considered this commission to be consistent with the description of your consultancy, which you described as: providing advisory services across the health sector, using your experience prior to joining government. This includes: supporting development of organisational strategies; healthcare transactions; leadership development support; integrated care strategies; and operational performance delivery.

6. There is a contractual relationship between several government departments and PA Consulting. It is significant that you did not work on commercial matters or in procurement during your time in office at No.10 or the Department for Health and Social Care (DHSC); nor did you meet with PA Consulting, nor make any decisions specific to the company. Therefore, the risk that this role could reasonably be seen to have been offered as a reward for decisions made or actions taken in office is low.

7. There are risks associated with your access to information from your time in government. The Committee agrees with the Cabinet Office there are a number of mitigating factors that help reduce the risks associated with your access to information:
 - You left your role as Expert Adviser on Health to the Prime Minister at No.10 two years ago;
 - Your role as Interim Permanent Secretary was internally focused and was limited to restructuring No.10, running the Prime Ministers Group and headcount management;
 - Your role as an Expert Adviser at DHSC was for a limited period of 7 weeks and primarily focused on the pandemic effects and response in late 2022, relating in particular to the upcoming winter pressures on the NHS.
 - The Cabinet Office and DHSC said that given the time that has passed since you had access to information in your various roles, any access to information you did have will likely be out of date (over 12 months have passed since you were in government with any access to information);
 - You are prevented from drawing on privileged information and have an ongoing duty of confidentiality - this is particularly relevant given you are currently working with DHSC as a Non-Executive Board Member.

² This application for advice was considered by Andrew Cumpsty; Isabel Doverty; Hedley Finn OBE; Sarah de Gay; The Rt Hon Baroness Jones of Whitchurch; The Rt Hon Lord Eric Pickles; Michael Prescott; and Mike Weir. Dawid Konotey-Ahulu CBE was unavailable.

8. There are risks associated with your network and potential influence within government. During your time at No.10, and more recently with DHSC, you also met with companies in the health sector and may have developed further contacts within the private sector. It is significant that you were brought into government to advise on health during the pandemic as a result of your experience and skills within the NHS and the private health sector (which you had a career spanning 30 years in).
9. Given that PA Consulting's clients and the precise pieces of work that you will undertake with PA Consulting are unknown, there is also a risk related to a potential overlap with your time in office. The Committee considered this was limited given the amount of time that has passed since you were in office. In particular, it has been a significant period since you worked in health at No.10. Therefore, the risk is most likely to arise if any of PA Consulting's work or clients overlap with your last role at DHSC advising on health and focussed on winter pressures.

The Committee's advice

10. In the circumstances, the Committee considered the majority of the risks under the Rules can be mitigated by the conditions that apply to your independent consultancy.
11. This includes that some of the conditions below which prevent you from lobbying the government and being involved in contracts and bids with the government should not apply specifically to the NHS. You came into government as a result of your experience and skills within healthcare and the Committee did not consider it could reasonably be perceived that you offer unfair access to the NHS as a direct result of your time in office.
12. In addition, a further restriction limiting your role with PA Consulting has been imposed. As PA Consulting's clients are unknown, the Committee needs to mitigate the risk associated with that. The Committee considered this risk was limited to your role as Health Adviser at DHSC and has imposed a condition to prevent you working on matters that materially overlap with this.
13. It is significant that PA Consulting confirmed that it fully understands and respects ACOBA's advice; and it agrees to abide by and monitor the restrictions that are placed upon her.
14. You are on the Board at DHSC as Lead Non-Executive Director. DHSC confirmed any conflicts will be handled by the department in the usual way and in accordance with the Code of Conduct for Board Members of Public Bodies. The conditions below have also been updated to remind you that

you must not make use of privileged insight gained from this role within a government department.

15. In the circumstances, the Committee's advice in accordance with the government's Business Appointment Rules is that this work with **PA Consulting Services Ltd** should 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 Crown service or in any capacity in which you continue to represent the UK government;
- for two years from your last day in Crown service, you should not become personally involved in lobbying the UK government and its arm's length bodies on behalf of those you advise under your independent consultancy (including parent companies, subsidiaries, partners and clients); nor should you make use, directly or indirectly, of your contacts in government and/or Crown service to influence policy, secure business/funding or otherwise unfairly advantage those you advise under your independent consultancy (including parent companies, subsidiaries, partners and clients);
- for two years from your last day in Crown service, you should not provide advice to on behalf of those you advise under your independent consultancy (including parent companies, subsidiaries, partners and clients) 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 any of its arm's length bodies;
- for two years from your last day in Crown service, you should not become personally involved in lobbying contacts you have developed during your time in office and in other governments and organisations for the purpose of securing business for your independent consultancy (including parent companies, subsidiaries, partners and clients); and
- for two years from your last day in Crown service, before accepting any commissions for your independent consultancy and or/before extending or otherwise changing the nature of your commissions, you should seek advice from the Committee. The Committee will decide whether each commission is consistent with the terms of the consultancy and consider any relevant factors under the Business Appointment Rules.

In addition, the Committee has imposed the following condition on this work with PA Consulting Services Ltd:

- for two years since your last day in office, you should not advise PA Consulting Services Ltd or its clients on any work with regard to any policy or regulatory decisions which you had a material role in developing or determining, or where you had a relationship with the relevant client, during your time as an Expert Adviser at the Department of Health and Social Care.
16. The advice and the conditions under the government's Business Appointment Rules relate to an applicant's previous role in government only; they are separate from rules administered by other bodies such as the Office of the Registrar of Consultant Lobbyists, the Parliamentary Commissioner for Standards and the Registrar of Lords' Interests³. It is an applicant's personal responsibility to understand any other rules and regulations they may be subject to in parallel with this Committee's advice.
17. 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.
18. 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*'.
19. You must inform us as soon as your appointment is live or is announced. You must also inform us if you propose to extend or otherwise change the nature of this work as, depending on the circumstances, it may be necessary for you to make a fresh application.
20. Once this work has been publicly announced or set up, we will publish this letter on the Committee's website, and where appropriate, refer to it in the relevant annual report.

³ All Peers and Members of Parliament are prevented from paid lobbying under the House of Commons Code of Conduct and the Code of Conduct for Members of the House of Lords. Advice on the various obligations under the Codes can be sought from the Parliamentary Commissioners for Standards, in the case of MPs, or the Registrar of Lords' Interests, in the case of peers.

Yours Sincerely,

Jess Barrow
Committee Secretariat

Annex - Material information

The role

1. PA Consulting is a professional services firm that works with public, private and third-sector organisations. PA Consulting provides services across 8 industries: Consumer and manufacturing, defence and security, energy and utilities, financial services, government and public services, health, life sciences, and transport. PA Consulting has a contractual relationship with various government departments, including DHSC.
2. You wish to take up a role with PA Consulting as an ad hoc Strategic Advisor. You said that in your role, you would provide advice and advice support across health service delivery, policy and regulation. You said you have made it clear to PA Consulting that you cannot, and are not willing to, work on any government contracts, nor are you willing to lobby on the behalf of PA Consulting or its clients.
3. PA consulting informed the Committee that it respects ACOBA's work and agrees to abide by and monitor the restrictions that are placed upon Ms Harrison. In this respect, it said that it will take care not to ask Ms Harrison to undertake any activity that might be, or be perceived to be, inappropriate in view of her recent position in government. To ensure Ms Harrison's compliance with regulations and ethical standards, it will implement stringent measures, including prohibiting access to government decision-makers, refraining from lobbying activities, and closely monitoring engagement. Additionally, it will require Ms Harrison to declare any potential conflicts of interest promptly and abstain from participating in discussions concerning the subject matter if conflicts arise.
4. You said you have worked in health care for over 30 years prior to taking up the post as Expert Adviser to the Prime Minister. You said your career has spanned both the public and private sector as a nurse, a hospital Chief Executive and as a national director in NHS England. In the private sector, you led primary care, elective and urgent care services; and a role with Opersoe Health (the UK part of Centene and a managed care company). You said your experience in this field underpinned your appointment as expert

adviser to the Prime Minister in April 2021 during the covid response.

5. You are currently Lead Non-Executive Director at the Department for Health and Social Care.

Dealings in office

6. You confirmed you did not meet with PA Consulting, nor did you make any decisions specifically affecting the company.
7. You previously explained to the Committee that you spent the 20 months as an adviser, specifically in health, focussed on advising the Prime Minister on dealing with the effects of the pandemic. You also said your role as Interim Permanent Secretary for No.10 focussed on the agreed plan to restructure No.10 and the day-to-day running of the Prime Minister's Group and headcount management.
8. During your last seven weeks in office, you were posted at DHSC as an Expert Adviser. You said this role with DHSC was focussed on advising DHSC on the upcoming winter pressure. Additionally, you were formally recused from anything AI-related, as you were considering future roles in this field.

Department Assessment

9. There is a contractual relationship between government and PA Consulting. This includes a number of contracts over several years with your former department (DHSC).
10. The departments confirmed you did not meet with PA Consulting whilst in office and had no role in procurement or commercial matters whilst in office.
11. The departments confirmed that during your various roles in office you would have had significant access to sensitive policy information. Due to your responsibilities, this information is likely to have covered:
 - pandemic effects and response
 - health and social care
 - restructuring No.10, running the Prime Minister's Group and headcount management
12. The Cabinet Office noted you left your No.10 post in July 2022. This role was primarily internally-focused, and is unlikely to have provided access to sensitive information that could be used to benefit PA Consulting. You did attend some health industry meetings during this time due to your expertise in the sector and to respond to operational issues. However, as there were

separate Health Advisers within the department, these issues were largely reactive.

13. Your last role was to provide advice on the health sector at DHSC for 7 weeks from Nov to Dec 2022 - this role involved advising on the forthcoming winter pressures on the NHS. The department said given the short length of your time at DHSC, as well as the long period of time since you were in post (over 12 months), any relevance of this information would have degraded by now.
14. The department also noted you have a longstanding prior career in the health sector, which is likely to be the source of your expertise, reducing the risk PA Consulting may be seeking to hire you as a result of your time in government. The departments' view is that your access to information presents a minimal risk, and should be adequately covered by reminding you of your duty of confidentiality.
15. The department said you are currently a lead Non-Executive Director at DHSC. It said that any conflicts will be handled by the department in the usual way and in accordance with the Code of Conduct for Board Members of Public Bodies. It said it is content for you to accept this appointment subject to the conditions imposed on your independent consultancy.