



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: The Rt Hon Michelle Donelan, former Secretary of State for Science, Innovation and Technology. Paid appointment with Medivys 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 a paid role as a Non-Executive Director with Medivys Ltd (Medivys).
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 Medivys, as a former minister. 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 of the risks presented

5. You did not make any policy, regulatory or commercial decisions specific to Medivys. There is no relationship between your former departments and Medivys, nor did you meet with the company whilst in office. Therefore, the

Committee¹ considered that the risk this role could reasonably be seen as a reward for your decisions in office is low.

6. As Secretary of State for Science, Innovation and Technology, you were exposed to policy, regulatory and commercial decisions affecting a wide range of artificial intelligence (AI) companies. However, the Department for Science, Innovation and Technology (DSIT) considered your access to information to be limited because:
 - although DSIT works with healthcare AI companies, its work is focussed on companies operating health-related applications rather than administrative services similar to those offered by Medivys;
 - you have been out of office for three months, without access to information, providing a gap between your role with Medivys.
7. As a former minister, your contacts and influence across government could offer Medivys an unfair advantage, in particular, as Medivys is developing its product for sale to the healthcare sector. You confirmed that your proposed role would not involve any contact with government.

The Committee's advice

8. The Committee considered that the conditions below are sufficient to mitigate the risks related to this role. These seek to prevent you from making use of privileged information, contacts and influence gained from your recent time in ministerial office to the unfair advantage of Medivys.
9. As a former member of the Cabinet you are subject to a standard three month waiting period.
10. In accordance with the government's Business Appointment Rules, the Committee advises this appointment with **Medivys Ltd** be subject to the following conditions:
 - a three month waiting period from your last day in office (now expired);
 - 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 any of its arm's length bodies on behalf of Medivys Ltd (including parent companies, subsidiaries,

¹ This application for advice was considered by Isabel Doverty; Hedley Finn OBE ;Sarah de Gay; The Rt Hon Lord Eric Pickles; Michael Prescott; and Mike Weir. Andrew Cumpsty, Dawid Konotey-Ahulu CBE DL, and The Baroness Thornton were unavailable.

partners and clients); nor should you make use, directly or indirectly, of your contacts in the government and/or ministerial office to influence policy, secure business/funding or otherwise unfairly advantage Medivys Ltd (including parent companies, subsidiaries, partners and clients); and

- for two years from your last day in ministerial office, you should not provide advice to or on behalf of Medivys Ltd (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.
11. The advice and the conditions under the government's Business Appointment Rules relate to your 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' Interests². 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.
 12. 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.
 13. 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."*
 14. You must inform us as soon as you take up employment with this organisation(s), or if it is announced that you will do so. Please 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.

² 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 obligations under the Code 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.

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.

The Rt Hon Lord Pickles

Annex- material information

The role

1. Medivys' website says that it is an AI startup platform provider that aims to reduce administrative tasks in the healthcare industry. It provides platforms for GP surgeries for service such as booking appointments or prescription ordering. You said that Medivys is a new company and does not yet have a relationship with government or its arm's length bodies (i.e. the NHS)- Medivys is not yet selling its services.
2. You wish to take up a part-time, paid role as a Non-Executive Director for Medivys. You said you would will:
 - promote the long-term success of Medivys and act in the best interests of the shareholders;
 - establish and align Medivys' purpose, values and strategy;
 - act with integrity and diligence;
 - put in place any necessary resources to allow Medivys to meet its objectives and measure performance against them;
 - establish a framework of effective controls, to enable risk assessment and management;
 - ensure effective engagement with and participation from shareholders and stakeholders.
 - provide constructive challenge, strategic guidance, and hold management to account where relevant;
 - scrutinise the performance of management and individual executive directors against agreed performance objectives;
 - assist in the determination of appropriate levels of remuneration for executive directors;
 - scrutinise and satisfy yourself on the accuracy of financial and narrative statements and Medivys' risk management and internal control systems;
 - consider the views of Medivys' shareholders, workforce and other stakeholders where appropriate.

You said that your role will not include contact with government

Dealings in office

3. You said you were responsible as Secretary of State at DSIT for helping to navigate through and minimise the risks of AI domestically via DSIT's AI strategy and approach and on the international stage. However, you said that you were not responsible for the procurement of AI for public sector services- this responsibility sat with the Cabinet Office.
4. You said that you did not make any policy regulatory or commercial decisions specific to Medivys in office, nor did you meet with the company.

Departmental assessment

DSIT confirmed the details provided in your application and added the following information:

- You did not make any decisions specifically affecting Medivys
 - You made regular policy and regulatory decisions which affected many AI companies. These decisions are unlikely to have had any specific, concrete impact on Medivys given the healthcare nature of its work
 - Your role was to set the overall tone and environment of AI regulation more broadly
 - DSIT has a focus on AI and its benefits in healthcare, and in helping start-ups get approval for their technology to be used in healthcare through the Health Innovation Networks
 - DSIT would not have an interest in Medivys' area of work- DSIT's work focuses on more health related applications rather than administrative ones.
 - Any relevant information is now in the public domain
5. DSIT, and your previous department, DCMS recommended the standard conditions.