



# Advisory Committee on Business Appointments

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Twelfth Annual Report

2010-2011



## ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

November 2011

*Dear Prime Minister,*

### TWELFTH ANNUAL REPORT

I enclose a copy of the twelfth Annual Report of the Advisory Committee on Business Appointments. The report covers the period of 1 April 2010 to 31 March 2011.

This report covers the first full year of the new Committee. I have taken the opportunity to look closely at the working practices of the Committee and have introduced some key changes. The Committee meets regularly to ensure robust discussion on key issues and confirmation of consistency of approach. I have also looked at how the Committee might be more open and have agreed that in future the minutes of these meetings will be published. The Committee continues to consider ways to be increasingly open about its work, while at the same time recognising the need to protect the confidentiality of personal information it holds on applicants.

The Committee welcomed the Government's publication of the new Business Appointment Rules for Civil Servants in February 2011. We believe that the new Rules provide more clarity and will be more easily understood by applicants, departments and the public alike. While this report only covers the first two months of the operation of the new Rules, our secretariat has been visiting departments to advise on the application of the Rules; this is a precursor to our starting compliance assurance checks in the next financial year.

The Committee considered a large number of applications from former ministers in this period, as is usual following a General Election. The advice offered to 42 former ministers regarding 85 appointments that have been taken up is published in this report. It is also published on our website on a rolling basis as appointments are taken up. No applications by former Ministers were considered by the Committee to be unsuitable. We also considered 63 applications from civil servants, 50 of which were taken up and have been published.

We remain mindful of the approach of successive governments that while it is in the public interest that those with experience in government should be able to move into business or other areas of public life, it is equally important that in taking up an appointment there is no cause for suspicion of impropriety. These factors have to be balanced against the rights of individuals under human rights legislation and restraint of trade laws to move into employment unhindered. Our advice on cases submitted to us has sought to reflect these - sometimes conflicting - considerations.

*Yours sincerely,  
Lang of Monkton*

Lord Lang of Monkton DL

# CONTENTS

Part 1: The Committee	3
Part 2: Ministers	7
Part 3: Civil Servants	9
Part 4: The Committee's Approach	12
Part 5: Appointments	14
ANNEXES	
Annex A: New Business Appointment Rules for former Ministers	20
Annex B: Advice given on Appointments taken up by former Ministers	23
Annex C: New Business Appointment Rules for Civil Servants	42
Annex D: Recommendations on Appointments taken up by former Crown servants	50

## PART 1 – THE COMMITTEE

1. The Advisory Committee on Business Appointments was established by the Prime Minister in 1975. It is an independent, advisory non-departmental public body.
2. The Committee has seven members, including the Chairman. Three members are nominated by the main political parties and the remaining four are independent members. The independent members, appointed by the Prime Minister, have experience at a high level in the Civil Service, the Diplomatic Service, the Armed Forces and in Business. All members are appointed for a single non-renewable term of five years.
3. During the reporting period one new member joined the Committee. Sir Hugh Stevenson was appointed from 1 April 2010, following an open competition. His appointment was made in accordance with the Code of Practice for the Commissioner for Public Appointments.
4. The current Chairman of the Committee is Lord Lang of Monkton, the Conservative member of the Committee.



Ian Lang served as the Conservative MP for Galloway from 1979 to 1983, and for Galloway and Upper Nithsdale from 1983 to 1997. He joined the Cabinet as Secretary of State for Scotland in 1990, a post he held until becoming President of the Board of Trade in 1995. After leaving government in 1997, he was made a life peer. Since then he has held a number of non-executive business appointments. He is currently Chairman of Marsh & McLennan Companies Inc and a non-executive director of Charlemagne Capital Ltd. He served on the House of Lords Select

Committee on the Constitution from 2002 to 2007 and on the Barnett Formula from 2008 to 2009.

5. The other members of the Committee during the reporting period:
  - Sir Colin Budd, independent member
  - Lord (Navnit) Dholakia, Liberal Democrat member
  - Lord (Gus) Macdonald of Tradeston, Labour member
  - Sir Hugh Stevenson, independent member
  - Lord (Michael) Walker of Aldringham, independent member
  - Dame Juliet Wheldon, independent member



Colin Budd joined the Diplomatic Service in 1967. During his career he served in Warsaw, Islamabad, The Hague and Bonn, including 2 years as Chef de Cabinet to the Vice-President of the European Commission. In the UK he was Private Secretary to two Cabinet Ministers and chaired the Joint Intelligence Committee from 1996 to 1997. After 4 years as Deputy Under Secretary of State (Europe and Economic) of the Foreign and Commonwealth Office, he spent 5 years as HM Ambassador to The Netherlands before retiring in 2005. From 2006 to 2007 he was a Member of the Commission for Racial Equality. He is currently a member of the QC Selection Panel and on the Board of the London School of Economics' IDEAS centre for the study of international affairs.



After spending his early years in Tanzania and India, Navnit Dholakia came to Britain to study in Brighton, where he became active in the

Liberal Party. While Chair of Brighton Young Liberals, he was elected to Brighton Borough Council (1961-1964). In 1966 he became Development Officer for the National Committee for Commonwealth Immigrants, and ten years later he was appointed to the Commission for Racial Equality. His interest in criminal justice and penal affairs is reflected in his work with the Sussex Police Authority, the Police Complaints Authority, the Howard League for Penal Reform and his current role as President of Nacro. He was made a life peer in 1997 and has served as a Liberal Democrat Whip (1997-2002) and the party's Home Affairs Spokesman (2002-2004). After 4 years as President of the Liberal Democrats, he was elected joint Deputy Leader of the party in the House of Lords in 2004 and has been its sole Deputy Leader in the Lords since 2010.



Gus Macdonald was a broadcaster and businessman before his elevation to the House of Lords and appointment as Minister for Business and Industry at the Scottish Office in 1998. Subsequent posts were Minister for Transport (1999-2001) and Minister for the Cabinet Office and Chancellor of the Duchy of Lancaster (2001-2003). He is currently a member of the Lords' Select Committee on Communications; adviser to the OECD's International Transport Forum and to Macquarie Infrastructure Real Assets; Board member of Scottish Power and Chancellor of Glasgow Caledonian University.



Hugh Stevenson began his business career at Linklaters & Paines, solicitors. He joined the investment bank, SG Warburg & Co in 1970 and was a director of SG Warburg Group plc from 1987 to 1995. He was Chairman of Mercury Asset Management Group plc (1992-

1998), the Institutional Fund Managers Association (1998-1999), Equitas Ltd (1998-2009) and The Merchants Trust plc (2000-2010), and a non-executive director of Standard Life plc (1999-2008). Hugh was also a non-executive director of the Financial Services Authority from 2004 to 2010, serving as Deputy Chairman during his final year. He is a trustee of a number of charitable trusts.



After a brief spell as a teacher, Michael Walker joined the Army in 1966. He served in Cyprus, Gibraltar, Northern Ireland and Germany before taking command of the 2<sup>nd</sup> Infantry Division. Having served in the Gulf War and as Assistant Chief of the General Staff, he was appointed Commander of NATO's Allied Rapid Reaction Corps in 1994. When the Corps was deployed to the Balkans in 1995 he became the first officer to command the land component of the NATO-led Implementation Force. He returned to the MOD in 1997 as Commander in Chief, Land Command, and was promoted to Chief of the General Staff (the professional head of the British Army) in 2000. In 2003 he became Chief of the Defence Staff (head of all British Armed Forces), a post he held for 3 years before retiring and receiving a life peerage in 2006. He was subsequently appointed Governor of the Royal Hospital Chelsea, stepping down in early 2011.



Juliet Wheldon was called to the Bar in 1975 and joined the Advisory Division of the Department of the Treasury Solicitor the following year. After serving in legal roles in a number of government departments, she was appointed Treasury Solicitor and Head of the Government Legal Service in 2000, the first woman to hold the position. She retired from the Civil Service in 2006 and was the legal adviser to the Governor of the Bank of England from 2006 until the end of 2008. She is a trustee of the British Institute of International and Comparative Law and

a patron of the Human Rights Lawyers Association. Juliet stepped down from the Committee in July 2011 for personal reasons.

6. The Committee is supported by a small secretariat at its office at 1 Horse Guards Rd, London, SW1A 2HQ.

## ROLE OF THE COMMITTEE

7. The role of the Committee is to:
  - Provide independent advice to the Prime Minister (or Foreign Secretary) on the application of the Government's Business Appointment Rules to the most senior members of the Civil Service, Armed Services and Diplomatic Service who wish to take up appointments within two years of leaving Crown service.
  - Provide independent advice directly to former Ministers on appointments they wish to take up within two years of leaving Government.
8. The Business Appointment Rules apply at all levels of the Civil Service<sup>1</sup>. Lower level applications are dealt with in departments under their own arrangements.
9. The Committee is limited in the restrictions it can recommend under the Business Appointment Rules by Human Rights legislation and the possibility of action in restraint of trade. Based on legal advice, the Rules confine its recommended restrictions or conditions to a maximum period of two years from an individual's last day of paid service. However, the Committee can, if so minded, recommend that a particular appointment is unsuitable and should not be taken up.

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<sup>1</sup> In the context of this report, references to "Civil Servants" include members of the Armed Forces, Intelligence Agencies and the Diplomatic Service, all of whom have equivalent versions of the Rules.

10. The Committee's remit is to provide advice. It does not have a role in policing or enforcing its advice. It does, however, publish its advice on all the appointments it considers and that are subsequently taken up or announced. It is through this transparency, as recommended by the Nolan Committee for Standards in Public Life, that applicants and the Committee itself are accountable to the public.
11. Following the Government's review of public bodies in 2010, it was confirmed by the Government that the Committee would be retained due to its role as an independent and politically impartial body.
12. During the reporting period the Committee considered 63 Civil Service cases (13 of which were not taken up) and 95 ministerial cases (ten of which were not taken up).
13. Further details of how the Committee approaches its work are given in Parts 2, 3 and 4 of this report.

## OPENNESS

14. The Committee publishes its final advice on an appointment once the appointment has been taken up or announced.
15. The Committee has a Code of Conduct which is published. It also maintains a register of its members' interests which is publicly available on its website. Committee members follow a strict policy of declaring any individual interests related to a case and if necessary recusing themselves. The Committee publishes such details alongside its advice on the relevant case.
16. The Committee is required to consider requests submitted to it under the Freedom of Information Act 2000, but it is also subject to the exemptions in the Act, in particular

Section 40 relating to personal information and Section 36 relating to the effective functioning of a public body. During the reporting period, 8 requests for information were received and responded to.

17. In February 2011 the Chairman confirmed that in the future the Committee would be publishing the minutes of its meetings. These are now available on its website, <http://acoba.independent.gov.uk> and will continue to be uploaded for future meetings once the minutes have been approved by the Committee.

## ACCOUNTABILITY TO PARLIAMENT

18. On 8 February 2011 the Chairman appeared before the Public Administration Select Committee to provide evidence on the work of the Committee since his appointment. Lord Lang's appearance coincided with the publication of the new Business Appointment Rules by the Cabinet Office; the changes introduced by the new Rules are examined further in Part 3 of the Report. During his appearance, Lord Lang confirmed two changes

to the operation of the Committee; first that it would be publishing its minutes and, second, that it would publish annually the number of cases on which advice was offered but the appointment was not subsequently taken up (reported in Part 5 of this report). A transcript of Lord Lang's evidence is available on the Select Committee's website <http://www.parliament.uk/business/committees/committees-a-z/commons-select/public-administration-select-committee/publications/>

## EXPENDITURE

19. The Committee's expenditure for the financial year April 2010 to March 2011 was £209,000.
20. The major element of the expenditure was staff costs, at £184,000. Members' fees of £8,000 for the Chairman and £3,000 for other Members (excluding Lord Walker as he was in receipt of a salary from the public purse at the time) totalled £23,000. The remainder of the expenditure was for administrative costs including staff training and stationery.

## PART 2 –MINISTERS

### INTRODUCTION – THE MINISTERIAL CODE

21. The Business Appointment Rules for former Ministers are based on the premise that it is in the public interest that former Ministers with experience in government should be able to move into business or into other areas of public life, and be able to start a new career or resume a former one. It is equally important that when a former Minister takes up a particular appointment or employment, there should be no cause for any suspicion of impropriety.
22. The requirement for former Ministers to seek the Committee’s advice comes from the Ministerial Code, which was revised in May 2010. The Committee also provides advice to former Ministers in Scotland and Wales under their respective ministerial codes.
23. The Code states that “on leaving office, Ministers will be prohibited from lobbying Government for two years. They must also seek advice from the independent Advisory Committee on Business Appointments about any appointments or employment they wish to take up within two years of leaving office. Former Ministers must abide by the advice of the Committee.”
24. The key changes introduced by the 2010 Ministerial Code are:
  - The introduction of a two-year lobbying ban.
  - The requirement to seek advice on unpaid appointments in non-commercial organisations.

The Committee welcomes the increased clarity that these changes have brought.

25. All the applications considered during the reporting period were from former Ministers who were bound by the previous Ministerial Code dating from 2007.

### MINISTERS – THE PROCESS

26. The Committee provides its advice direct to the former Minister. It aims to provide its advice within 15 working days. However, the complexity of some cases means it is not possible for all cases to be fully considered within this timeframe. During the reporting period the Committee provided its advice to former Ministers within 15 days in 55% of cases.
27. The Chairman writes to all former Ministers when they leave office to remind them of the need to ask the Committee for advice on all applications for two years after leaving office.
28. Former Ministers are asked to complete an application form, which is available on the Committee’s website. The Committee asks that it be provided with as full a picture of the proposed employment as possible so that it can provide fully informed advice. The Committee may also seek further confidential evidence from different sources, for example the Minister’s former department or the proposed employer and their competitors.
29. The advice to former Ministers will typically ranged from unconditional approval to a waiting period and/or a lobbying ban of up to two years. As a general principle, former Ministers will have to observe a two-year ban on lobbying government. Furthermore, former Cabinet members will have a minimum three month waiting period after leaving office,

although this can be waived by the Committee if justified by the circumstances of the case. In exceptional circumstances the Committee can recommend that a particular appointment or employment is unsuitable and should not be taken up.

30. The advice is published once the former Minister has advised the Committee that he or she has taken up or announced an appointment. The Government's Guidelines for former Ministers state that all applications to the Committee will be "treated in strict confidence and will remain confidential" until the appointment is taken up or publicly announced. Therefore the Committee does not publish its advice on appointments not

taken up. During the reporting period 10 applications were advised upon but not taken up.

31. The Committee will consider requests for continuing confidentiality once an appointment has been taken up, but a compelling case must be made to the Committee for doing so. The Committee will give no undertaking longer than three months, at the end of which the situation is reviewed. During the reporting period the Committee did not agree to any appointments that were taken up being withheld from publication.

## PART 3 - CIVIL SERVANTS

### INTRODUCTION – THE BUSINESS APPOINTMENT RULES FOR CIVIL SERVANTS

32. The key principles of the Rules for civil servants are designed to uphold the core values in the Civil Service Code, of integrity, honesty, objectivity and impartiality.
33. It has been the view of successive governments that it is in the public interest that people with experience of public administration should be able to move into business or other bodies outside central government, and that such movement should not be frustrated by unjustified public concern over a particular appointment. It is equally important that when a former civil servant takes up an outside appointment there should be no cause for justified public concern, criticism or misinterpretation.
34. The purpose of the Rules for civil servants is to maintain trust in public services and in the people who work in them, and in particular to avoid any suspicion that an appointment might be a reward for past favours; and to avoid the risk that an employer might gain an improper advantage by appointing a former official who holds information about its competitors, or about impending government policy.
35. The Rules for civil servants apply at all levels of the Civil Service. The Committee is responsible for providing independent advice to the Prime Minister on the application of the Business Appointment Rules to the most senior members of the Civil Service and Armed Services who wish to take up appointments within two years of leaving Crown service. Similarly, it provides advice to the Foreign

Secretary for senior members of the Diplomatic Service.

36. With regard to applications from civil servants in the Devolved Administrations in Scotland and Wales, the Committee provides advice to the relevant First Minister.
37. Not all Civil Service applications are referred to the Committee – only those of the most senior civil servants at Director General and Permanent Secretary level. Lower level applications are dealt with by departments under their own arrangements. Permanent Secretaries are responsible for the operation of the Rules for civil servants in their departments.
38. In the reporting period, 63 applications from civil servants, members of the Armed Forces and the Diplomatic Service were considered by the Committee.

### NEW RULES

39. In February 2011 the Government published new Business Appointment Rules for Civil Servants. The Committee contributed to the wider consultation on the development of the new Rules. A copy of them is at Annex C, and is also available on the Committee's website.
40. The main changes the new Rules for civil servants have introduced are:
  - A general expectation of a two-year lobbying ban for Director Generals and Permanent Secretaries;
  - A definition of lobbying has been provided;
  - Special Advisers at all levels must now make applications to the Committee;

- Permanent Secretaries have responsibility for decisions on all applications from staff at Director level and below;
- A requirement for the Committee to undertake informal compliance assurance checks on departments' arrangements for handling applications.

41. The Committee welcomes the greater clarity and consistency that the new Rules for civil servants have brought, as well as the strengthening of key areas. It believes this will assist applicants, departments and the general public in the understanding of the Rules and the Committee's role in advising upon them.
42. As the new Rules for civil servants were only in place for just under two months of this reporting period, there was insufficient time for the Committee to be able to take a view on how they were working. The Committee intends to comment further on the implementation of the new Rules in its next Annual Report. This will include how it plans to go about the informal compliance assurance checks.

## THE PROCESS

43. For all but the last two months of the reporting period, the Committee aimed to provide its advice to the Prime Minister within 25 working days of receiving a fully completed application form. As each case is considered on its individual merits it is not possible to achieve this target in all cases and some will necessarily take longer. For ten months of this Report, 75% of cases were dealt with within the 25 day target.
44. The target was reduced under the new Rules for civil servants to 20 working days. Again given the complexity of some cases it is not possible for all cases to be fully considered in this timeframe, given the need to obtain

background information from a number of sources. However, for the last two months of the reporting period the Committee provided its advice to the Prime Minister on 70% of cases in less than 20 days.

45. All individual applicants must complete a standard application form which is available on the Committee's website. The form asks applicants to provide details of their current and previous posts as well as information on the proposed appointment including whether or not it was advertised, and if it will involve dealings with the former department or departments. Applicants must also state if they have had any contractual or official dealings with the prospective employer or competitors of the prospective employer over the previous two years; and if they have been involved in policy development which could affect either the prospective employer or competitors.
46. All senior level applicants must submit the application to both their countersigning officer and the department's HR division for them to provide their views on the application. This is sent direct to the Committee. The Committee relies on the information provided by the department and countersigning officer to inform its consideration of an application. The Committee considers each case individually against the Rules for civil servants. It collects wider evidence where necessary, for example it might seek the views of the security services, another government department or the Cabinet Office. In some instances the Committee will meet applicants to discuss the proposed appointment further.
47. The Committee will then reach a view on whether there should be any restrictions on the applicant taking up the proposed appointment. The advice of the Committee

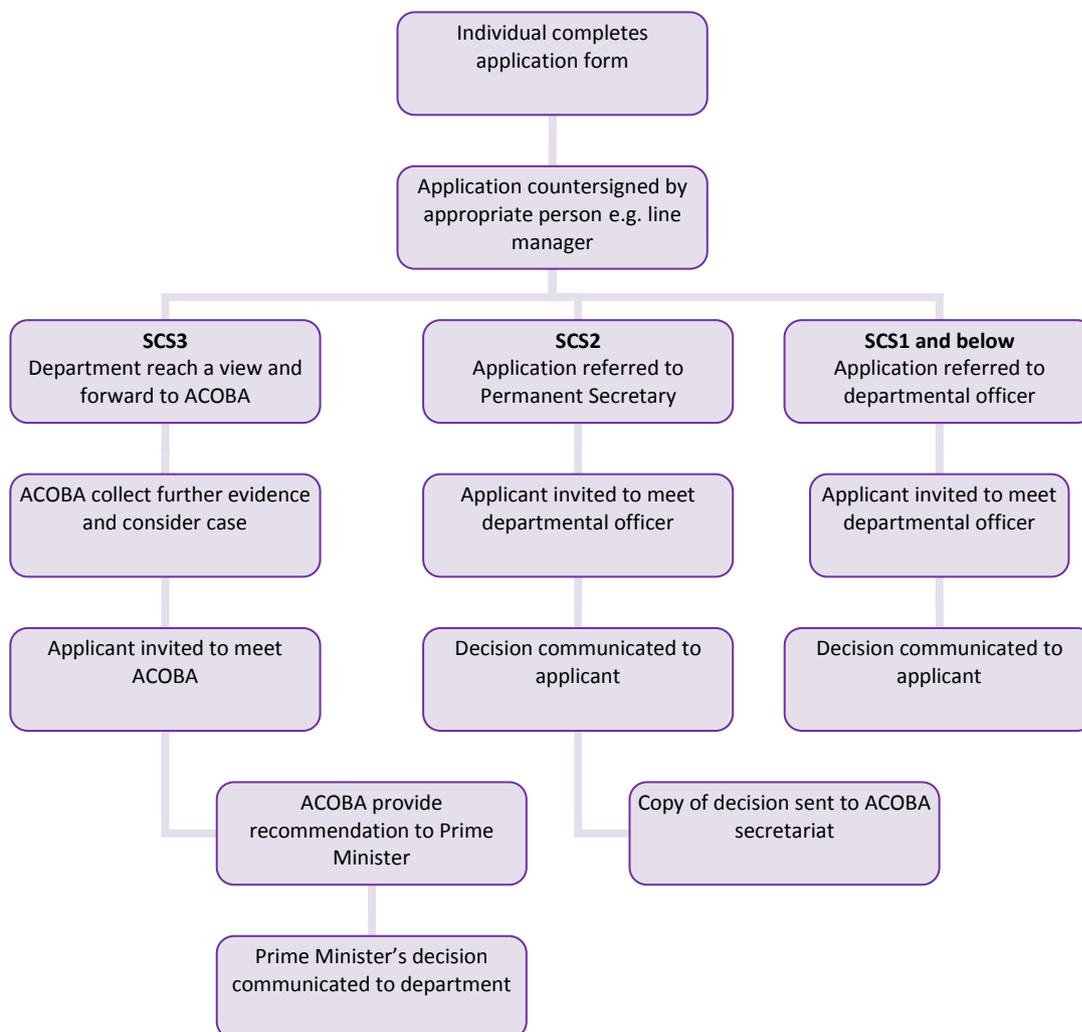
will typically range from unconditional approval to a waiting period and/or a lobbying ban of up to two years. However, as for Ministers, the Committee may judge an appointment to be unsuitable and can advise the Prime Minister to this effect.

48. Once the Committee has agreed its advice it writes to the Prime Minister, who then considers the application and the Committee’s recommendation. Once he has made his decision the Committee is informed and communicates this to the department.

49. The applicant is then responsible for informing the Committee when he or she has taken up the appointment, or it has been announced. Once the Committee has been informed it will publish the details of the appointment and its advice on its website.

50. Until an appointment is taken up or announced, the Committee undertakes to treat all applications confidentially. It does not publish its advice on appointments not taken up.

## THE PROCESS



## PART 4 - THE COMMITTEE'S APPROACH

### RESTRICTIONS

51. The Committee is mindful of the need to balance the public interest in applying the Rules with the rights of individuals to change employment under human rights legislation and the restraint of trade laws. This means that any restrictions must be fair and proportionate if they are to be legally enforceable. The maximum sanction the Committee can recommend is a two-year wait before taking up an appointment. The Committee does not have any legal right to prevent any appointment being taken up, nor does it have any policing powers to ensure its advice is followed.
52. In order to be fair and reasonable, therefore, each case is judged on its own merits.
53. The Committee's advice ranges from unconditional approval to, in a small number of cases, judging that an appointment is unsuitable. In the past year the Committee did not advise that any appointments were unsuitable. However, it is often the case that when the Committee indicates to an applicant that it considers an appointment to be unsuitable, the application is withdrawn. As only appointments which are taken up are published, the Committee's website and reports do not show any "unsuitable" appointments.
54. The new Rules for civil servants introduced a definition of the lobbying ban, which is that "the former civil servant should not engage in communication with Government (including Ministers, special advisers and officials) with a view to influencing a Government decision or policy in relation to their own interests, or the interests of the organisation by which they are employed, or to whom they are contracted." While under the previous Rules for civil

servants the Committee would include a lobbying ban in certain cases, it has now taken the approach, following the change in the Rules, that a two year lobbying ban is the starting point for its consideration of all applications.

### POLICY APPROACHES

#### INDEPENDENT CONSULTANCIES

55. During the reporting period, the Committee developed its approach to applications from individuals to set up as an independent consultant. As a minimum it would usually require applicants to be subject to a condition that for 12 months from their last day of service they should not undertake work which involves providing advice, to any company or organisation, on the terms of any bid or contract relating directly to the work of their former department. In addition for two years from the same date they should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of any of their clients.
56. The Committee advised on 19 applications for independent consultancies which were subsequently taken up during the reporting period. The Committee will always aim to specify as clearly as possible the areas covered by consultancy in its published advice, although at times it may be necessary for applicants to ask for further advice if a commission falls outside the advice already offered. There appears to be a growing trend for both former Ministers and civil servants to set up as independent consultants, and the Committee continues to develop its policy in this area.

#### SPEAKING ENGAGEMENTS

57. The Committee's approach has been not to ask for applications to be made for ad hoc

speaking engagements, but that it should be consulted if individuals intended to enter into a longer term arrangement. It therefore expects individuals to seek its advice who, for example, wish to join a speakers' agency, or who plan a series of remunerated speeches or wish to write a regular newspaper column.

#### RETROSPECTIVE ADVICE

58. The Committee feels strongly that its advice should be sought before an individual takes up an appointment or before it is announced, in line with the Rules for civil servants and the Ministerial Code. It is important for public accountability that the Committee is free to offer the most appropriate advice in any situation – which may include an appointment being unsuitable – without it appearing to be constrained by the individual having already signed a contract or taken up a post.
59. As mentioned previously, the Chairman writes to all former Ministers when they leave office to remind them of the need to seek the Committee's advice before taking up any appointments or employment. Departments are responsible for ensuring that departing civil servants are aware of the Rules and the need to make applications when appropriate.
60. The Committee has decided that both its concern and the fact that an individual has taken up an appointment before receiving advice should be made clear publicly. It is for this reason that its published advice on a number of cases includes a comment that the Committee noted with concern that the appointment had been accepted without advice being sought.

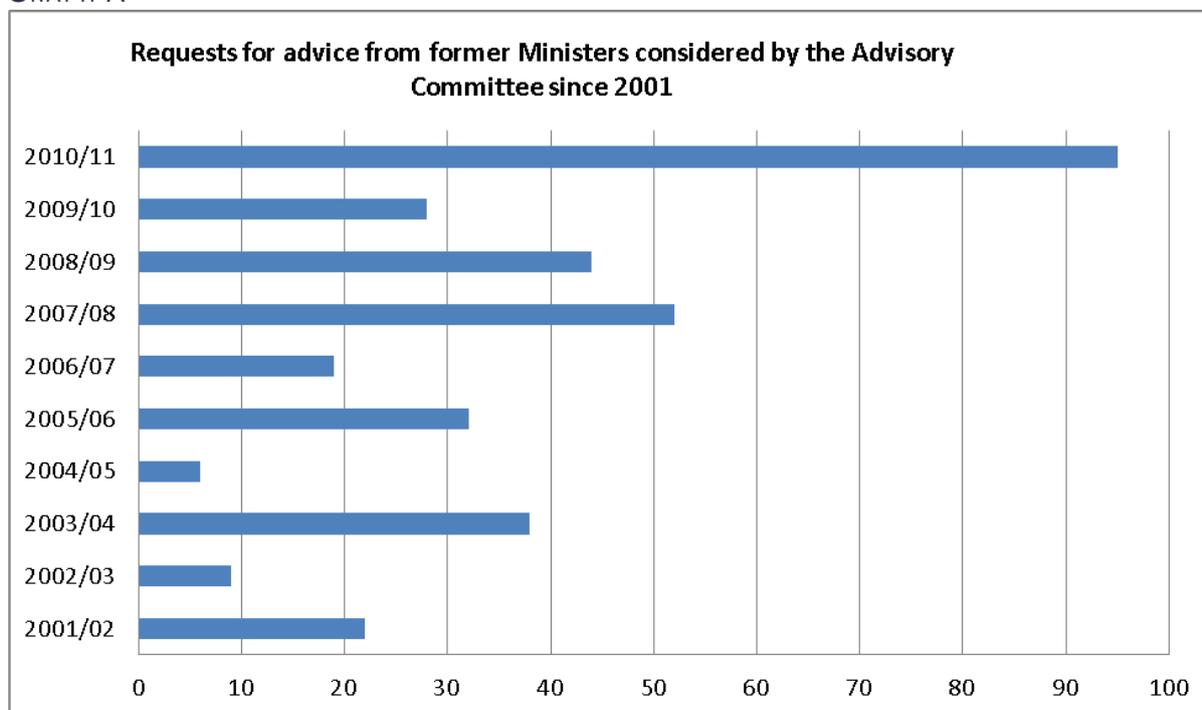
## PART 5 - APPOINTMENTS

### MINISTERS

61. The Committee offered advice to 42 former Ministers on 95 appointments during the reporting period. 85 of these were taken up, and the details of these appointments, together with the Committee's advice, is at Annex B.
62. The number of applications advised upon was particularly high during the year as it covered the period of a change of government. Graph A below shows the number of ministerial

applications over a ten year period, with the peak in 2010/11 being clear. It is partly for this reason that the target of a 15 day turnaround for cases was met in only 55% of cases. The Committee believes that in the normal course of events its target is achievable, but accepts that during periods of heavy workload it may not be met. Its approach is that all applications need to be given full consideration and it acknowledges that complex cases can take longer.

GRAPH A



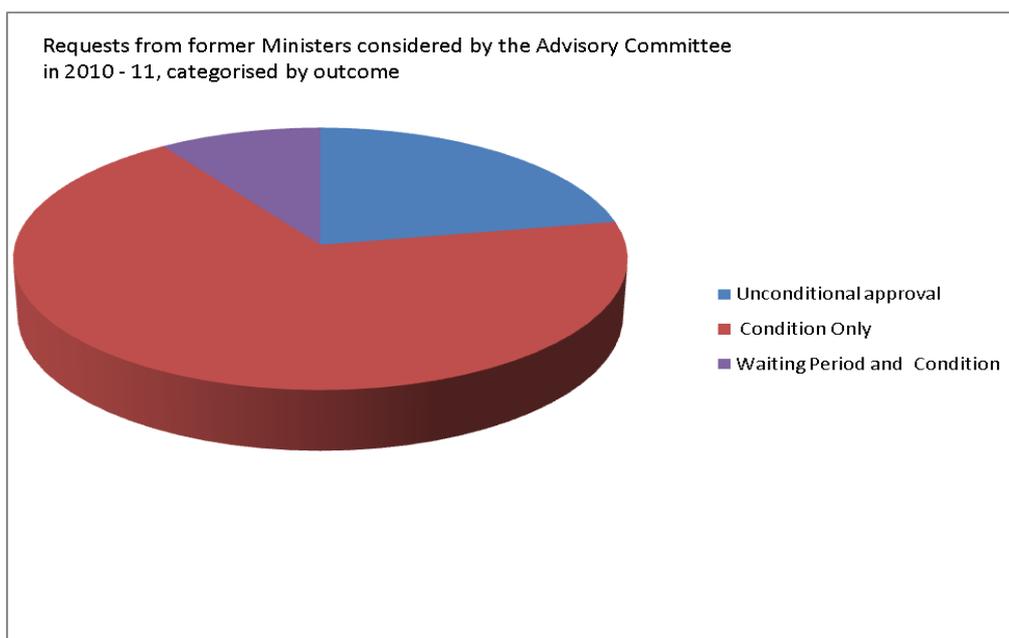
63. Table 1 and Graph B show the number of applications from former Ministers that were advised upon during the period, broken down by the conditions advised by the Committee. In the majority of cases the Committee has recommended that Ministers observe a

condition (such as a lobbying ban) and in a number of these it has also advised a waiting period. The Committee did not advise any Ministers that their applications were unsuitable during the period.

TABLE 1

Requests from former Ministers considered by the Advisory Committee in 2010 - 11, categorised by outcome			
SUMMARY OF APPLICATIONS			
	Waiting Period Length	Number of Applications	Condition Length
<i>Approved unconditionally</i>		21	
<i>Approved subject to conditions only</i>		46	12 months
		1	18 months
		18	24 months
<i>Approved with waiting period &amp; conditions</i>	3 months	2	12 months
	3 months	5	24 months
	6 months	1	12 months
	18 months	1	24 months
<b>TOTAL</b>		<b>95</b>	

GRAPH B



## CIVIL SERVANTS

64. The Committee offered advice on 63 applications from 38 civil servants during the reporting period. 50 of these were taken up, and the details of these appointments, together with the Committee's advice, are at Annex D. The Committee met its target of making recommendations to the Prime Minister or Foreign Secretary within 25 working days in 75% of cases considered

between 1 April 2010 and 2 February 2011. From 3 February 2011 to the end of the reporting period the Committee met its revised target of 20 working days in 70% of cases.

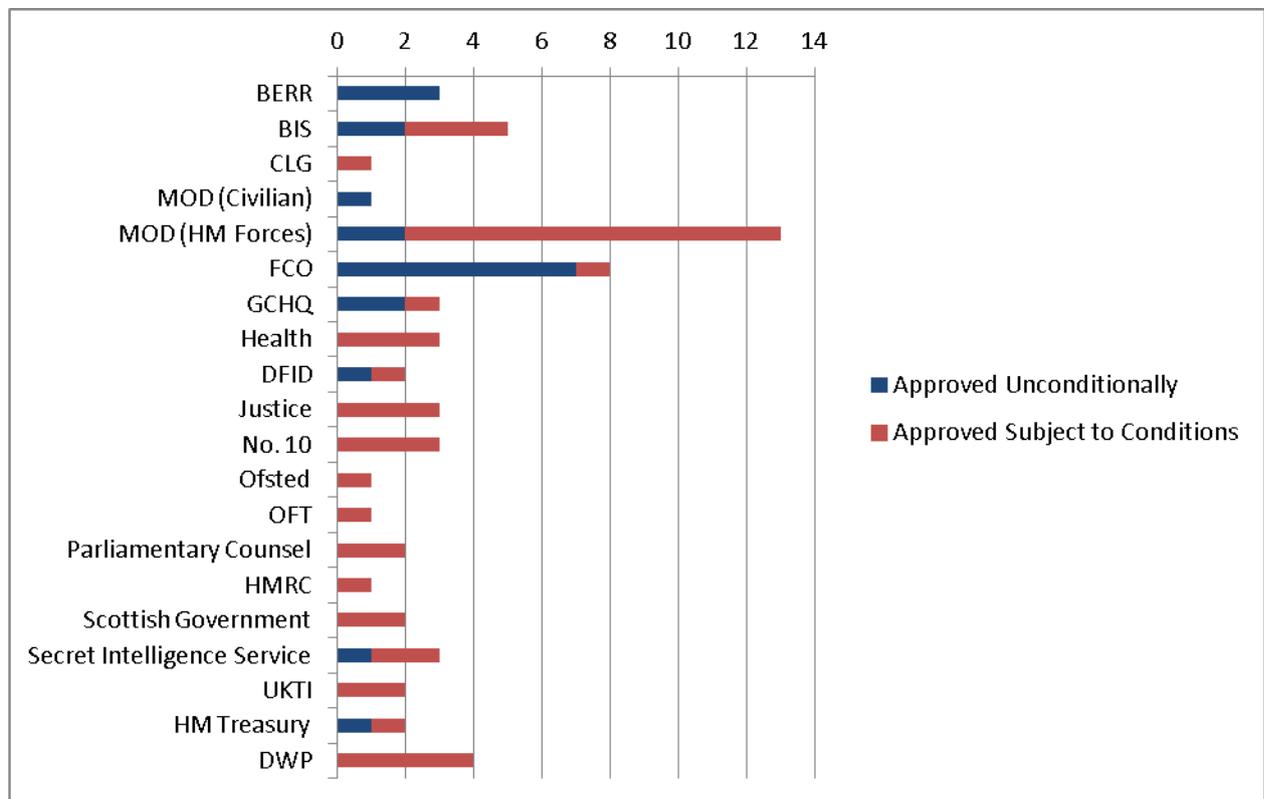
65. Table 2 shows these applications broken down by department, with an overview of the type of recommendation made by the Committee. This is also shown in Graph C.

TABLE 2

Department	Applicants	Applications	Approved Unconditionally	Approved Subject to Conditions
Business, Enterprise & Regulatory Reform (BERR)	1	3	3	0
Business, Innovation & Skills (BIS)	4	5	2	3
Communities and Local Government (CLG)	1	1	0	1
Defence (Civilian) (MOD)	1	1	1	0
Defence (HM Forces) (MOD)	9	13	2	11
Foreign & Commonwealth Office (FCO)	3	8	7	1
Government Communications Headquarters (GCHQ)	2	3	2	1
Health	2	3	0	3
International Development (DFID)	2	2	1	1
Justice	1	3	0	3
No. 10	2	3	0	3
Office for Standards in Education (Ofsted)	1	1	0	1
Office of Fair Trading (OFT)	1	1	0	1
Parliamentary Counsel	1	2	0	2
HM Revenue and Customs (HMRC)	1	1	0	1
Scottish Government	1	2	0	2
Secret Intelligence Service	1	3	1	2
UK Trade and Investment (UKTI)	1	2	0	2
HM Treasury	1	2	1	1
Work and Pensions (DWP)	2	4	0	4
<b>TOTAL</b>	<b>38</b>	<b>63</b>	<b>20</b>	<b>43</b>

## GRAPH C

Applications from civil servants considered by the Advisory Committee in 2010-11 categorized by department and outcome



66. Table 3 and Graph D show the number of applications from civil servants that were advised upon during the period, broken down by the conditions advised by the Committee. As for Ministers, in the majority of cases the Committee has recommended a condition (such as a lobbying ban) and in a number of these it has also advised a waiting period. The Committee did not advise that any applications were unsuitable during the period. However, it

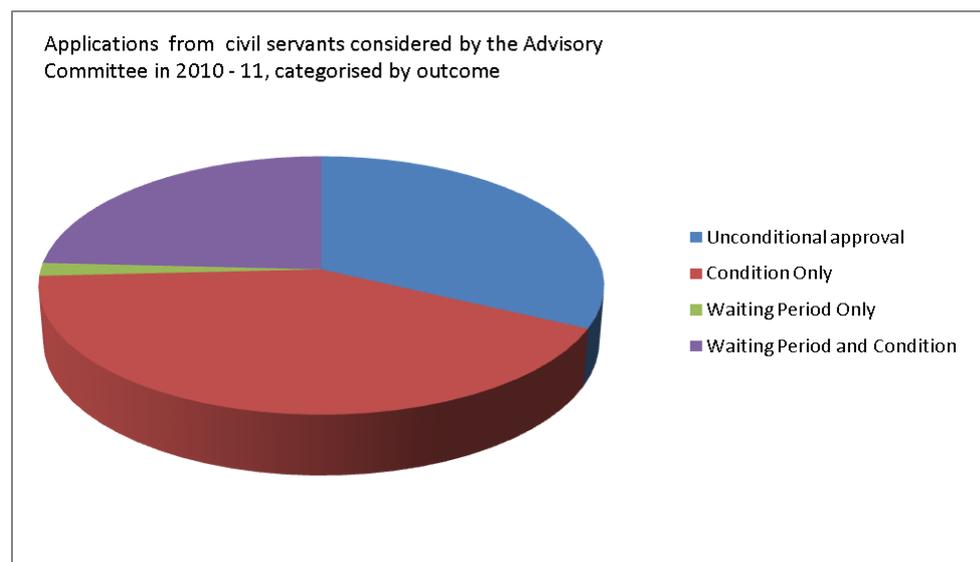
has been the case that if the Committee indicates that it is likely to recommend an application is unsuitable, applicants withdraw their application.

67. Graph E shows a breakdown of the applications from civil servants with the reason for leaving. More than half of the cases that the Committee considers are from civil servants departing at normal retirement age.

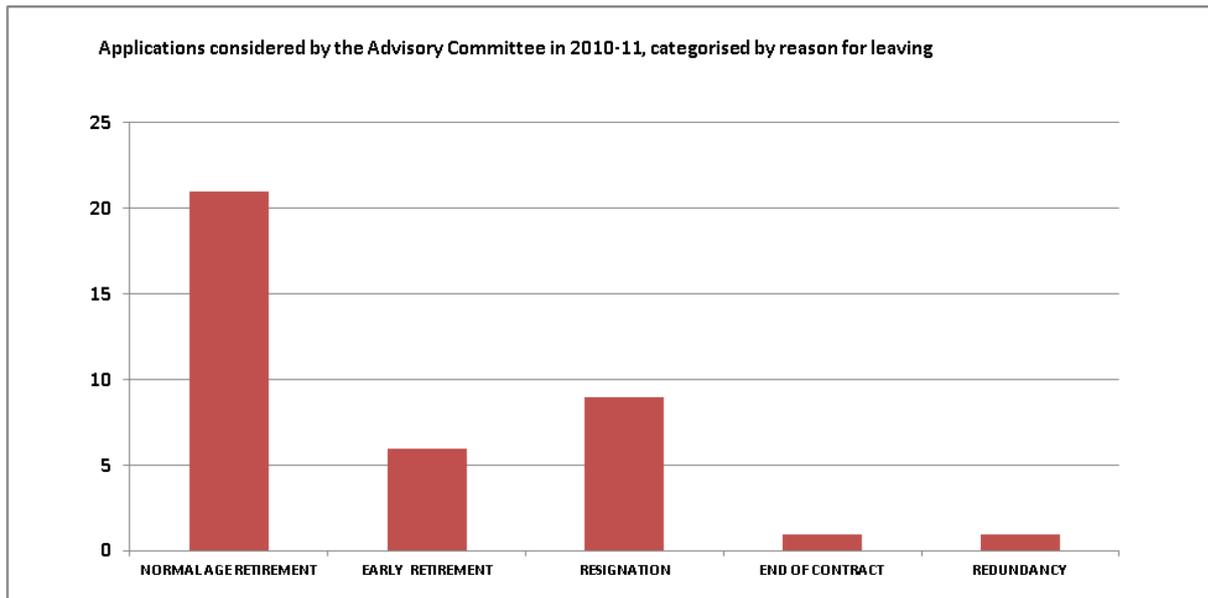
TABLE 3

Applications from civil servants considered by the Advisory Committee in 2010 - 11, categorised by outcome			
SUMMARY OF APPLICATIONS			
	Waiting Period Length	Number of Applications	Condition Length
<i>Approved unconditionally</i>		20	
<i>Approved subject to conditions only</i>		19	12 months
		7	24 months
<i>Approved subject to waiting period only</i>	12 months	1	
<i>Approved with waiting period &amp; conditions</i>	3 months	5	12 months
	3 months	4	24 months
	6 months	4	12 months
	6 months	2	24 months
	12 months	1	24 months
<b>TOTAL</b>		<b>63</b>	

GRAPH D



GRAPH E



## ANNEX A

# NEW BUSINESS APPOINTMENT RULES FOR FORMER MINISTERS

It is in the public interest that former Ministers with experience in Government should be able to move into business or into other areas of public life, and be able to start a new career or resume a former one. It is equally important that when a former Minister takes up a particular appointment or employment, there should be no cause for any suspicion of impropriety.

### THE RULES

**“On leaving office, Ministers will be prohibited from lobbying Government for two years. They must also seek advice from the independent Advisory Committee on Business Appointments about any appointments or employment they wish to take up within two years of leaving office. Former Ministers must abide by the advice of the Committee.”** *[Ministerial Code, section 7.25]*

1. The business appointment rules for former Ministers seek to counter suspicion that:
  - a. the decisions and statements of a serving Minister might be influenced by the hope or expectation of future employment with a particular firm or organisation; or
  - b. an employer could make improper use of official information to which a former Minister has had access; or
  - c. there may be cause for concern about the appointment in some other particular respect.

### APPLICATIONS BY FORMER MINISTERS

2. The application form, which can be accessed at:

<http://acoba.independent.gov.uk/media/21233/application-former-ministers.rtf>

will in most cases provide the Advisory Committee with the information it requires in order to give its advice. The Committee will need to consider details of the proposed appointment or employment, which includes any proposal to undertake consultancy work. If necessary, the Committee will seek, in confidence, additional information from senior officials of a former Minister’s Department(s) about any contact with the prospective employer or its competitors and the nature of any contractual, regulatory or other relationships with them. The Committee will also, if relevant to the proposed appointment or employment, take account of any other role that the former Minister may have been (or still be) carrying out on behalf of the Government. With the former Minister’s permission, the Committee may wish to contact the proposed new employer for clarification of the proposed appointment or employment and notification of the conditions that will apply to it.

3. The Advisory Committee will consider each request for advice about an appointment or employment on its merits, against specific tests relating to the following:
  - i. to what extent, if at all, has the former Minister been in a position which could lay him or her open to the suggestion that the appointment was in some way a reward for past favours?

- ii. has the former Minister been in a position where he or she has had access to trade secrets of competitors, knowledge of unannounced Government policy or other sensitive information which could give his or her new employer an unfair or improper advantage?
  - iii. is there another specific reason why acceptance of the appointment or employment could give rise to public concern on propriety grounds directly related to his or her former Ministerial role?
4. The Advisory Committee will need to balance any points arising under these tests against the desirability of former Ministers being able to move into business or other areas of public life, and the need for them to be able to start a new career or resume a former one.

## RESTRICTIONS

5. The Advisory Committee may advise that they see no reason why an appointment or employment should not be taken up forthwith without any condition. However, if it considers that public concern could be of such a degree or character, it may recommend a delay in taking up the appointment, or that for a specified period the former Minister should stand aside from involvement in certain activities, for example, commercial dealings with his or her former Department, or involvement in particular areas of the new employer's business. Any conditions advised may apply for a maximum of two years after the former Minister leaves office. Exceptionally, the Committee may advise that they view a particular appointment or employment to be unsuitable.
6. As a general principle, there will be a two-year ban on former Ministers lobbying Government after they leave office. This means that a former Minister should not engage in communication with Government (Ministers, civil servants, including special advisers, and other relevant officials) with a view to influencing a Government decision or policy in relation to their own interests or the interests of the organisation by which they are employed, or to whom they are contracted. The two-year lobbying ban may be reduced by the Advisory Committee if they consider this to be justified by the particular circumstances of an individual application.
7. A minimum waiting period of three months from the date of leaving office to taking up an appointment or employment will be expected when the former Minister was a member of Cabinet, and may also be applied to other former Ministers if the Advisory Committee believes this to be warranted by the circumstances of the individual case. The Committee may waive this minimum waiting period if, in its judgement, no question of propriety or public concern arises from the appointment or employment being taken up earlier. Equally, the Committee may consider that public concern about a particular appointment or employment could be of such a degree or character that a longer waiting period is appropriate up to the maximum period of two years that may be applied.
8. The Advisory Committee aims to provide their advice within 15 working days from receipt of the required information. Complex cases may take longer, but in such cases, the Advisory Committee's Secretariat will notify the former Minister concerned.
9. If, having received the Advisory Committee's advice, a former Minister has concerns, he or she will have an opportunity to make representations to the Committee, including an opportunity to meet with the Committee if they so wish.

## PUBLICISING THE ADVISORY COMMITTEE'S ADVICE<sup>2</sup>

All approaches to the Advisory Committee will be handled in strict confidence, and will remain confidential until the appointment or employment is publicly announced or taken up, at which time the Committee will make public its advice, alongside summary details of the former Minister's last Ministerial post, and the appointment or employment to be taken up. Details will be placed on its website <http://acoba.independent.gov.uk> and in its annual report. If asked, the Committee will say publicly whether or not its advice had been sought about an appointment or employment which had been taken up within two years of a Minister leaving office.

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<sup>2</sup> The Committee handles personal information provided to it in accordance with the Data Protection Act 1998. Such information may on limited occasions be published, for example, if the Committee is required to publish information in accordance with the Freedom of Information Act 2000.

## ANNEX B

### ADVICE GIVEN ON APPOINTMENTS TAKEN UP BY FORMER MINISTERS

Name, former department & date of leaving office	Appointment	Advice & date tendered	Date taken up
The Rt Hon Lord Adonis Secretary of State Department of Transport  May 2010	Non-executive Director Dods Group	Sees no reason why he should not take up the appointment forthwith, subject to the condition that, for 12 months from his last day in office, he does not get personally involved in lobbying UK Ministers or Crown servants, including Special Advisers, on behalf of his new employer  January 2011	January 2011
	Director Institute for Government	Noted with concern that the appointment had been accepted without advice being sought. Had an application been made at the correct time, the Committee would have seen no objection to his taking up the position forthwith, subject to the condition that, for 12 months from his last day in office, he should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of his new employer  February 2011	September 2010
The Rt Hon Gordon Brown MP Prime Minister  May 2010	Speaking engagements Washington Speakers Bureau	Sees no reason why he should not take up forthwith, the normal three-month waiting period for former Cabinet Ministers having expired, provided that he does not draw on any privileged information that was available to him as Prime Minister and Chancellor  August 2010	Announced September 2010
The Rt Hon Des Browne Secretary of State Ministry of Defence  October 2008	Member of International Advisory Board Parker Green International	Sees no reason why he should not take up the appointment forthwith  May 2010	June 2010
	Adviser Institute for Government	Sees no reason why he should not take up the appointment forthwith  September 2010	September 2010

Name, former department & date of leaving office	Appointment	Advice & date tendered	Date taken up
<p>Lord Carter of Barnes CBE Minister for Communications, Technology &amp; Broadcasting Department for Business, Innovation and Skills Department for Culture, Media and Sport</p> <p>July 2009</p>	<p>Board Director 2Wire Inc (as company representative of Alcatel-Lucent)</p>	<p>Sees no reason why he should not take up the appointment forthwith</p> <p>June 2010</p>	<p>June 2010</p>
<p>The Rt Hon Alistair Darling MP Chancellor of the Exchequer</p> <p>May 2010</p>	<p>Speaking engagements</p>	<p>Sees no reason why he should not accept speaking engagements forthwith, the normal 3-month waiting period having expired, on the basis that he would not draw on any privileged information which was available to him as a Minister</p> <p>October 2010</p>	<p>November 2010</p>
<p>The Rt Hon Professor the Lord Darzi of Denham KBE Parliamentary Under-Secretary of State for Health Department of Health</p> <p>July 2009</p>	<p>Member of the Healthy Imagination Advisory Group of GE Healthcare</p>	<p>Sees no reason why he should not take up the appointment forthwith, on the basis that he would not draw on any privileged information which was available to him as a Minister, subject to the condition that, for 12 months after leaving office, he should not become personally involved in lobbying Government on behalf of his new employer</p> <p>November 2009</p>	<p>May 2010</p>
	<p>Member Advisory and Search Committee Khalifa University of Science</p>	<p>Sees no reason why he should not take up the appointment forthwith</p> <p>July 2010</p>	<p>August 2010</p>
	<p>Adviser on healthcare reform Government of Kuwait</p>	<p>Sees no reason why he should not take up the appointment forthwith</p> <p>July 2010</p>	<p>August 2010</p>
	<p>Health and scientific adviser Government of Qatar</p>	<p>Sees no reason why he should not take up the appointment forthwith</p> <p>July 2010</p>	<p>January 2011</p>

Name, former department & date of leaving office	Appointment	Advice & date tendered	Date taken up
Lord Davidson of Glen Cova QC Advocate General for Scotland  May 2010	Return to legal practice and the Scottish Bar	Sees no reason why he should not return to legal practice and the Scottish Bar as advocate/Queen's Counsel, on the basis that he would stand aside from dealing with any matter about which he had confidential or privileged information acquired while he was Advocate General of Scotland  June 2010	May 2010
Lord Davies of Abersoch Minister for Trade Promotion and Investment Department for Business, Innovation and Skills  May 2010	Partner Corsair Capital LLC	Sees no reason why he should not take up the appointment subject to a waiting period of 3 months from his last day in office, on the basis that he would not draw on any privileged information which was available to him as a Minister, and the condition that, for 2 years after leaving office, he should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of the firm  May 2010	August 2010
	Non-executive Director Diageo PLC	Sees no reason why he should not take up the appointment subject to a waiting period of 3 months from his last day in office, on the basis that he would not draw on any privileged information which was available to him as a Minister, and the condition that, for 2 years after leaving office he should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of the firm  July 2010	August 2010
	Non-executive Chairman Pinebridge Investments Ltd	Sees no reason why he should not take up the appointment forthwith, provided that he does not draw on any privileged information which was available to him as a Minister, and, that for 12 months after leaving office, he does not become personally involved in lobbying UK Ministers or Crown servants, including Special Advisers, on behalf of the firm  June 2010	August 2010

Name, former department & date of leaving office	Appointment	Advice & date tendered	Date taken up
Lord Davies of Abersoch continued	Adviser Ridgeway Partners LLP	Sees no reason why he should not take up the appointment forthwith, provided that he does not draw on any privileged information which was available to him as a Minister, and, that for 12 months after leaving office, he does not become personally involved in lobbying UK Ministers or Crown servants, including Special Advisers, on behalf of the firm  July 2010	August 2010
	Chairman of the Advisory Board and Senior Adviser to CEO Moelis & Co	Sees no reason why he should not take up the appointment subject to a waiting period of 3 months from his last day in office, on the basis that he would not draw on any privileged information which was available to him as a Minister, and the condition that, for 2 years after leaving office, he should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of the firm  July 2010	September 2010
	Member of the Advisory Committee Native Land	Sees no reason why he should not take up the appointment forthwith, provided that he does not draw on any privileged information which was available to him as a Minister, and, that for 12 months after leaving office, he does not become personally involved in lobbying UK Ministers or Crown servants, including Special Advisers, on behalf of the firm  July 2010	September 2010
	Special Adviser Monitise plc	Sees no reason why he should not take up the appointment subject to a waiting period of 3 months from his last day in office, on the basis that he would not draw on any privileged information which was available to him as a Minister, and the condition that, for 2 years after leaving office, he should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of the firm  July 2010	September 2010
	Bharti Airtel	Sees no reason why he should not take up the appointment forthwith, subject to the condition that for 12 months after leaving office, he does not become personally involved in lobbying UK Ministers or Crown servants, including Special Advisers, on behalf of the firm  August 2010	September 2010

Name, former department & date of leaving office	Appointment	Advice & date tendered	Date taken up
<p>Parmjit Dhanda Minister of State Department for Communities and Local Government</p> <p>October 2008</p>	<p>Independent consultant Various clients</p>	<p>Sees no reason why he should not take up the appointment forthwith</p> <p>July 2010</p>	<p>May 2010</p>
	<p>Campaigns and Parliamentary Officer Prospect</p>	<p>The Committee noted the appointment which had been accepted without the Committee's advice being sought, but in view of the lapse of time between leaving the Government and taking it up, it saw no difficulty with it</p> <p>October 2010</p>	<p>September 2010</p>
	<p>Board Member Hanover Housing Association</p>	<p>The Committee noted the appointment which had been accepted without the Committee's advice being sought, but in view of the lapse of time between leaving the Government and taking it up, it saw no difficulty with it</p> <p>October 2010</p>	
<p>The Rt Hon Lord Drayson Minister of State (Science and Innovation) and Government Spokesperson for the Department for Business, Innovation and Skills and Minister of State (Strategic Defence Acquisition Reform) and Government Spokesperson for Ministry of Defence</p> <p>May 2010</p>	<p>Honorary President of the Motorsports Industry Association</p>	<p>Sees no reason why he should not take up this appointment forthwith, subject to the condition that, for 12 months from his last day in office, he should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of the Motorsports Industry Association or its members</p> <p>December 2010</p>	<p>January 2011</p>
<p>Michael Foster Parliamentary Under-Secretary of State at the Department for International Development</p> <p>May 2010</p>	<p>Head of Communications WaterAid</p>	<p>Sees no reason why he should not take up this appointment forthwith, subject to the condition that, for 2 years from his last day in office, he should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of his new employer</p> <p>November 2010</p>	<p>November 2010</p>
<p>Michael Foster Minister for Equalities</p> <p>May 2010</p>	<p>Return to private practice as a solicitor, specialising in employment law</p>	<p>Sees no reason why he should not do so forthwith, subject to the conditions that he should not draw on any privileged information that was available to him as a Minister, and, for 12 months after leaving office, he should not become personally involved in lobbying UK Ministers or Crown servants, including Special Advisers, on behalf of his clients. The Committee clarifies that its recommendation concerning lobbying is not intended to prevent him from contacting government officials, via the channels that would be expected to be used by a solicitor in such cases, in the normal course of representing his clients interests</p> <p>June 2010</p>	<p>July 2010</p>

Name, former department & date of leaving office	Appointment	Advice & date tendered	Date taken up
<p>The Rt Hon Geoff Hoon Secretary of State for Transport</p> <p>June 2009</p>	<p>Setting up an independent consultancy (TaylorHoon Strategy)</p>	<p>Having left office over 12 months ago the Committee sees no reason why he should not immediately set up a consultancy, providing strategic advice to clients, subject to the conditions that for 2 years from his last day in office he should not draw on any privileged information that was available to him as a Minister, or undertake any work as a consultant which involves providing advice to any company or organisation on the terms of any bid or contract relating directly to the Department for Transport. Also for 2 years from his last day in office he should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of his clients. If during that period, the nature of the consultancy changes in any way from providing strategic advice to clients, he should seek further advice from the Committee</p> <p>August 2010</p>	<p>September 2010</p>
<p>Phil Hope Minister of State for Care Services Department of Health</p> <p>May 2010</p>	<p>Consultant Age UK</p>	<p>Sees no reason why he should not take up the appointment subject to a waiting period of 3 months from his last day in office and the condition that, for 12 months from the same date, he should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of the firm</p> <p>August 2010</p>	<p>September 2010</p>
	<p>Consultant Apetito</p>	<p>Sees no reason why he should not take up the appointment forthwith, subject to the condition that, for 12 months from his last day in office, he should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of the firm</p> <p>August 2010</p>	<p>September 2010</p>
	<p>Independent consultant providing advice to public, private and charitable bodies on a range of policies including social welfare reform, housing services, skills strategies, criminal justice and reoffending, and organisational development processes</p>	<p>Sees no reason why he should not set up the consultancy as described, forthwith, on the basis that he would exclude organisations with which he had dealings while at the Department of Health, subject to the condition that, for 12 months from his last day in office, he should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on his clients' behalf</p> <p>August 2010</p>	<p>September 2010</p>

Name, former department & date of leaving office	Appointment	Advice & date tendered	Date taken up
<p>The Rt Hon Beverley Hughes Minister of State for Children and Youth Justice Department for Children, Schools and Families, and Minister of State for the North West</p> <p>June 2009</p>	<p>Strategic Adviser WCL (Change Management Consultancy)</p>	<p>Sees no reason why she should not take up the appointment forthwith, subject to the condition that, for 12 months after leaving office, she should not become personally involved in lobbying UK Ministers or Crown servants, including Special Advisers, on behalf of the firm or any of their clients</p> <p>June 2010</p>	<p>June 2010</p>
<p>The Rt Hon Lord Hunt of Kings Heath OBE Minister of State Department for Energy and Climate Change, and Deputy Leader of the House of Lords</p> <p>May 2010</p>	<p>Consultant Cumberlege Connections</p>	<p>Sees no reason why he should not accept the appointment forthwith, subject to the condition that, for 12 months from his last day in office, he should not provide consultancy advice to any of the company's private sector clients and he should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of the company or its clients</p> <p>June 2010</p>	<p>June 2010</p>
	<p>Non-executive Director Heart of England NHS Trust</p>	<p>Sees no reason why he should not accept the appointment forthwith, subject to the condition that, for 12 months from his last day in office, he should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of his new employer</p> <p>September 2010</p>	<p>September 2010</p>
	<p>President The Health Care Supply Association</p>	<p>Sees no reason why he should not take up this appointment forthwith, subject to the condition that, for 12 months from his last day in office, he should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of his new employer</p> <p>February 2011</p>	<p>February 2011</p>
	<p>President The British Fluoridation Society</p>	<p>Sees no reason why he should not take up this appointment forthwith, subject to the condition that, for 12 months from his last day in office, he should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of his new employer</p> <p>February 2011</p>	<p>February 2011</p>

Name, former department & date of leaving office	Appointment	Advice & date tendered	Date taken up
<p>The Rt Hon John Hutton MP Secretary of State Ministry of Defence</p> <p>June 2009</p>	<p>Chairman of the Royal United Services Institute (RUSI)</p>	<p>Sees no reason why he should not take up the appointment forthwith</p> <p>May 2010</p>	<p>June 2010</p>
	<p>Chairman of the Board Nuclear Industries Association</p>	<p>Sees no reason why he should not take up this appointment forthwith</p> <p>March 2011</p>	<p>June 2011</p>
<p>David Kidney Parliamentary Under-Secretary of State Department for Energy and Climate Change</p> <p>May 2010</p>	<p>Head of Policy Chartered Institute of Environmental Health</p>	<p>Sees no reason why he should not take up this appointment subject to the condition that, for 12 months from his last day in office, he should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of the firm or its clients</p> <p>July 2010</p>	<p>July 2010</p>
<p>The Rt Hon Lord Knight of Weymouth Minister of State Department for Work and Pensions</p> <p>May 2010</p>	<p>Independent consultant advising clients on the use of technology in the education and training sector</p>	<p>Sees no reason why he should not set up the consultancy as described forthwith, subject to the condition that, for 12 months from his last day in office, he should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of any new employer or client</p> <p>October 2010</p>	<p>First commission accepted in October 2010</p>
<p>Sarah McCarthy-Fry Exchequer Secretary HM Treasury</p> <p>May 2010</p>	<p>Financial Controller GKN Aerospace Services</p>	<p>Sees no reason why she should not take up the appointment forthwith, subject to the condition that, for 12 months from her last day in office, she should have no involvement in any bids for new UK Government contracts and should not become personally involved in lobbying UK Ministers or Crown servants, including Special Advisers, on behalf of the company or its clients</p> <p>September 2010</p>	<p>September 2010</p>
<p>Shahid Malik Parliamentary Under Secretary of State Department for Communities and Local Government</p> <p>May 2010</p>	<p>Independent consultant advising third sector, private and public sector clients on society, equality, cohesion, development and governance</p>	<p>Sees no reason why he should not set up the consultancy as described forthwith, on the basis that he would not draw on privileged information that was available to him as a Minister, subject to the condition that, for 12 months from his last day in office, he should not become personally involved in lobbying UK Ministers or Crown servants, including Special Advisers, on behalf of any new employer or client</p> <p>September 2010</p>	<p>November 2010</p>

Name, former department & date of leaving office	Appointment	Advice & date tendered	Date taken up
<p>The Rt Hon The Lord Malloch-Brown KCMG Minister of State for Africa, Asia and the UN Foreign and Commonwealth Office</p> <p>July 2009</p>	<p>Consultant Southwest Energy (HK) Ltd</p>	<p>Sees no reason why he should not take up the appointment forthwith, provided that, for 12 months from his last day in office, he does not become personally involved in lobbying UK Ministers or Crown servants, including Special Advisers, on behalf of the company or its clients</p> <p>March 2010</p>	<p>April 2010</p>
	<p>Consultant Monitor</p>	<p>Sees no reason why he should not take up the appointment forthwith, provided that, for 12 months from his last day in office, he does not become personally involved in lobbying UK Ministers or Crown servants, including Special Advisers, on behalf of the company or its clients</p> <p>March 2010</p>	<p>April 2010</p>
	<p>Consultant Vitol</p>	<p>Sees no reason why he should not take up the appointment forthwith, provided that, for 12 months from his last day in office, he does not become personally involved in lobbying UK Ministers or Crown servants, including Special Advisers, on behalf of the company or its clients</p> <p>April 2010</p>	<p>July 2010</p>
	<p>Chairman FTI Global Affairs</p>	<p>Sees no reason why he should not take up the appointment forthwith</p> <p>July 2010</p>	<p>September 2010</p>
<p>The Rt Hon Lord Peter Mandelson Secretary of State Department of Business, Innovation and Skills</p> <p>May 2010</p>	<p>Speaking engagements and writing newspaper articles</p>	<p>Sees no reason why he should not take this up forthwith, the normal three-month waiting period for former Cabinet Ministers having expired, provided he does not draw on privileged information that was available to him as a Minister</p> <p>October 2010</p>	<p>October 2010</p>
	<p>Chairman Global Counsel LLP</p> <p>(WPP to hold a minority equity share in Global Counsel)</p> <p>Global advisory partnership serving non-British companies or organisations and working with British companies or organisations outside the UK</p>	<p>Having left office over six months ago, the Committee sees no reason why he should not set up Global Counsel LLP forthwith, subject to the condition that, for 12 months from his last day in office, he should not undertake any work which involves providing advice to any company or organisation on the terms of any bid or contract relating directly to the work of any UK Government Department or Agency, or draw on any privileged information which was available to him as a Minister for the benefit of WPP or any of his clients. Also, for 2 years from the same date, he should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of WPP or any of his clients</p> <p>November 2010</p>	<p>December 2010</p>

Name, former department & date of leaving office	Appointment	Advice & date tendered	Date taken up
The Rt Hon Lord Mandelson continued	Senior Adviser Lazard	Sees no reason why he should not take up forthwith provided that, for 12 months from his last day in office he should not draw on privileged information which was available to him as a Minister for the benefit of his new employer or its clients. Also, for 2 years from the same date, he should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of his new employer or its clients  January 2011	January 2011
Gillian Merron Minister of State for Public Health Department of Health  May 2010	Independent consultant advising on policy and project development, particularly on transport and health matters, to the private, public and not for profit sectors in the UK and internationally	Sees no reason why she should not set up as an independent consultant as described, forthwith, subject to the conditions that she should not draw on any privileged information that was available to her as a Minister, and, for 12 months after leaving office, she should not undertake any work as a consultant which involved providing advice to any company or organisation on the terms of any bid or contract relating directly to the work of the Department of Health, and, for the same period, she should not become personally involved in lobbying UK Ministers or Crown servants, including Special Advisers, on behalf of any company or organisation or its clients  July 2010	First commission accepted in July 2010
	Chair Bus Users UK	Sees no reason why she should not accept the appointment forthwith, subject to the condition that, for 12 months after leaving office, she should not become personally involved in lobbying Department for Transport Ministers or Crown servants, including Special Advisers, or local authority officials, on behalf of her new employer  November 2010	April 2011

Name, former department & date of leaving office	Appointment	Advice & date tendered	Date taken up
The Rt Hon David Miliband MP Foreign Secretary  May 2010	Vice Chairman Sunderland Association Football Club	Sees no reason why he should not take up the appointment forthwith, subject to the condition that, for 12 months after leaving office, he should not become personally involved in lobbying UK Ministers or Crown servants, including Special Advisers, on behalf of his new employer  January 2011	February 2011
	Member of the Advisory Board Sir Bani Yas Forum	Sees no reason why he should not take up the appointment forthwith, subject to the condition that, for 12 months after leaving office, he should not become personally involved in lobbying UK Ministers or Crown servants, including Special Advisers, on behalf of the Forum or its members  February 2011	February 2011
	Senior Global Adviser Oxford Analytica	Sees no reason why he should not take up the appointment forthwith, subject to the condition that, for 12 months from his last day in office, he should not become personally involved in lobbying UK Ministers or Crown servants, including Special Advisers, on behalf of his new employer or its clients  March 2011	March 2011

Name, former department & date of leaving office	Appointment	Advice & date tendered	Date taken up
<p>Lord Myners of Truro CBE Financial Services Secretary and Government Spokesperson HM Treasury</p> <p>May 2010</p>	<p>Non-executive Director RIT Capital Partners plc</p>	<p>Sees no reason why he should not take up the appointment subject to a waiting period of 3 months from the date of his leaving office, and the conditions that he should not draw on any privileged information available to him as a Minister for his new employer's particular benefit, and, for 2 years after leaving office, he should not become personally involved in lobbying UK Ministers or Crown servants, including Special Advisers, on behalf of his new employer</p> <p>July 2010</p>	<p>August 2010</p>
	<p>Engagements as a speaker or panel member at economic conferences</p>	<p>Sees no reason why he should not accept such engagements forthwith, subject to the condition that he should not draw on any privileged information that was available to him as a Minister</p> <p>September 2010</p>	<p>First engagement - speaking to the Congresso Internacional de Governanca Corporativa in Rio on corporate governance - taken up in October 2010</p> <p>Commenced accepting engagements through Chartwell from March 2011</p>
	<p>Chairman and a Managing Partner Autonomous Research LLP</p>	<p>Sees no reason why he should not take up the appointment forthwith, subject to the conditions that he should not draw on any privileged information that was available to him as a Minister for his new employer's particular benefit and, for 2 years after leaving office, he should not become personally involved in lobbying UK Ministers or Crown servants, including Special Advisers, on behalf of his new employer</p> <p>January 2011</p>	<p>February 2011</p>
	<p>Non-executive Chairman Justice Holdings Ltd</p>	<p>Sees no reason why he should not take up the appointment forthwith, subject to the conditions that he should not draw on any privileged information that was available to him as a Minister for his new employer's particular benefit and, for 2 years after leaving office, he should not become personally involved in lobbying UK Ministers or Crown servants, including Special Advisers, on behalf of his new employer</p> <p>January 2011</p>	<p>February 2011</p>

Name, former department & date of leaving office	Appointment	Advice & date tendered	Date taken up
Dan Norris Parliamentary Under Secretary of State at the Department of the Environment, Food and Rural Affairs  May 2010	Setting up as an independent consultant giving media and communications advice and guidance, and additionally undertaking television and radio work	Sees no reason why he should not set up as a consultant or undertake work as described forthwith, subject to the condition that, for 12 months from his last day in office, he should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of his clients  October 2010	First commission with Potent Media  October 2010
The Rt Hon Mike O'Brien QC Minister of State for Health Department of Health  May 2010	Independent Barrister	Sees no reason why he should not take up employment as an independent Barrister forthwith, on the basis that he would stand aside from dealing with any matter about which he had confidential or privileged information acquired while he was a Minister  March 2011	March 2011
Ian Pearson Economic Secretary HM Treasury  May 2010	Senior Adviser Avanti Communications	Sees no reason why he should not accept the appointment forthwith, subject to the condition that, for 12 months from his last day in office, he should not become personally involved in lobbying UK Ministers and Crown servants, including Special Advisers, on behalf of the company or their clients  May 2010	May 2010
	Senior Adviser Maven Capital Partners	Sees no reason why he should not take up the appointment subject to a waiting period of 3 months from the date of his leaving office, and for 12 months from his last day in office, he should not become personally involved in lobbying UK Ministers and Crown servants, including Special Advisers, on behalf of the company or their clients  May 2010	August 2010
	Setting up as an independent consultant 'IPP Associates Ltd' advising on strategy and business development	Sees no reason why he should not accept commissions, under his consultancy as described, forthwith, subject to the condition that, for 12 months from his last day in office, he should not become personally involved in lobbying UK Ministers or Crown servants, including Special Advisers, on behalf of any company or organisation or its clients  September 2010	First commission accepted in September 2010

Name, former department & date of leaving office	Appointment	Advice & date tendered	Date taken up
Ilan Pearson continued	Member of Advisory Board PricewaterhouseCoopers	Sees no reason why he should not accept the appointment forthwith, subject to the condition that, for 12 months from his last day in office, he should not become personally involved in lobbying UK Ministers or Crown servants, including Special Advisers, on behalf of the company or its clients  January 2011	March 2011
	Chair of a Venture Capital Trust Octopus Investments	Sees no reason why he should not accept the appointment forthwith, subject to the condition that, for 12 months from his last day in office, he should not become personally involved in lobbying UK Ministers or Crown servants, including Special Advisers, on behalf of the company or its clients  January 2011	March 2011
The Rt Hon James Purnell MP Secretary of State Department for Work and Pensions  June 2009	Setting up as an independent consultant providing advice on strategy and governance to companies and third sector clients, and, additionally, undertaking work in journalism and television, including in TV drama	Sees no reason why he should not set up as a consultant or undertake work as described, forthwith, subject to the conditions that, for 2 years after leaving office, he should not draw on any privileged information that was available to him as a Minister, or undertake any work as a consultant which involved providing advice to any company or organisation on the terms of any bid or contract relating directly to the Department for Work and Pensions, or become personally involved in lobbying UK Ministers or Crown servants, including Special Advisers, on behalf of any new employer in the fields specified  June 2010	Began to be paid as a consultant in June 2010
	Chair of Gleneagles Conference on Pensions J P Morgan	Sees no reason why he should not chair the conference taking place next month  August 2010	September 2010
Bill Rammell Minister of State for the Armed Forces Ministry of Defence  May 2010	Deputy Vice Chancellor Student Experience and Internationalisation University of Plymouth	Sees no reason why he should not accept the appointment forthwith, subject to the condition that, for 12 months after leaving office, he should not become personally involved in lobbying UK Ministers or Crown servants, including Special Advisers, on behalf of his new employer  January 2011	January 2011

Name, former department & date of leaving office	Appointment	Advice & date tendered	Date taken up
<p>The Rt Hon Baroness Scotland of Asthal QC Attorney General</p> <p>May 2010</p>	<p>Barrister and legal consultant</p>	<p>See no reason why she should not return to practice forthwith, on the basis that, for 2 years from her last day in office, she should stand aside from dealing with any matter about which she had confidential or privileged information acquired while she was Attorney General, and that, for 12 months from the same date, she should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of the clients she advises in her capacity as a consultant</p> <p>January 2011</p>	<p>March 2011</p>
<p>Jonathan Shaw Minister for Disabled People Department for Work and Pensions</p> <p>May 2010</p>	<p>Consultant Various clients in the renewable energy industry</p>	<p>Sees no reason why he should not accept appointments as a consultant advising on community engagement issues forthwith, subject to the condition that, for 12 months from his last day in office, he should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of his clients</p> <p>September 2010</p>	<p>September 2010</p>
<p>Angela Smith Minister of State in the Cabinet Office</p> <p>May 2010</p>	<p>Consultant Vertex Data Science Ltd</p>	<p>Sees no reason why she should not accept consultancy work, including with Vertex Data Science Ltd, forthwith, subject to the conditions that she should not draw on any confidential or privileged information available to her as a Minister for the particular benefit of any clients, and, for 12 months from her last day in office, she should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of her clients</p> <p>August 2010</p>	<p>September 2010</p>

Name, former department & date of leaving office	Appointment	Advice & date tendered	Date taken up
<p>The Rt Hon Jacqui Smith Home Secretary</p> <p>June 2009</p>	<p>Speaking engagements Westminster Explained</p>	<p>Sees no reason why she should not carry out speaking engagements provided that she does not draw on any privileged information which was available to her as a Minister</p> <p>July 2010</p>	<p>August 2010</p>
	<p>Adviser Sarina Russo Job Access</p>	<p>Sees no reason why she should not accept the appointment forthwith</p> <p>September 2010</p>	<p>September 2010</p>
	<p>Independent consultant, based on her teaching experience prior to entering Parliament, her experience of Parliament and policy making from her time as an MP, and general advice about public sector, central government and policy making from her time as a Minister</p>	<p>Sees no reason why she should not set up as an independent consultant as described, forthwith</p> <p>October 2010</p>	<p>First commission with KPMG</p> <p>October 2010</p>
<p>The Rt Hon Jack Straw MP Lord Chancellor and Secretary of State for Justice</p> <p>May 2010</p>	<p>Speaking engagements with the Centre for Foreign Policy France and with LexisNexis/Sader Publications</p>	<p>Sees no reason why he should not accept these, or any similar engagements, forthwith, provided he does not draw on any privileged information that was available to him as a Minister</p> <p>October 2010</p>	<p>October 2010</p>
	<p>Consultant ED &amp; F Man Holdings Ltd</p>	<p>Sees no reason why he should not accept the appointment forthwith, subject to the condition that, for 2 years after leaving office, he should not become personally involved in lobbying UK Ministers or Crown servants, including Special Advisers, on behalf of his new employer, or draw on any confidential or privileged information acquired while he was a Minister</p> <p>March 2011</p>	<p>April 2011</p>

Name, former department & date of leaving office	Appointment	Advice & date tendered	Date taken up
<p>The Rt Hon Baroness Taylor of Bolton Parliamentary Under Secretary of State and Government Spokesperson at the Ministry of Defence</p> <p>May 2010</p>	<p>Member of the Advisory Board Thales Corporate Services Ltd</p>	<p>Sees no reason why she should not accept the appointment subject to a waiting period of 6 months from her last day in office and the condition that, for 2 years after leaving office, she should not become personally involved in lobbying UK Ministers or Crown servants, including Special Advisers, on behalf of her new employer</p> <p>September 2010</p>	<p>December 2010</p>
<p>Baroness Thornton of Manningham Parliamentary Under Secretary of State at the Department of Health</p> <p>May 2010</p>	<p>Ambassador for sporta</p>	<p>Sees no reason why she should not accept the appointment forthwith, subject to the condition that for 12 months after leaving office, she should not become personally involved in lobbying UK Ministers or Crown servants, including Special Advisers, on behalf of her new employer</p> <p>July 2010</p>	<p>October 2010</p>
<p>Baroness Vadera Parliamentary Under-Secretary of State Economic Competitiveness, Small Business and Enterprise</p> <p>September 2009</p>	<p>Adviser, Government of Dubai</p>	<p>Sees no reason why she should not accept consultancy work with the Government/Ruler of Dubai, subject to the conditions that, for one year from her last day in Ministerial office, she should refrain from becoming involved in any direct negotiations with HM Government or the Coordination Committee of banks for Dubai World which is dominated by the main banks operating in the UK - RBS, Lloyds, Standard Chartered, HSBC, and Barclays - and that for 2 years from her last day in office she should not become personally involved in lobbying the UK Government</p> <p>April 2010</p>	<p>April 2010</p>
	<p>Financial and strategic advice Temasek Holdings</p>	<p>Sees no reason why she should not accept the appointment subject to the condition that, for 2 years from her last day in office, she should not become personally involved in lobbying the UK Government</p> <p>May 2010</p>	<p>June 2010</p>
	<p>Independent Advisory Providing financial and strategic advice</p>	<p>Having left office over a year ago the Committee sees no reason why she should not continue to provide advice to further clients, in addition to the two commissions set out above, on the condition that for 2 years from her last day in office she should not become personally involved in lobbying the UK Government</p> <p>December 2010</p>	<p>December 2010</p>

Name, former department & date of leaving office	Appointment	Advice & date tendered	Date taken up
Baroness Vadera continued	Non-executive director BHP Billiton	Sees no reason why she should not accept the appointment forthwith, subject to the condition that, for 2 years from her last day in office, she should not become personally involved in lobbying the UK Government  November 2010	January 2011
	Non-executive director Astra Zeneca	Sees no reason why she should not accept the appointment forthwith, subject to the condition that, for 2 years from her last day in office, she should not become personally involved in lobbying the UK Government  November 2010	January 2011
Claire Ward Parliamentary Under-Secretary of State Ministry of Justice  May 2010	Independent consultancy providing general public affairs and parliamentary advice to clients	Sees no reason why she should not set up the consultancy as described forthwith, subject to the conditions that, for 12 months from her last day in office, she should not undertake any work which involves providing advice to any company or organisation on the terms of any bid or contract relating to the work of her former department, or become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of her clients  February 2011	February 2011
The Rt Hon Admiral Lord West of Spithead GCB DSC Under-Secretary of State, Security and Counter-terrorism Home Office  May 2010	Member of the International Business Advisory Board of HSBC	Sees no reason why he should not accept the appointment forthwith, subject to the condition that, for 12 months from his last day in office, he should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of his new employer  September 2010	September 2010

**ADVICE GIVEN TO FORMER MINISTERS DURING THE PREVIOUS REPORTING YEAR ON  
APPOINTMENTS WHICH WERE TAKEN UP AFTER MARCH 2010**

Name, former department & date of leaving office	Appointment	Advice & date tendered	Date taken up
<p>Lord Carter of Barnes CBE Minister for Communications, Technology &amp; Broadcasting Department for Business, Innovation and Skills / Department for Culture, Media and Sport</p> <p>July 2009</p>	<p>Informa plc</p>	<p>Sees no reason why he should not take up the appointment forthwith, subject to the condition that, for 12 months from his last day in office, he should not become personally involved in lobbying UK Ministers or Crown servants, including Special Advisers, on behalf of his new employer</p> <p>March 2010</p>	<p>May 2010</p>
<p>The Rt Hon John Hutton MP Secretary of State Ministry of Defence</p> <p>June 2009</p>	<p>Member of the Advisory Board Hyperion Power Generation Inc</p>	<p>Sees no reason why he should not take up this appointment forthwith, subject to the condition that, for 12 months after leaving office, he should not become personally involved in lobbying UK Ministers or Crown servants, including Special Advisers, on behalf of the firm or any of their clients</p> <p>March 2010</p>	<p>June 2010</p>
	<p>Adviser APCO Worldwide Ltd</p>	<p>Sees no reason why he should not take up this appointment forthwith, subject to the condition that, for 12 months after leaving office, he should not become personally involved in lobbying UK Ministers or Crown servants, including Special Advisers, on behalf of the firm or any of their clients</p> <p>February 2010</p>	<p>August 2010</p>
<p>The Rt Hon Ruth Kelly MP Secretary of State Department for Transport</p> <p>October 2008</p>	<p>Senior Manager Strategy, Global Businesses HSBC Europe</p>	<p>Sees no reason why she should not accept this appointment following the prorogation of the current parliament as she proposes</p> <p>January 2010</p>	<p>May 2010</p>
<p>Kitty Ussher MP Exchequer Secretary HM Treasury</p> <p>June 2009</p>	<p>Chief Economist Demos</p>	<p>Sees no reason why she should not take up this appointment forthwith, subject to the condition that, for 12 months after leaving office, she should not become personally involved in lobbying UK Ministers or Crown servants, including Special Advisers, on behalf of the company or any of its clients</p> <p>March 2010</p>	<p>May 2010</p>
<p>The Rt Hon Malcolm Wicks MP Minister of State Department for Business, Enterprise and Regulatory Reform</p>	<p>Chairman Affordable Warmth Solutions CIC</p>	<p>Sees no reason why he should not accept the appointment, subject to the condition that, for 2 years after leaving office, he should not become personally involved in lobbying UK Ministers or Crown servants, including Special Advisers, on behalf of CIC or their parent company</p> <p>March 2010</p>	<p>July 2010</p>

## ANNEX C

# NEW BUSINESS APPOINTMENT RULES FOR CIVIL SERVANTS

The following Rules cover the Civil Service. Equivalent versions of the Rules are in place for the Diplomatic Service/Intelligence Agencies/Armed Forces.

The Rules apply to civil servants who intend to take up an outside appointment or employment after leaving the Civil Service. The approval process for applications under the Rules differs depending on the applicant's seniority. The Rules continue to apply for two years after the last day of paid Civil Service employment.

### KEY PRINCIPLES

1. These Rules are designed to uphold the core values in the *Civil Service Code*:

#### **Integrity**

- *You must not misuse your official position, for example by using information acquired in the course of your official duties, to further your private interests or those of others.*

#### **Honesty**

- *You must not be influenced by improper pressures from others or the prospect of personal gain.*

#### **Objectivity**

- *You must take decisions on the merits of the case.*

#### **Impartiality**

- *You must not act in a way that unjustifiably favours or discriminates against particular individuals or interests.*

2. It is in the public interest that people with experience of public administration should be able to move into business or other bodies outside central Government, and that such movement should not be frustrated by unjustified public concern over a particular appointment. It is equally important that when a former civil servant takes up an outside appointment there should be no cause for justified public concern, criticism or misinterpretation.

### AIM

3. The aim of the Rules is to avoid any reasonable concerns that:
  - a) a civil servant might be influenced in carrying out his or her official duties by the hope or expectation of future employment with a particular firm or organisation, or in a specific sector; or
  - b) on leaving the Civil Service, a former civil servant might improperly exploit privileged access to contacts in Government or sensitive information; or
  - c) a particular firm or organisation might gain an improper advantage by employing someone who, in the course of their official duties, has had access to:
    - i. information relating to unannounced or proposed developments in Government policy, knowledge of which may affect the prospective employer or any competitors; or
    - ii. commercially valuable or sensitive information about any competitors.

## WHO MUST APPLY, WHEN AND HOW

4. The Rules apply to **all serving civil servants and to former civil servants for two years after the last day of paid service**. This includes:
  - Permanent civil servants;
  - Civil servants on fixed term contracts;
  - Civil servants on secondment to other organisations;
  - Those on secondment to the Civil Service from other organisations<sup>3</sup>; and
  - Special advisers.
  
5. Before **accepting any new appointment or employment, whether in the UK or overseas, which they intend to take up after they have left the Civil Service**, all serving/former civil servants must consider whether an application under the Rules is required. If it is required, they should not accept a new job offer before it has been approved. The model application form for this purpose supplied by the Secretariat to the independent Advisory Committee on Business Appointments can be assessed at: <http://acoba.independent.gov.uk/media/21242/model-business-appointments-application-form-civil-servants.rtf>.

## WHEN APPROVAL IS REQUIRED

6. The process for giving approval differs depending on the applicant's seniority. The operation of these Rules is overseen by the independent Advisory Committee on Business Appointments (<http://acoba.independent.gov.uk>) who consider the most senior cases.

## SCS3 AND ABOVE

7. An application is required for any new appointment or employment that they wish to take up during the two year period after their last day of paid service. Applications from SCS3 and above must be referred by the Department to the Advisory Committee, who provide advice to the Prime Minister, who makes the final decision<sup>4</sup>.
8. Because of their role at the highest level of Government, and their access to a wide range of sensitive information, all Permanent Secretaries, including Second Permanent Secretaries, will be subject to a minimum waiting period of three months between leaving paid Civil Service employment and taking up an outside appointment or employment. The Advisory Committee may advise that this minimum waiting period should be waived if, in its judgement, no questions of propriety or public concern arise from the appointment or employment being taken up earlier. Equally, the Advisory Committee may consider that public concern about a particular appointment or employment could be of such a degree or character that a longer waiting period is appropriate. Taking account of the maximum waiting period of two years that may be applied, the Committee may, exceptionally, add a rider to their advice saying that they view the appointment or employment to be unsuitable.
9. As a general principle, there will be a two year ban on civil servants at SCS3 and above lobbying<sup>5</sup> Government on behalf of their new employer after they leave the Civil Service. The two-year lobbying

<sup>3</sup> Except when they are returning to their employing organisation, and remain there for two years, in which case safeguards will have been provided in the terms of secondment.

<sup>4</sup> Where applications are from civil servants who serve/formerly served in the Devolved Administrations in Scotland and Wales, the Advisory Committee will provide advice to the relevant First Minister, who will make the final decision.

<sup>5</sup> Lobbying in this context means that the former civil servant should not engage in communication with Government (including Ministers, special advisers and officials) with a view to influencing a Government decision or policy in relation to their own interests, or the interests of the organisation by which they are employed, or to whom they are contracted.

ban may be reduced by the Advisory Committee if they consider this to be justified by the particular circumstances of an individual application.

### SCS2

10. An application is required for any new appointment or employment that they wish to take up during the two year period after their last day of paid service. Decisions on applications from SCS2 are made by the relevant Permanent Secretary. In all cases, the Permanent Secretary's written recommendation to the applicant setting out the decision on the case will be copied to the Advisory Committee's Secretariat at the same time.

### SCS1 and below

11. Applications from SCS1 level and below wishing to take up a new appointment or employment during the two year period after their last day of paid service are considered by the Department. An application is only required if the individual's circumstances match one or more of the following:
- i. They have been involved in developing policy affecting their prospective employer, or have had access to unannounced Government policy or other privileged information affecting their prospective employer, at any time in their last two years in the Civil Service.
  - ii. They have been responsible for regulatory, or any other decisions, affecting their prospective employer, at any time in their last two years in the Civil Service.
  - iii. They have had any official dealings with their prospective employer at any time in their last two years in the Civil Service.
  - iv. They have had official dealings of a continued or repeated nature with their prospective employer at any time during their Civil Service career.
  - v. They have had access to commercially sensitive information of competitors of their prospective employer in the course of their official duties.
  - vi. The proposed appointment or employment would involve making representations to, or lobbying the Government on behalf of a new employer.
  - vii. The proposed appointment or employment is consultancy work, either self-employed or as a member of a firm, and they have had official dealings with outside bodies or organisations in their last two years in the Civil Service that are involved in their proposed area of consultancy work.

Departments' Human Resources functions will advise on whether or not an application is required.

### All Grades

12. Serving civil servants must report to their line manager any approach from an outside employer with an offer of an appointment or employment for which approval would be required under the Rules if they plan to follow up the offer. Staff engaged in the letting or management of Government contracts must report all offers of an appointment or employment immediately to their line manager whether or not they intend to follow them up.

## Special Advisers

13. Under the terms of their contract, special advisers are required to submit an application to the head of their former Department for any new appointment or employment they wish to take up during the two year period after their last day of paid service. In view of the particular nature of the special adviser role, applications from all special advisers, regardless of seniority, are referred to the Advisory Committee. The Advisory Committee provides advice to the relevant Permanent Secretary, who makes the final decision based on that advice.
14. Special advisers should report to the Permanent Secretary all offers of an appointment or employment received while they are employed as a special adviser.

## HOW TO APPLY FOR APPROVAL

15. Applicants must approach their Department's Human Resources function as early as possible. Human Resources will have a process in place for handling business appointment applications. This involves completing an application form which will need to be countersigned by an appropriate person, normally someone within the line management chain.
16. To ensure the quickest possible turn around, applications must be completed in as much detail as possible, with additional sheets or documents attached as necessary to answer the questions posed.
17. Notification of decisions on applications will be made through the Department.
18. Applications may be approved unconditionally, or approved subject to conditions applying for a maximum of two years from the individual's last day of paid service. Such conditions may include a waiting period and/or a prohibition on the individual being involved in lobbying<sup>6</sup> Government on behalf of their new employer. Other restrictions could include a condition that for a specified period, the former civil servant should stand aside from involvement in certain activities, for example, commercial dealings with his or her former Department, or involvement in particular areas of the new employer's business.
19. If any condition, including a waiting period, is imposed on the proposed appointment it will run from the last day of paid service. Consideration of the application may, where it is judged appropriate, take account of any differences between the last day of paid service and the last day in post. Approval will not normally be given to start a paid appointment or employment with a new employer before completion of the last day of paid service.
20. Where it is proposed that an application be approved with conditions or a waiting period, the applicant will be offered an opportunity to discuss any concerns he or she may have with an appropriate departmental officer, or for applicants at SCS3 level or above and special advisers, with the Advisory Committee, before a final decision is made.
21. For those cases considered by the Advisory Committee (applications from SCS3 and above and special advisers), in addition to the maximum two-year waiting period, the Advisory Committee may, if they judge the propriety concerns to be substantial, add a rider to their advice saying that they also view the appointment to be unsuitable. It is for the Prime Minister (or relevant Permanent Secretary in the case of special advisers) to take the final decision on the application based on the advice received from the Advisory Committee.

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<sup>6</sup> Lobbying in this context means that the former civil servant should not engage in communication with Government (including Ministers, special advisers and officials) with a view to influencing a Government decision or policy in relation to their own interests, or the interests of the organisation by which they are employed, or to whom they are contracted.

22. In addition to notifying the applicant of the outcome of their application, the Department must also inform prospective employers of any conditions which have been attached to the approval of the appointment or employment. For those applications considered by the Advisory Committee, their advice, alongside summary details of the applicant's last Civil Service post, will usually be made public once the appointment or employment has been taken up by the applicant or announced, and Departments have discretion to publicise their advice in the same way. In all other respects, the business appointment process is a confidential one<sup>7</sup>.

## WHERE TO FIND OUT MORE

23. Departmental guidance and advice on the Rules is available from local Human Resources functions, and, where applicable, on local intranets. More about the operation of the Rules, including details of appointments approved and taken up by the most senior members of the Civil Service, can be found on the website of the independent Advisory Committee on Business Appointments:

<http://acoba.independent.gov.uk>

24. The Advisory Committee's Secretariat is available to provide advice and support to Departments on the application of the Business Appointment Rules and the handling of individual cases at any level. Contact details are:

Office of the Advisory Committee on Business Appointments

1 Horse Guards Road

London

SW1A 2HQ

Tel: 020 7271 0839

Email: [office@acoba.gsi.gov.uk](mailto:office@acoba.gsi.gov.uk)

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<sup>7</sup> The Committee handles personal information provided to it in accordance with the Data Protection Act 1998. Such information may on limited occasions be published, for example, if the Committee is required to publish information in accordance with the Freedom of Information Act 2000.

# GUIDELINES FOR DEPARTMENTS ON ADMINISTERING THE BUSINESS APPOINTMENT RULES FOR CIVIL SERVANTS

## THE APPLICATION

1. Departments should use the model application form supplied by the Secretariat to the independent Advisory Committee on Business Appointments which can be accessed at:  
<http://acoba.independent.gov.uk/media/21242/model-business-appointments-application-form-civil-servants.rtf>.
2. The countersigning officer should be someone in a position to understand the potential issues arising from the applicant's proposed outside appointment and judge the possible public perceptions should the appointment be taken up as proposed. This will normally be someone in the applicant's line management chain.
3. The relevant Permanent Secretary (or equivalent) is responsible for the effective operation of the Business Appointment Rules within their Department. Countersigned applications should be sent to Human Resources functions for departmental action. This should include scrutiny of the form to ensure that all the requested information has been completed by both the applicant and the countersigning officer, and that there is consistency in decision making across the Department.
4. Applications must be dealt with in the following manner:
  - SCS3 and above: All applications must be referred to the Advisory Committee who will give their advice to the Prime Minister who will make the final decision. The decision will be communicated to the Department as soon as practicable by the Advisory Committee's Secretariat.
  - SCS2: All applications should be dealt with by the relevant Permanent Secretary (or equivalent).
  - SCS1 and below: All applications should be dealt with by the Department.
  - Special advisers: All applications must be referred to the Advisory Committee, who will provide advice to the relevant Permanent Secretary (or equivalent), who will make the final decision.
  - The proposed decision on any application can be referred to the Advisory Committee's Secretariat for informal advice should the Department wish to do so.
  - An application at any level may be referred to the independent Advisory Committee if the Head of the Civil Service and/or the relevant Permanent Secretary (or equivalent) agree it is necessary to have independent advice.
5. Before sending any applications from SCS3 and above and applications from special advisers to the Advisory Committee's secretariat for submission to the Advisory Committee, Departments must make an initial assessment of the appointment, and take an initial view on what recommendation would be appropriate. This recommendation should accompany the completed application and any supporting documentation and should be sent to the address below:

Office of the Advisory Committee on Business Appointments  
1 Horse Guards Road  
London  
SW1A 2HQ  
Tel: 020 7271 0839  
Email: [office@acoba.gsi.gov.uk](mailto:office@acoba.gsi.gov.uk)
6. The Advisory Committee aims to provide its advice to the Prime Minister (or relevant Permanent Secretary in the case of applications from special advisers) within 20 working days of receipt of a fully completed application from Departments. Complex cases may take longer, but in such cases, the Committee's Secretariat will advise the Department concerned.

7. Once the application process has been completed, the Department is responsible for making the decision on cases below SCS3.
8. For cases at SCS2, the Permanent Secretary's written recommendation to the applicant setting out the decision on the case must be copied to the Advisory Committee's Secretariat at the same time.
9. Where a Department recommends a waiting period, or conditions, the applicant should be given the opportunity to discuss the application with an appropriate departmental officer and make any representations to them before the final decision is reached. Those applicants dealt with by the Advisory Committee will normally be asked if they wish to meet with the Committee before any advice is offered to the Prime Minister (or relevant Permanent Secretary if the applicant is a special adviser).

## COMPLIANCE ASSURANCE

10. Departments must manage the reputational and other risks associated with the movement of staff to other employers. Permanent Secretaries (and equivalents) are personally responsible to the Head of the Civil Service for the effective management of these risks, and the timely and appropriate handling of business appointment applications within their departments.
11. Permanent Secretaries (and equivalents) are required to send an annual confirmation of compliance to the Advisory Committee.
12. The Advisory Committee's Secretariat undertakes a programme of informal compliance checks of Departments' arrangements for handling business appointment applications.
13. Compliance checks will seek evidence of effective management of the Business Appointment Rules which should include the following:
  - a. Promoting Awareness: Departments should ensure that all staff have access to the Business Appointment Rules and be aware of their existence. To be enforceable, the Rules must be included in staff handbooks or equivalent documentation (for example, on departmental intranets).
  - b. Ensuring Consistency: Departments should put measures in place to ensure that the Rules are consistently applied within the organisation, and that they are broadly consistent with the Advisory Committee's approach.
  - c. Ensuring Fairness: Departments should deal with applications in line with their turnaround targets, and be open and honest with applicants about the handling of their applications.
  - d. Managing Leavers: Those leaving the department, for whatever reason, should have the Rules brought to their attention at the earliest opportunity. Care should also be taken when agreeing the terms of any career breaks as this can, on occasion, lead to someone leaving the Department on a permanent basis (for example, it would be difficult to set conditions on the appointment if the Department had already allowed it to be taken up during a career break which had subsequently been curtailed).
  - e. Managing Employment Contracts: Draft/model contracts of employment – for example, for fixed term appointees or members of the SCS – should make explicit reference to the Rules.
  - f. Protecting Third Parties: Where applicants have, at any time during their last two years in the Civil Service, had contractual dealings with any competitors of their prospective employer, or access to information concerning them which could be regarded as commercially sensitive, Departments should seek the views of the competitors about the proposed appointment as a matter of course.
  - g. Managing High Risk Areas: Departments should identify interchange trends and obvious areas of risk and ensure these are understood by senior management and monitored appropriately – for example, by ensuring that all secondees into the Civil Service are free from any conflict of interest, and that they are free to return to their parent employer without there being cause for concern on propriety grounds; and by ensuring that all staff involved in procurement and their line management are aware of the requirement to report all job offers to their Departments; and by ensuring that relationships with suppliers and partner organisations remain on a proper footing.

h. Informing Parties of Decisions: In addition to advising the applicant of the final decision, the Department must also inform the prospective employer (and, if appropriate, their competitors) of any waiting periods or conditions imposed, as well as informing affected officials within Government – for example, an applicant’s former colleagues will need to be aware if an appointment has been approved on the condition that the applicant does not personally engage in lobbying former colleagues on behalf of his or her new employer.

i. Managing Public Expectations: Whilst there is no requirement for Departments to publish their decisions on applications there may be occasions where a particular appointment attracts wider press or public attention. On these occasions, the Department will want to be able to explain their position quickly, and so should ideally structure their case management systems with this in mind – it is unlikely to instil public confidence in the system if Departments are unable to confirm the decisions they have or have not made.

14. In addition to making public their advice on applications referred to them, the Advisory Committee may also comment on their assessment of overall compliance with the Rules by Departments (and other bodies), in their Annual Report.

15. The Advisory Committee’s Secretariat (contact details at paragraph 5 above) is available to provide advice and support to Departments on the application of the Business Appointment Rules and the handling of individual cases at any level.

## ANNEX D RECOMMENDATIONS ON APPOINTMENTS TAKEN UP BY FORMER CROWN SERVANTS

Name, former department and date of leaving service	Appointment	Advice and date tendered	Date taken up
Lt General Richard Applegate OBE Ministry of Defence Chief of Materiel (Land) Defence Equipment and Support  August 2010	Associate Member Niteworks	Unconditional approval, on the basis that the appointment would not involve him in lobbying the UK Government, but would include contacts with government which are a necessary part of the role being undertaken  September 2010	December 2010
Sir Brian Bender KCB Department for Business, Enterprise & Regulatory Reform Permanent Secretary  April 2009	Chairman of the Board of the London Metal Exchange	Unconditional approval  April 2010	April 2010
	Senior Adviser to Mandate Communications (as a result of a merger the company was renamed Mandate, Hogarth & Penrose. As from 1st October 2010 role changed to Non-executive Director)	Unconditional approval  July 2010	July 2010
The Rt Hon Paul Boateng Foreign & Commonwealth Office British High Commissioner Pretoria  July 2009 (last day in post May 2009)  (Lord Dholakia recused himself from consideration of these appointments as he is a friend of Lord Boateng)	Barrister and Legal Consultant	Unconditional approval  August 2010	August 2010
	Africa Intellectual Property Trust/Light Years Inc Interim Chairman		
Sir Andrew Cahn KCMG UK Trade and Investment Chief Executive  January 2011	Vice Chairman, Public Policy Nomura	Approved subject to a waiting period of 3 months from his last day of service and to the condition that, for 12 months from the same date, he should not be personally involved in lobbying UK Ministers or Crown servants, including Special Advisers, on behalf of his new employer  November 2010	Announced in January 2011. Taken up in April 2011
	Member of the Franchise Board Lloyds of London	Approved subject to a waiting period of 3 months from his last day of service and to the condition that, for 12 months from the same date, he should not be personally involved in lobbying UK Ministers or Crown servants, including Special Advisers, on behalf of his new employer  January 2011	

Name, former department and date of leaving service	Appointment	Advice and date tendered	Date taken up
<p>Andy Coulson Director of Communications No. 10  January 2011</p>	<p>Independent consultant providing strategic communications advice. His first commission is with One Young World</p>	<p>Approved subject to the conditions that, for 12 months from his last day of service, he should not undertake any work which involves providing advice to any client on the terms of any bid or contract relating directly to the work of any UK Government Department or Agency, or draw on privileged information available to him as a Special Adviser for the benefit of any client, and, for 2 years from the same date, he should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of any of his clients</p> <p>March 2011</p>	<p>March 2011</p>
<p>Sir Sherard Cowper-Coles KCMG LVO Foreign &amp; Commonwealth Office Special Representative for Afghanistan and Pakistan  October 2010  (Sir Colin Budd recused himself from consideration of this appointment as he is a friend of Sir Sherard)</p>	<p>Business Development Director, International Operating Group BAE Systems</p>	<p>Given that it has been 4 years since he had any involvement with BAE Systems as HM Ambassador to Riyadh, and that the appointment will be 4 months since his last day of service, the appointment was approved subject to the condition that, for 2 years from his last day of service, he should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of his new employer</p> <p>January 2011</p>	<p>February 2011</p>
<p>General Sir Richard Dannatt GBE CBE MC Ministry of Defence Chief of the General Staff  November 2009</p>	<p>Consultant Control Risks Group Ltd</p> <p>Consultant Ricardo Plc</p>	<p>Approved subject to the condition that, for 12 months from his last in service, General Dannatt should not become personally involved in lobbying UK Ministers or Crown servants, including Special Advisers, on behalf of his new employer or their clients</p> <p>September 2010</p>	<p>September 2010</p>
<p>Martin Dinham CBE Director General International Department for International Development  July 2010</p>	<p>Consultancy assignment AusAID</p>	<p>Unconditional approval</p> <p>January 2011</p>	<p>January 2011</p>

Name, former department and date of leaving service	Appointment	Advice and date tendered	Date taken up
<p>Sir Liam Donaldson Department of Health Chief Medical Officer</p> <p>May 2010</p>	<p>Independent health and medical consultancy</p>	<p>Approved subject to the normal automatic 3-month waiting period and the condition that, for 12 months from his last day of service, he should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of his consultancy form of his clients</p> <p>June 2010</p>	<p>November 2010</p>
	<p>Professor of Health Policy Imperial College</p>	<p>Approved subject to the condition that, for 12 months from his last day of service, he should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of his new employer</p> <p>September 2010</p>	<p>August 2010</p>
<p>Lt Gen Sir James Dutton CBE Deputy Commander International Security and Assistance Force</p> <p>May 2010 (last day in post November 2009)</p>	<p>Infrastructure and Operations Manager Bechtel Civil</p>	<p>Approved subject to the condition that, for 12 months from his last day of service, he should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of his new employer</p> <p>April 2010</p>	<p>May 2010</p>
<p>Susan Garrard Department for Work and Pensions Director General Communications</p> <p>January 2011</p>	<p>Global Head of Communications Unilever</p>	<p>Approved subject to the condition that, for 12 months from her last day of service, she should not become personally involved in lobbying UK Ministers or Crown servants, including Special Advisers, on behalf of her new employer</p> <p>October 2010</p>	<p>Announced in October 2010 to be taken up in January 2011</p>
<p>Robert Gordon CB Scottish Government Director General, Constitution and Corporate Change</p> <p>April 2010</p>	<p>Independent consultant coaching emerging leaders in the Scottish public sector</p>	<p>Approved subject to the condition that, for 12 months from his last day of service, he should not become personally involved in lobbying UK or Scottish Government Ministers or Crown servants, including Special Advisers, on behalf of his clients</p> <p>October 2010</p>	<p>April 2011</p>
<p>General Sir Timothy Granville-Chapman GBE KCB Ministry of Defence Vice Chief of Defence Staff</p> <p>October 2009</p>	<p>Member of Advisory Board Thales</p>	<p>Approved subject to a waiting period of 12 months from his last day of service and the condition that, for 2 years from the same date, he should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of his new employer</p> <p>July 2010</p>	<p>November 2010</p>

Name, former department and date of leaving service	Appointment	Advice and date tendered	Date taken up
Daniel Greenberg Parliamentary Counsel  May 2010	Legal research and consultancy Berwin Leighton Paisner LLP	Approved subject to the conditions that, for 2 years from his last day of service, he should stand aside from dealing with any matter about which he has confidential or privileged information acquired whilst in Crown service, and that, for 12 months from the same date, he should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of his new employer or their clients  June 2010	July 2010
Dame Denise Holt DCMG Foreign & Commonwealth Office HM Ambassador Madrid  November 2009	Non-executive Director HSBC Bank plc	Unconditional approval  January 2011	February 2011
	Non-executive Director Scottish Power Renewable Ltd	Unconditional approval  March 2011	March 2011
Nick Hopkinson Director General for Information Security and Assurance Government Communications Headquarters  March 2010	Director of Cybersecurity CSC	Approved subject to a waiting period of 6 months from his last day of service and the condition that, for 12 months from the same date, he should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of his new employer  July 2010	Announced January 2011
Bernadette Kenny Director General, Personal Tax HM Revenue & Customs  January 2011	Chief Executive Church of England's Pensions Board	Approved subject to the condition that for 12 months from her last day of service, she should not become personally involved in lobbying Government Ministers or civil servants, including Special Advisers, on behalf of her new employer  February 2011	Announced in February 2011 to be taken up in May 2011
Vice Admiral Tim Lawrence CB MVO ADC Ministry of Defence Chief Executive, Defence Estates  August 2010	Non-executive director Capita Symonds	Approved subject to a waiting period of 6 months from his last day of service and to the conditions that he should not draw on any privileged information available to him as Chief Executive of Defence Estates or, for 12 months from his last day of service, become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of his new employer  February 2011	March 2011

Name, former department and date of leaving service	Appointment	Advice and date tendered	Date taken up
Vice Admiral Tim Lawrence CB MVO ADC continued	Senior Adviser PA Consulting	Approved subject to a waiting period of 6 months from his last day of service and to the conditions that he should not draw on any privileged information available to him as Chief Executive of Defence Estates or, for 12 months from his last day of service, become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of his new employer  February 2011	March 2011
	Director of new subsidiary of Keltbray Group	Approved subject to a waiting period of 6 months from his last day of service and to the conditions that he should not draw on any privileged information available to him as Chief Executive of Defence Estates or, for 12 months from his last day of service, become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of his new employer  February 2011	April 2011
Sir Leigh Lewis KCB Department for Work and Pensions Permanent Secretary  February 2011	Chair of the Board of Trustees Broadway	Approved subject to the condition that, for 2 years from his last day of service, he should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of Broadway, the normal three-month waiting period being waived  November 2010	February 2011
	Member of the Advisory Board Pricewaterhouse Coopers	Approved subject to the automatic waiting period of 3 months from his last day of service and to the condition that, for 2 years from the same date, he should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of his new employer or its clients  March 2011	May 2011
	Member of the With Profits Committee Aviva UK Life	Approved subject to the automatic waiting period of 3 months from his last day of service and to the condition that, for 2 years from the same date, he should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of his new employer  March 2011	May 2011

Name, former department and date of leaving service	Appointment	Advice and date tendered	Date taken up
<p>Lieutenant General Dr Louis Lillywhite Ministry of Defence Surgeon-General</p> <p>April 2010 (last day in post December 2009)</p>	<p>Associate Fellow with the Royal Institute of International Affairs Centre for Global Health</p>	<p>Approved subject to the condition that, for 12 months from his last day of service, he should not be personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of his new employer</p> <p>August 2010</p>	<p>September 2010</p>
<p>Air Marshal Iain McNicoll Ministry of Defence Deputy Commander-in Chief</p> <p>July 2010 (last day in post April 2010)</p>	<p>Associate Partner Defence Strategy and Solutions LLP</p>	<p>Approved subject to a waiting period of 3 months from his last day of service and the condition that, for 12 months from the same date he should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of his new employer</p> <p>July 2010</p>	<p>October 2010</p>
<p>Stephen Marston Department for Business, Innovation and Skills Director General Higher Education Funding and Reform</p> <p>March 2011</p>	<p>Vice-Chancellor University of Gloucestershire</p>	<p>The Committee noted with concern that the appointment had been announced before approval of it could be granted. Approved retrospectively subject to the condition that, for 2 years from his last day of service, he should not become personally involved in lobbying Government Ministers or civil servants, including Special Advisers, on behalf of his new employer</p> <p>March 2011</p>	<p>March 2011</p>
<p>Jonathan May Office of Fair Trading Executive Director</p> <p>August 2010</p>	<p>Special Adviser Finsbury International Policy &amp; Regulatory Advisers International Ltd (FIPRA)</p>	<p>Approved subject to the condition that, for 12 months from his last day of service, he should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of his new employer or its clients</p> <p>February 2011</p>	<p>March 2011</p>
<p>Joseph Montgomery Department for Communities and Local Government Director General Regions and Communities Group</p> <p>January 2011</p>	<p>Chief Executive, Europe Urban Land Institute</p>	<p>Approved subject to the condition that, for 12 months from his last day of service, he should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of the Institute or its members</p> <p>January 2011</p>	<p>March 2011</p>

Name, former department and date of leaving service	Appointment	Advice and date tendered	Date taken up
Geoffrey Norris Department for Business, Innovation and Skills Special Adviser  May 2010	Global Counsel LLP	Approved subject to the conditions that, for 12 months from his last day of service, Mr Norris should not undertake any work which involves providing advice to any company or organisation on the terms of any bid or contract relating directly to the work of any UK Government Department or Agency, or draw on any privileged information which was available to him as a Special Adviser for the particular benefit of his new employer or any of its clients, and that, for 2 years from the same date, he should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of his new employer or any of its clients  February 2011	May 2011
Sir David Pepper KCMG Government Communications Headquarters Director  October 2008 (last day in post July 2008)	Consultant SNC-Lavalin	Unconditional approval  May 2010	June 2010
William Rickett CB Department of Energy and Climate Change Director General, Energy Group  October 2009	Non-executive Director Eggborough Power Ltd	Unconditional approval  November 2010	December 2010
	Non-executive Director Impax Environmental Markets plc	Unconditional approval  February 2011	February 2011
Air Marshal Peter Ruddock CBE Ministry of Defence Director General, Saudi Armed Forces Projects  March 2011	Director, Business Development Lockheed Martin UK	Approved subject to a waiting period of 3 months from his last day of service and to the conditions that, for 12 months from the same date, he should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of his new employer, and that for 2 years from the same date, he should not advise on, or be personally involved in, any dealings or interest his new employer may have in Saudi Arabia.  February 2011	July 2011
Philip Rycroft Director General Open Public Services White Paper Cabinet Office/HM Treasury  February 2011	Director Corporate Affairs Hutchison Whampoa (Europe) Ltd	Approved subject to the condition that, for 12 months from his last day of service, he should not become personally involved in lobbying UK Ministers or Crown servants, including Special Advisers, on behalf of his new employer  February 2011	March 2011

Name, former department and date of leaving service	Appointment	Advice and date tendered	Date taken up
<p>Sir John Scarlett KCMG OBE Chief of the Secret Intelligence Service</p> <p>October 2009</p>	<p>Member of the Advisory Board Chertoff Group LLC</p>	<p>Approved subject to the condition that, for 12 months from his last day of service, he should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of his new employers or their clients</p> <p>March 2010</p>	<p>April 2010</p>
	<p>Member of the Board of Directors Times Newspapers Holdings Ltd</p>	<p>Approved subject to the condition that, for 12 months from his last day of service, he should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of his new employer</p> <p>September 2010</p>	<p>December 2010</p>
	<p>Member of Strategic Advisory Council, Group Strategy and Business Development Statoil UK</p>	<p>Unconditional approval</p> <p>January 2011</p>	<p>February 2011</p>
<p>Nemat (Minouche) Shafik Department for International Development Permanent Secretary</p> <p>April 2011</p>	<p>Deputy Managing Director International Monetary Fund (IMF)</p>	<p>Approved subject to the condition that, for 12 months from her last day of service, she should not become personally involved in lobbying UK Ministers or Crown servants, including Special Advisers, on behalf of her new employer, the normal three-month waiting period being waived</p> <p>February 2011</p>	<p>Announced February 2011 to be taken up in April 2011</p>
<p>Raymond Shostak HM Treasury Director General Performance Management</p> <p>December 2010</p>	<p>Lead Executive Core Assets</p>	<p>Approved subject to the condition that, for 12 months from his last day of service, he should not become personally involved in lobbying UK Ministers or Crown servants, including Special Advisers, on behalf of his new employer</p> <p>December 2010</p>	<p>January 2011</p>
	<p>Speaking engagements at conferences on policy and performance issues</p>	<p>Unconditional approval</p> <p>February 2011</p>	<p>February 2011</p>
<p>Sir Hugh Taylor Department of Health Permanent Secretary</p> <p>July 2010</p>	<p>Non-executive Chairman Guy's and St Thomas' NHS Foundation Trust</p>	<p>Approved subject to a waiting period of 6 months from his last day of service and the condition that, for 2 years from the same date, he should not become personally involved in lobbying UK Ministers or Crown servants, including Special Advisers, on behalf of his new employer</p> <p>June 2010</p>	<p>Announced in June 2010 to be taken up in February 2011</p>

Name, former department and date of leaving service	Appointment	Advice and date tendered	Date taken up
<p>Air Chief Marshal Sir Glenn Torpy GCB CBE DSO ADC Chief of the Air Staff</p> <p>January 2010 (last day in post July 2009)</p>	<p>Senior Adviser BAE Systems</p>	<p>Approved subject to a waiting period of 12 months from his last day of service</p> <p>April 2010</p>	<p>January 2011</p>
<p>Philip Wheatley CB National Offender Management Service Director General</p> <p>June 2010</p>	<p>Independent Consultant Detica Ltd</p>	<p>Approved subject to the condition that, for 12 months from his last day of service, he should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of his new employer</p> <p>September 2010</p>	<p>October 2010</p>
	<p>Independent Consultant G4S plc</p>	<p>Approved subject to a waiting period of 6 months from his last day in service and the conditions that, for 12 months from the same date, he should have no personal contacts with, or be involved in any bids for contracts with, the Ministry of Justice or any of its Agencies on behalf of his new employer and that, for two years from the same date, he should not become personally involved in lobbying UK Ministers or Crown servants, including Special Advisers, on behalf of his new employer</p> <p>September 2010</p>	<p>Made public in December 2010 Taken up in January 2011</p>

RECOMMENDATIONS MADE DURING THE PREVIOUS REPORTING YEAR ON APPOINTMENTS  
TAKEN UP AFTER MARCH 2010

Name, former department and date of leaving service	Appointment	Advice & date tendered	Date taken up
Admiral Sir Jonathon Band GCB Ministry of Defence First Sea Lord and Chief of Naval Staff  November 2009	Non-executive director and strategic adviser Lockheed Martin	Approved subject to a waiting period of 6 months from his last day of service and the condition that, for 12 months from the same date, he should not become personally involved in lobbying UK Government Ministers, including Special Advisers, on behalf of his new employer  January 2010	May 2010
	Chairman of the Defence Advisory Board VT Group	Approved subject to a waiting period of 6 months from his last day of service and the condition that, for 12 months from the same date, he should not become personally involved in lobbying UK Government Ministers, including Special Advisers, on behalf of his new employer  January 2010	May 2010
Sir Brian Bender KCB Department for Business, Enterprise and Regulatory Reform Permanent Secretary  April 2009	Member of the Offshore Advisory Committee Mainstream Renewable Power (UK) Ltd	Approved subject to the condition that, for 12 months from his last day of service, he should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of his new employer  February 2010	April 2010
Hilary Douglas CB Department for Business, Innovation and Skills Director General, Operations and Change  December 2009	Executive Coach Praesta Partners LLP	Approved subject to a waiting period of 3 months from her last day of service and to the condition that, for 12 months from the same date, she should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of her new employer  February 2010	April 2010
Vicky Pryce CB Director General, Department for Business, Innovation and Skills Joint Head of the Government Economic Service  September 2010	Senior Managing Director FTI Consulting	Approved subject to the condition that, for 12 months from her last day of service, she should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of her new employer  March 2010	Announced in May 2010 Taken up in September 2010
Sir John Scarlett KCMG OBE Chief of the Secret Intelligence Service  October 2009	Member of the Advisory Panel Swiss Reinsurance Company Ltd	Approved subject to the automatic three month waiting period from his last day of service and to the condition that, for 12 months from the same date, he should not become personally involved in lobbying UK Government Ministers or Crown servants, including Special Advisers, on behalf of his new employer, their partners or clients January 2010	April 2010

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