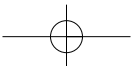
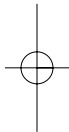
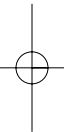
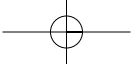


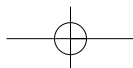
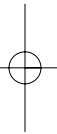
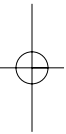
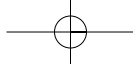


**THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS
SIXTH REPORT 2002–2004**





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SIXTH REPORT 2002–2004**



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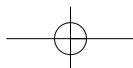
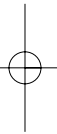
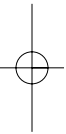
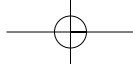
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Dear Prime Minister

July 2004

I am glad to be able to submit to you this report on the work of the Advisory Committee on Business Appointments between 1 April 2002 and 31 March 2004.

It follows our normal practice in giving an account of our work in advising you on applications under the Business Appointment Rules from the most senior members of the Civil Service and the Armed Forces. We advise the Secretary of State for Foreign and Commonwealth Affairs on applications from the most senior diplomats. The report also covers our additional role in giving advice directly to former Ministers, under their similar but voluntary system, on any appointments they wish to take up within two years of leaving the Government.

This is the Committee's sixth report, and my fourth as its Chairman. We did not produce a report last year, because, in the light of the significant changes which had been taking place in some of the relationships between Government and the private and other sectors, we decided to undertake a review of our approach to applications under the *Rules on the Acceptance of Outside Appointments by Crown Servants*.

The aim of these Rules is to maintain public trust in the Crown services and the people who work in them. We looked in particular at the issues that can arise when applicants seek to take up appointments in a sector with which they or their Departments have had official dealings. We discussed these matters with the Ministry of Defence, where many officers and staff look for employment in the defence industries after retiring from their Service. This report sets out the conclusions of our review and the criteria by which we judge such applications.

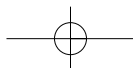
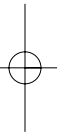
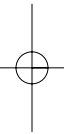
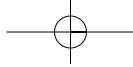
You have since announced, in your speech on 24 February this year about reforming the Civil Service, that there is a need to examine the Rules to make it easier for civil servants to move into the private sector and back again.

I conclude this letter of introduction to our report with an expression of our warm gratitude to our small secretariat, headed by Mr Tony Nichols, for their unfailingly thorough and perceptive support throughout the years it covers.

Yours sincerely,

Patrick Mayhew

LORD MAYHEW OF TWYSDEN QC DL



INTRODUCTION

1. The Advisory Committee on Business Appointments is an independent body. It provides advice to the Prime Minister and the Foreign Secretary respectively on applications from the most senior members of the Civil Service, the Armed Forces and the Diplomatic Service who wish to take up outside appointments within two years of leaving Crown service.

2. The Committee on Standards in Public Life recommended that a system similar to that for Crown servants should apply to Ministers, and that the Advisory Committee should administer it. They proposed, however, that the Advisory Committee should offer their advice direct to the former Minister and that the system should be voluntary. This system came into effect at the start of the 1995–96 Parliamentary Session. The Guidelines were reviewed and re-issued at the beginning of the 1998–99 Parliamentary Session.

3. The Committee is an Advisory Non-Departmental Public Body sponsored by the Cabinet Office. Its members are unpaid. They normally serve an initial three-year term, with one extension to six years overall. They are appointed by the Prime Minister, and have experience at the most senior levels of Parliament, the Home Civil Service, the Diplomatic Service, the Armed Forces, or business.

4. During the period covered by this report, the Committee comprised:

The Rt Hon Lord Mayhew of Twysden QC DL
(Chairman)

Sir John Belloch KCB
(Vice-chairman)

The Rt Hon Lord Morris of Aberavon KG QC

The Rt Hon Lord Maclennan of Rogart

The Lord Wilson of Tillyorn KT GCMG

Admiral Sir Kenneth Eaton GBE KCB
FEng FLEE

Sir Bryan Nicholson

5. The Committee is supported by a small secretariat in the Cabinet Office. This secretariat also constitutes the unit which administers the Business Appointment Rules for all members of the Civil Service, the Armed Forces, and the Diplomatic Service below the most senior levels. Its overall costs amounted to approximately £150,000 in 2002–03, and £120,000 in 2003–04.

THE BUSINESS APPOINTMENTS SYSTEM FOR FORMER MINISTERS

6. Eighteen former Ministers consulted us during the period covered by this report on a total of 46 appointments.
7. We continued to see a significant number of appointments being offered to former Ministers which would probably entail lobbying current Ministers or officials. For the reasons explained in our last report, we consider that it is inappropriate for former Ministers (and Crown servants) to be engaged immediately after they leave office in lobbying any part of Government, especially the Department they have just left. We advised accordingly in these cases.
8. Overall, we saw no issues causing difficulty in 25 of the 46 appointments about which we were consulted. In the remaining 21, we considered that the former Ministers should give undertakings or observe certain restrictions for a period of time.
9. The appointments on which we were consulted, and which were taken up during the period of this report, are listed in Annex B together with the advice we gave on them.

THE BUSINESS APPOINTMENT RULES FOR CROWN SERVANTS

10. We are asked to advise the Prime Minister, and the Foreign Secretary, on the application to individuals of Rules that are unique in their character. Every regulatory process, however, has this in common – that it must achieve a fair balance between proper interests that may sometimes conflict. If it fails to do so it will not command the necessary confidence of those upon whose interests it impinges. In the case of the *Rules on the Acceptance of Outside Appointments by Crown Servants*, this requires a careful and balanced judgement of each application we consider. Fairness is the key.

11. For example, the public interest requires from Crown servants the highest standards of integrity at all times. In particular they must not allow any prospect of personal reward from a future employer to influence the discharge of their duty to the Crown. Equally there must be no reasonable grounds for suspicion that this could have occurred.

12. Yet Crown servants themselves who wish, after the end of their service, to take up other employment, have a legitimate interest in not being unreasonably obstructed in their choice.

13. Businesses, too, have interests whose propriety must be acknowledged. They need to feel sure that where commercially sensitive information – for instance, details of their pricing policies – has been acquired by Government in the course of dealings with them, it will not become damagingly known to a competitor through the recruitment of a particular official. Equally businesses, and the public interest, are served by seeking the involvement of those with direct experience of the issues the businesses deal with.

14. Close attention by us to the circumstances of each relationship that may be relevant to the approval of an applicant's appointment is therefore essential. Each is different and many

are complex. We recognise that they need to be assessed in the light of changes that are continuing at the interface between the public and private sectors. We do this within the terms of the Rules we are asked to apply, which are of long standing. Any changes in those Rules would be a matter for others.

15. Last year we decided that, instead of producing a report, we would review internally our approach to our work, to which all these considerations provide a background.

16. We focused initially on applications for permission to take up an appointment in a sector with which the applicant or their Department had had significant official dealings. This is a particular issue in the Ministry of Defence. Unsurprisingly, many officers who have served in the Armed Forces, and who retire at the age of 55 or below, wish to obtain further employment in the defence industry. Unsurprisingly too, the defence industry finds the experience of some of those officers to be of great value.

17. The *Rules on the Acceptance of Outside Appointments* start with the assertion that it is in the public interest for those with experience of public administration to be able to move into business or other bodies. There is no doubt that people with the background and training acquired in the Services, and as officials in the MOD, can strengthen any company, not least in bettering its understanding of the Government's needs and procedures.

18. The early take up of these jobs can, however, occasion suspicion of impropriety. In the case of the MOD, it can be argued that the numbers seeking such employment are so significant as to amount to a 'traffic' from the Department to the defence contractors who supply it. It could be supposed that such officers (and their civilian counterparts) might enter their final postings with a hope or

expectation of post-retirement employment with companies with which they would be dealing officially.

19. We were initially inclined in such cases to make rather tougher recommendations than previously, so as to sustain public confidence. In the course of our review, however, we learned from the MOD that they had some anxieties about this approach.

20. Since virtually everyone in the Department at 3 and 4 star level gained some specific commercial or policy knowledge in their jobs, the MOD were concerned that we should not, in a 'blanket' approach, recommend longer waiting periods than previously, especially as the value of commercial knowledge in particular can diminish rapidly. Moreover, such appointments can also often serve the interests of the Department in particular and the UK in general.

21. The MOD felt that the extensive safeguards in their own procurement procedures minimised the potential for impropriety, helping appointments to be defended against unjustified criticism. They wished also to ensure that there was no temptation for senior staff to avoid responsibilities in their final postings which might make it difficult for them to gain early employment in the defence industry.

22. We gave very careful thought to these points before reaching the following conclusions.

23. It is Government policy to encourage greater interchange between the public and private sectors. The Committee recognise that increasing Government involvement and interchange with the private sector is a continuing trend, and an important context in

which the *Rules on the Acceptance of Outside Appointments* have to be applied. We are conscious, too, of the position of individuals attracted into the Crown service on short-term contracts who might then have difficulty returning to the sector for which their experience most qualified them.

24. In our view, there is a heightened risk that impropriety will be suspected when individuals take up appointments in a sector with which they (or their Departments) have had any significant official relationship. We believe that the risk of such a suspicion is increased where there is a regular passage of significant numbers of staff, for example to defence contractors, such as to create a foreseeable expectation of post-retirement jobs in an industry where applicants have had close contact with their prospective employers.

25. In the light of these considerations, we may be seeking from applicants and their Departments information in greater depth on, in particular

- whether there has been any earlier suggestion or inference that a company was offering or would/might offer the applicant a job?
- if so, when and in what manner did the suggestion or inference arise?
- what work was the applicant involved in at that time (eg any contractual or other dealings of interest to the company) and have they had any subsequent contacts or dealings with, or of interest to, the company?
- whether any recent predecessor in the applicant's post has accepted the same or a similar job from the company?

Departments will need to ensure that they are similarly informed when dealing themselves with more junior applicants.

26. Where we consider it right to recommend some safeguard, it will be our intention that it shall be no tougher than is proportionate in the light of all the relevant circumstances made known to us. These will include

- judgements of public perception;
- the availability of information tending to counter any reasonable suspicion;
- the scale and character of the job on offer;
- the gravity of any resulting disadvantage to the public interest if the applicant is prevented from accepting it; and
- the relative significance to the applicant of the loss of that employment opportunity.

27. We will continue to recommend a safeguard only where there is in our view reasonable cause for suspicion of impropriety. We may (as the Rules provide) advise that the appointment is unsuitable, though we have not seen any such case; we would certainly do so if there was established impropriety. We recognise that, as a result of our review, our recommendations may in some cases be more stringent than hitherto, depending on the facts. Whether, however, and to what extent these cases will occur will always depend on the information we receive on each particular case.

28. The Committee has a responsibility, in addition to giving advice directly on applications from the most senior staff, to ensure that the Rules are applied consistently and effectively. Decisions on cases below the most senior levels are made by Departments themselves. We consider it of great importance that the same approach and principles should

apply at every level of the public service covered by the Rules.

Cases we have considered

29. The Committee have considered 87 applications for permission to take up outside appointments in the last two years, 38 in 2002–03 and 49 in 2003–04.

30. When we are minded to recommend that an appointment should be delayed or approved subject to a waiting period or some other significant condition, we generally invite applicants, if they wish, to discuss their applications with us in person. In the period covered by this report, we have met the applicants in the following cases.

31. Vice Admiral Sir Jeremy Blackham, the former Deputy Chief of Defence Staff (Equipment Central Customer), discussed with us two part-time appointments he wished to accept, with Atmaana and with European Aerospace and Defence Systems (EADS), following his retirement from the Royal Navy. He had left his Defence Staff post in March 2002, and, after a period of resettlement training and terminal leave, he had retired from the Royal Navy on 7 September 2002.

32. In view of his prominent role in their procurement process, and his strategic access to defence companies and sensitive commercial information, the MOD had consulted eight other defence contractors about these appointments.

33. Atmaana was a recently formed change and knowledge management company. Vice Admiral Blackham had had no official dealings with it or its competitors, and, at the time we discussed this appointment with him, some eight months had elapsed since he had left his last MOD post and over two months since his retirement. We saw no reason why he should be

delayed from taking up the part-time consultancy and non-executive directorship he had been offered by the firm, but we considered that it would be inappropriate for him to undertake any consultancy work through Atmaana for defence companies, or in the defence sector, for six months after his last day in Crown service.

34. One of the companies consulted by the MOD had expressed concern about his other proposed appointment, in a senior advisory capacity, by EADS. He had been involved with, and briefed in depth on, the development of a number of key future MOD helicopter requirements which were due to reach critical stages in the acquisition process during the following 18 months. EADS had a helicopter subsidiary with a strong interest in these projects. The MOD were satisfied that the information in his possession could give his prospective employer a significant competitive advantage. We took the view that, given the lengthy period during which the sensitivities concerning these programmes were likely to remain, his application to join EADS should be subject to both a waiting period and a condition. We considered that he should wait six months from his last day of Crown service (and thus approximately one year from the date on which he had left his last official post in the MOD) before he took up the appointment, and, furthermore, that he should not give advice on or undertake any work on the projects in question without first submitting a new application to do so under the rules.

35. We advised the Prime Minister accordingly, and he accepted our recommendations.

36. Over a year after his retirement, during which he had had no personal contact with the MOD or the Defence Procurement Agency on any defence programmes, Vice Admiral Blackham informed us that EADS wished to

make significant changes to their organisation in the UK. He had been asked to combine his current role with the non-executive chairmanship of a newly-formed EADS UK. He would be responsible for general oversight, long-term UK strategy and military advice as before. However, a new Chief Executive Officer would be appointed, reporting direct to the CEO of the main company, who would be responsible for the activities of the company, dealing with the business units (their manufacturing arms), all commercial activities and the Defence Procurement Agency. Vice Admiral Blackham gave us an undertaking that he would not be involved in this latter work, and would continue to comply with the restrictions placed on his activities which had kept him out of the sensitive work areas. We were satisfied by the assurances we received, and we believed that there was no reason to obstruct the change in his position within the company.

37. We also saw Air Marshal Sir Christopher Coville, to discuss with him his application to accept an appointment as a non-executive director of AgustaWestland. He had been the Commander-in-Chief, Personnel and Training Command, and Air Member for Personnel on the Air Force Board, until 24 April 2003. He had retired from the RAF on 31 May, shortly after leaving that post.

38. Air Marshal Coville explained to us that he had extended his time in the Service by some four months to meet operational needs arising from the conflict in Iraq. It had been necessary to delay the release of his successor from his previous post. He had been invited to join the Board of AgustaWestland, advising on general defence matters. The company was keen for him to take up this appointment as soon as possible, as they wished him to explore potential overseas markets. Although it was a major defence contractor, it had only routine and low-value contracts with his own

Command, and he had had no direct dealings with the company or its competitors since 1998.

39. In view of the contractual relationship between AgustaWestland and the MOD, and the fact that he had also been a member of the Air Force Board, we considered that it would be inappropriate for Air Marshal Coville to move immediately to this new role. In the circumstances of his particular case, we believed he should wait for six months, but from the time he left his last official post rather than his final retirement, before taking up this appointment.

40. Air Marshal Coville took the opportunity at our meeting to discuss with us, in addition, an offer he had received from Defence Strategy and Solutions to become its Military Adviser. He told us that the company had been engaged on a major project, commissioned by the MOD, to achieve savings in the Defence Logistics Organisation. He would be advising the senior team managing the project. The company had the IT skills and technical expertise, but needed someone who could assist by providing a current military context. He assured us that he would not be using the position to lobby the MOD on behalf of the company. We were satisfied that, provided there was a clear break after his Service career, he should be free to take up this appointment. We considered that a gap of three months, again from the time he left his last official post, would be sufficient for the purpose of allaying any concerns about this appointment.

41. We advised the Prime Minister accordingly in each case, and he accepted our recommendations.

42. Sir Robert Walmsley met us to discuss an appointment he had been offered by General Dynamics in the USA. He had been the Chief of Defence Procurement in the MOD from May

1996 until April 2003, when he retired.

After his retirement, he had been approached by the Chairman and Chief Executive Officer of General Dynamics, and invited to meet the Board's nomination committee in the USA. The company were, inter alia, trying to fill a gap in their Board's expertise on Communications and Information Systems as this was to be the focus of a planned expansion of their business in the USA. The meeting had taken place in August 2003, and he had been invited to become one of what were then the ten members of the Board.

43. The prime contractor for the Bowman radio project is General Dynamics UK. Contracts on that programme, valued at some £2 billion, were awarded to the company during the last two years of Sir Robert's time as the Chief of Defence Procurement. We were therefore concerned that the appointment could be perceived as a reward.

44. Sir Robert explained to us that he had reorganised the defence procurement organisation and process in the late 1990s. He had created a flat structure of integrated project teams, each of which were responsible for managing their respective projects without his involvement until the final decision-making stage. This had improved accountability, and had also served to ensure that external influence could not be brought to bear on the conduct of competitions through any approaches to the Chief of Defence Procurement in the many contacts he had with defence companies. Although he understood how this appointment could be perceived by those unfamiliar with the procedures now followed by the MOD, his personal role in this contract had been limited.

45. He had held a conference in September 1999 to assure the quality of bids for the project, and, apart from ensuring adherence to the subsequent timetable, had then stood aside

from the evaluation process until the final Ministerial decision was required in the following year. The integrated project team had dealt direct with the Minister.

46. We questioned Sir Robert in some depth about his role as Chief of Defence Procurement and the scope for misinterpretation of the appointment he had been offered. We did not doubt his personal integrity, but we believed that a long waiting period would be required to allay potential public concern about his accepting a post with General Dynamics. We concluded, with the dissent of one member who considered the appointment to be inappropriate, that he should wait for one year after he retired from the MOD before he took it up. The Prime Minister accepted this recommendation.

47. In sum, the Committee considered 87 applications from senior Crown servants in 2002–04, although not all of these appointments have been taken up. Of this total, we recommended that 27 should be subject to a waiting period. In the remaining 60 cases, we saw no need to delay the appointments, although we considered that conditions should be imposed on the approval of 19 of these. On six occasions we believed it right in the circumstances, as we have in the past, to use our discretion under the Rules to recommend that the normal minimum three months waiting period which applies to Permanent Secretaries should be waived.

48. We did so in the cases of the appointments of Lord Wilson of Dinton as Master of Emmanuel College, Oxford; Sir Muir Russell as the Principal and Vice Chancellor of the University of Glasgow; Sir Christopher Meyer as Chairman of the Press Complaints Commission; Sir Richard Broadbent as a non-executive director of Barclays Bank; Sir Stephen Lander as the Independent Lay Commissioner of the Law Society; and Sir Richard Dearlove as

Master of Pembroke College, Cambridge. In the case of Sir Richard Broadbent, we considered compliance with a condition on the acceptance of his new appointment to be a more appropriate safeguard against possible criticism than the standard waiting period for Permanent Secretaries. He was returning to the private sector after three years at HM Customs & Excise, during which he had had no official dealings with his prospective employer. He did not intend to take up the appointment immediately after leaving the Department, and we recommended instead that he should stand aside from discussion, if any, of commercial contracts with the Revenue Departments. The Prime Minister accepted this advice.

49. Our recommendations on the appointments which have been taken up or announced, are summarised in Annex D.

50. All our recommendations were accepted with one exception. Our advice on the application by Air Chief Marshal Sir John Day to take up an appointment as Military Adviser to BAe Systems, was overridden in accordance with the provision in paragraph 23 of the Rules (reproduced at Annex A) for dealing with appointments which are judged to be in the national interest. This requires that we first consider the case in the normal way before the Prime Minister decides whether the national interest should override other considerations.

51. We noted that Air Chief Marshal Day had agreed to delay his release from the RAF, and the MOD considered that there was in this case a national interest in his early appointment to advise BAe. He had, however, been involved with Air Force Board decisions that would have had a direct bearing on the MOD's business with the company. We were informed that he was not personally involved in the work that was being undertaken by his staff in advising the integrated project team on a major equipment programme in which BAe was a

member of both bidding consortia, and he had taken steps to ensure that he was separated from any discussions about this contract. We were sympathetic to his situation, but we believed that, on the basis of the normal propriety principles and criteria we apply through the Rules, he should wait one year from his last day in post as Commander-in-Chief, Strike Command to ensure that the appointment was not open to criticism.

52. The Prime Minister decided, exceptionally, that there was a wider national interest in permitting Air Chief Marshal Day to take up this appointment earlier than we had proposed. He approved the application subject to the automatic three months minimum waiting period which applies to officers of this rank, and the condition that, in view of the company's involvement in the competition for the Future Strategic Tanker Aircraft contract, he should not become involved in any way with that project until after the preferred bidder was announced.

53. The Advisory Committee normally considers applications only from the most senior Crown servants. Applications from officials at the next level are considered by the Head of the Home Civil Service, while those below that level, which are referred to the Cabinet Office under the Rules, are considered by our secretariat. (The criteria for deciding who should consider a particular case are set out in paragraphs 25 to 30 of the Rules, at Annex C). The Chairman has once again personally reviewed the recommendations made by the Committee's secretariat in a substantial sample of the cases with which they dealt, and he is satisfied that in each instance the Committee itself would have made a similar recommendation.

Statistical analysis of applications from all Crown servants

54. In 2002–04 a total of 849 applications were made by Crown servants at all levels. The proportion which were approved without conditions was 81 per cent. In the remaining 19 per cent of cases, waiting periods and/or other conditions were applied. (A factor which often determines whether or not a waiting period or other condition is applied is the time which elapses between the individual leaving the Service and proposing to take up an appointment; the longer this period is, the more likely the appointment is to be approved unconditionally.) An analysis by department is provided in Table 1.

55. In this period 286 applications were referred to the Cabinet Office as required under the Rules. Apart from the 87 considered by the Advisory Committee, 90 were considered by the Head of the Home Civil Service and the remainder by our secretariat. An analysis by department is provided in Table 2. The reasons for leaving Crown service are shown in Table 3.

Analyses of the cases considered by the Advisory Committee by department and conditions applied, reason for leaving and nature of proposed employment, are provided in Tables 4, 5 and 6.

ANNEX A: GUIDELINES ON THE ACCEPTANCE OF APPOINTMENTS OR EMPLOYMENT OUTSIDE GOVERNMENT BY FORMER MINISTERS OF THE CROWN

Introduction

1. 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. It is equally important that when a former Minister takes up a particular appointment there should be no cause for any suspicion of impropriety. Arrangements have been made therefore to enable former Ministers to seek advice from the independent and impartial Advisory Committee on Business Appointments.

2. The use of the term 'appointment' in these guidelines should be taken generally to include all forms of employment including the practice of a profession, apart from unremunerated appointments in non-commercial organisations or appointments in the gift of the Government.

3. The guidelines seek to counter suspicion that:

- a. the statements and decisions 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.

The Guidelines

4. Former Ministers should ask the Advisory Committee about any appointment (as defined in paragraph 2) they wish to take up outside Government within two years of leaving office. The Committee will consider details of the

appointment and any contact the former Minister (or his or her former department) has had with the prospective employer or with competitors (the attached request form will be a convenient way of providing this information). If necessary, the Committee will seek, in confidence, information from senior officials of a former Minister's former department(s) about the nature of any contractual, regulatory or other relationships which the department(s) have or have had with the prospective employer.

5. The Advisory Committee will consider each appointment 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 or knowledge of unannounced Government policy which would give his or her company an unfair advantage?
- iii. is there another specific reason why acceptance of the appointment would give rise to public concern of a degree or character to justify advising the former Minister that there should be a delay or another condition in taking up the appointment, or that the appointment is unsuitable?

6. The Advisory Committee will need to balance any points under these tests against the desirability of former Ministers being able to move into business or other areas of public life, or the need for them to be able to start a new career or resume a former one.

7. The Advisory Committee may advise that they see no objection to the appointment, or they may recommend a delay of up to two years running from the date of leaving office before it is taken up, or that for a similar period the former Minister should stand aside from certain activities of the employer. They may also advise that an appointment is unsuitable.

8. A three-month waiting period from the date of leaving office will normally be expected when the former Minister is of Cabinet rank, unless the Advisory Committee advise a longer waiting period in particular circumstances. The Advisory Committee may waive this automatic waiting period if, for example, the former Minister is returning to a family business or to the practice of a profession (eg farming, medicine or teaching) where the appointment is not connected with his or her Ministerial knowledge, and no considerations of improper advantage could apply.

Publicising the Advisory Committee's advice

9. All approaches to the Advisory Committee will be considered in strict confidence, and will remain confidential if the appointment is not taken up. When a former Minister takes up a post which the Advisory Committee have scrutinised, the Committee's advice will be available for publication. The Advisory Committee will produce an annual report, summarising the cases with which they have dealt in the previous year.

ANNEX B: ADVICE GIVEN ON APPOINTMENTS TAKEN UP BY FORMER MINISTERS

1 APRIL 2002 – 31 MARCH 2004

The Committee's advice to former Ministers is set out in this Annex, using the following key:

Entry	Explanation of advice
Take up/accept forthwith	The appointment could be taken up or accepted forthwith
Noted and saw no difficulty	The Committee was asked for advice after the appointment had been taken up but saw no difficulty with it
Normal three months wait	The appointment could be taken up, subject only to the normal waiting period of three months for former Cabinet Ministers (When the three months waiting period had already expired and there were no concerns about the proposed appointment, the Committee's advice was that the appointment could be taken up forthwith)
Take up forthwith, subject to (an undertaking)	The appointment could be taken up forthwith, subject only to a (specified) undertaking
Waiting period	The appointment could be taken up after a (specified) waiting period.

Waiting periods and undertakings run from the date on which the former Minister left the Government.

Advice is shown only if the appointment has been taken up (or announced) during the period covered by this report. Advice on appointments yet to be taken up will be included in the Committee's next report.

NAME, FORMER DEPARTMENT AND DATE OF LEAVING OFFICE	APPOINTMENT	ADVICE AND DATE TENDERED	DATE TAKEN UP
• Wendy Alexander MSP Minister of State The Scottish Parliament May 2002	Research Fellow The Fraser of Allander Institute, University of Strathclyde	Take up in September, as she proposed, on the basis that she would not draw on privileged information available to her as a Minister August 2002	September 2002
• Rt Hon the Baroness Blackstone Minister of State Department for Culture, Media and Sport June 2003	Non-executive Director Granada Learning	Take up forthwith, but for six months after leaving office she should not draw on any privileged information available to her as a Minister, and should not be personally involved in lobbying any Government Ministers or officials November 2003	November 2003
	Non-executive Director VT Group	Take up forthwith, but for six months after leaving office she should not draw on any privileged information available to her as a Minister, and should not be personally involved in lobbying any Government Ministers or officials December 2003	January 2004
• Rt Hon Stephen Byers MP Secretary of State Department for Transport, Local Government and the Regions May 2002	Political workshop in Jordan ReputationInc	Take up forthwith October 2003	October 2003
	Advisor Bergmans	Noted and saw no difficulty February 2004	January 2004
• Rt Hon the Lord Carter Chief Whip May 2002	Chairman British Chicken Marketing Group	Take up forthwith January 2003	March 2003 (appointment now ceased)
	Vice-Chairman English Farming & Food Partnerships	Take up forthwith January 2003	March 2003
	Vice-Chairman The British Association of Bio Fuels and Oils (BABIO)	Take up forthwith February 2003	March 2003
• Rt Hon Robin Cook MP Leader of the House of Commons and President of the Council March 2003	Consultant College Hill	Normal three months wait, and for six months from the date on which he left office he should not be involved personally in lobbying any Government Ministers or officials June 2003	July 2003
• Michael German OBE AM Minister of State The National Assembly for Wales April 2003	Research project for Countryside Agency CJA Consultants Ltd	Take up forthwith February 2004	March 2004
• Lord Hunt of Kings Heath OBE Parliamentary Under-Secretary of State Department of Health March 2003	Advisor Sainsbury Centre for Mental Health	Take up forthwith, on the basis that he would not draw on any privileged information which was available to him as a Minister, and for six months after leaving office he should not become involved personally in lobbying any Government Ministers or officials May 2003	May 2003

NAME, FORMER DEPARTMENT AND DATE OF LEAVING OFFICE	APPOINTMENT	ADVICE AND DATE TENDERED	DATE TAKEN UP
	Presentations and workshops for NHS managers and private sector on how Whitehall/ Westminster works and policy is made Cumberlege Connection	Take up forthwith, on the basis that he would not draw on any privileged information which was available to him as a Minister, and for six months after leaving office he should not become involved personally in lobbying any Government Ministers or officials May 2003	May 2003
	Senior Associate King's Fund	Take up forthwith, on the basis that he would not draw on any privileged information which was available to him as a Minister, and for six months after leaving office he should not become involved personally in lobbying any Government Ministers or officials May 2003	May 2003
	Regular articles for Health Service Journal	Take up forthwith, on the basis that he would not draw on any privileged information which was available to him as a Minister May 2003	May 2003
	Adviser Beachcroft Wansbroughs	Take up forthwith, on the basis that he would not draw on any privileged information which was available to him as a Minister, and for six months after leaving office he should not become involved personally in lobbying any Government Ministers or officials May 2003	June 2003
	Adviser Harrogate Management Centre	Take up forthwith, on the basis that he would not draw on any privileged information which was available to him as a Minister, and for six months after leaving office he should not become involved personally in lobbying any Government Ministers or officials May 2003	June 2003
	Adviser on governance and design University Hospital Birmingham NHS Trust	Take up forthwith, on the basis that he would not draw on any privileged information which was available to him as a Minister, and for six months after leaving office he should not become involved personally in lobbying any Government Ministers or officials May 2003	July 2003
	Member of Advisory Board Commission for Healthcare Audit and Inspection	Take up forthwith, on the basis that he would not draw on any privileged information which was available to him as a Minister, and for six months after leaving office he should not become involved personally in lobbying any Government Ministers or officials May 2003	June 2003

NAME, FORMER DEPARTMENT AND DATE OF LEAVING OFFICE	APPOINTMENT	ADVICE AND DATE TENDERED	DATE TAKEN UP
	Chair of Modernisation Board Birmingham and the Black Country Health Authority	Take up forthwith, on the basis that he would not draw on any privileged information which was available to him as a Minister, and for six months after leaving office he should not become involved personally in lobbying any Government Ministers or officials May 2003	June 2003
	Adviser on mental health strategy Turning Point	Take up forthwith, on the basis that he would not draw on any privileged information that was available to him as a Minister, and for six months after leaving office he should not become involved personally in lobbying any Government Ministers or officials July 2003	September 2003
	Adviser KPMG	Take up forthwith, on the basis that he would not draw on any privileged information that was available to him as a Minister, and for six months after leaving office he should not become involved personally in lobbying any Government Ministers or officials July 2003	September 2003
	Lecturer Warwick University Business School	Take up forthwith December 2003	January 2004
	Chairman of Partnering Board Birmingham and Solihull NHS Strategic Partnering Board	Take up forthwith December 2003	January 2004
• Rt Hon the Lord Irvine of Lairg PC QC Lord Chancellor Lord Chancellor's Department June 2003	Adviser and Director The Hutchison Whampoa Group/Hutchison Ports (UK) Ltd	Take up forthwith, the automatic three months waiting period for former Cabinet Ministers having expired October 2003	October 2003
• David Lock Parliamentary Secretary Lord Chancellor's Department June 2001	Non-executive Director Forensic Risk Alliance	Take up forthwith May 2002	May 2002
	Non-executive Director Lawbook Consulting Ltd	Take up forthwith May 2002	May 2002
	Director Searchflow Ltd	Take up forthwith May 2002	September 2002
	Director Insolvency Management Limited	Noted and saw no difficulty June 2003	September 2002
• Rt Hon the Lord MacDonald of Tradeston CBE Minister for the Cabinet Office and Chancellor of the Duchy of Lancaster June 2003	Chairman of Macquarie Europe Ltd Macquarie Investment Banking Group	Take up forthwith, but for one year after leaving office he should not be involved personally in lobbying Government Ministers or officials on behalf of the bank February 2004	February 2004
• Angus Mackay MSP Minister of State The Scottish Parliament November 2001	Managing Director Limited company arranging public policy related conferences	Take up forthwith November 2003	November 2003

NAME, FORMER DEPARTMENT AND DATE OF LEAVING OFFICE	APPOINTMENT	ADVICE AND DATE TENDERED	DATE TAKEN UP
• Rt Hon Alan Milburn MP Secretary of State Department of Health June 2003	Member of New Advisory Committee Bridgepoint Capital Ltd	Take up forthwith, but for one year after leaving office he should not be involved personally in lobbying any Government Ministers or officials February 2004	March 2004
	Speech on modernising public infrastructure European Infrastructure Leaders Forum	Proper to accept this appointment February 2004	April 2004
• Dr Lewis Moonie MP Parliamentary Under- Secretary of State Ministry of Defence July 2003	Non-executive Director Mining (Scotland) Ltd	Take up forthwith February 2004	February 2004
	Non-executive Director AEA Technology plc	Take up forthwith March 2004	April 2004
• Rt Hon Chris Smith MP Secretary of State Department for Culture, Media and Sport June 2001	Director Clare Foundation for Cultural Learning	Take up forthwith May 2003	June 2003
• Lord Watson of Invergowrie Minister of State The Scottish Parliament May 2003	Non-executive Director Dundee Utd Football Co. Ltd	Normal three months wait, and he should not be involved personally in any contact on behalf of the Club with current Ministers, the Scottish Executive and related public bodies for one year after leaving office or until after the outcome of the application to SportScotland for funding had been decided, whichever was the later July 2003	August 2003
• Rt Hon Brian Wilson MP FRSA(Scot) Minister of State DTI June 2003	Consultant Wind Save Ltd	Wait three months from the date on which he left office, and for six months from the same date he should not be involved personally in lobbying any Government Ministers or officials July 2003	September 2003

ANNEX C: RULES ON THE ACCEPTANCE OF OUTSIDE APPOINTMENTS BY CROWN SERVANTS

(INCLUDING GUIDANCE FOR DEPARTMENTS AND AGENCIES ON THE RULES ON THE ACCEPTANCE OF OUTSIDE APPOINTMENTS BY CROWN SERVANTS)

Introduction

1. It is in the public interest that people with experience of public administration should be able to move into business or other bodies, and that such movement should not be frustrated by unjustified public concern over a particular appointment. It is equally important that when a former Crown servant takes up an outside appointment there should be no cause for any suspicion of impropriety.
2. The Business Appointment Rules provide for the scrutiny of appointments which former Crown servants propose to take up in the first two years after they leave the service. To provide an independent element in the process of scrutiny, the Advisory Committee on Business Appointments is appointed by the Prime Minister, comprising people with experience of the relationships between the Civil Service and the private sector. The Committee gives advice on applications at the most senior levels, and reviews a wider sample in order to ensure consistency and effectiveness.
3. The aim of the Rules is to maintain public trust in the Crown services and in the people who work in them, and in particular:
 - a. to avoid any suspicion that the advice and decisions of a serving officer might be influenced by the hope or expectation of future employment with a particular firm or organisation; or
 - b. to avoid the risk that a particular firm might gain an improper advantage over its competitors by employing someone who, in the course of their official duties, has had access to technical or other information which those competitors might legitimately regard as their own trade secrets or to

information relating to proposed developments in Government policy which may affect that firm or its competitors.

4. Most applications submitted under the Rules are approved without condition. In some cases approval may be given subject to a waiting period or other conditions. The imposition of conditions does not imply anything improper in a Crown servant's relationship with the prospective employer. Rather, it is an indication that an immediate move from Crown service to the employer, or one without conditions, might be open to criticism or misinterpretation. Experience has shown that employers generally are content to accept such constraints as being reasonable in an open society which places a high premium on the integrity and impartiality of its civil and military services.
5. This version of the Rules applies to the Home Civil Service. There are corresponding requirements for other Crown servants including the Armed Forces, the Diplomatic Service, and certain office holders. There are different requirements and different procedures for staff at different levels.

Who must apply?

6. Within two years of leaving Crown employment, and in the circumstances set out in the following paragraph, civil servants must obtain Government approval before taking any form of full, part-time or fee-paid employment:
 - a. in the United Kingdom; or
 - b. overseas in a public or private company or in the service of a foreign government or its agencies.

7. Applications for approval must be made by civil servants:

- if they are in the Senior Civil Service in salary band 4 or above and in a post attracting a minimum JESP score of 13; or if they are specialists or Special Advisers of equivalent standing; or
- if they have had any official dealings with their prospective employer during the last two years of Crown employment; or
- if they have had official dealings of a continued or repeated nature with their prospective employer at any time during their period of Crown employment; or
- if they have had access to commercially sensitive information of competitors of their prospective employer in the course of their official duties; or
- if their official duties during the last two years of Crown employment have involved advice or decisions benefiting their prospective employer, for which the offer of employment could be interpreted as reward, or have involved developing policy, knowledge of which might be of benefit to the prospective employer; or
- if they are to be employed on a consultancy basis (either for a firm of consultants or as an independent or self-employed consultant) and they have had any dealings of a commercial nature with outside bodies or organisations in their last two years of Crown employment.

8. The rules do not apply to:

- a. unpaid appointments in non-commercial organisations;

b. appointments in the gift of Ministers; or

c. in the case of part-time staff, appointments held with their department's or agency's agreement while they were civil servants.

9. Approval is required for:

a. the initial appointment; and

b. any further appointment within two years of leaving Crown employment.

10. Staff on secondment from the Civil Service to other organisations are subject to the rules in the same way as other civil servants.

11. Staff on secondment to the Civil Service from other organisations are also subject to the rules in the same way as civil servants unless they return to their seconding organisation at the end of their secondment and remain there for two years.

12. Special Advisers are subject to the rules in the same way as other civil servants unless they are offered a post by the same employer which they left on being appointed as advisers and remain there for two years. The rules do not apply to Special Advisers appointed before 1 April 1996 on terms exempting them from the rules, unless they have volunteered to be subject to them.

Reporting offers of employment

13. Departments and agencies must require staff considering any approach from an outside employer offering employment for which approval would be required under the Rules (or which seems likely to lead to such an offer) to report the approach as follows:

- Heads of department: inform the Minister in charge of the department;

- Other members of the Senior Civil Service (or their equivalents): inform the Head of the Department or his or her deputy as appropriate;
- Other staff: inform a senior member of staff in the reporting chain.

14. Staff in sections concerned with procurement or contract work should report any such approach, particularly where it emanates from an outside employer with whom they or their staff have had official dealings, *whether or not* they are considering taking it up.

Applications

15. Departments and agencies must ensure that application forms are completed for all requests for approval for appointments under the rules. For this purpose:

- a. the applicant must be asked to supply:
 - full details of the proposed employment;
 - details of any official dealings with a prospective employer or with any other organisation, including any competitors of the prospective employer; and
- b. departments must ensure that they seek the comments of a countersigning officer who can verify, as far as possible, the information supplied by the applicant.

Departments are strongly recommended to adopt the Cabinet Office model form for applicants.

Terms of approval

16. Applications under these rules will be approved either:

- a. unconditionally; or
- b. subject to conditions which may apply for up to two years from the final day in Crown employment, or where different, the final day in post, as appropriate. Conditions may include:
 - a waiting period before taking up the appointment¹;
 - an absolute or qualified ban on the involvement of the applicant in dealings between the prospective employer and the Government;
 - a ban on the involvement by the applicant in dealings between the prospective employer and a named competitor (or competitors) of that employer;
 - in the case of consultancies, a requirement to seek official approval before accepting commissions of a particular nature, or from named employers.

17. In view of their access to policy issues at the highest levels, all applications from Permanent Secretaries, including second Permanent Secretaries, and their direct equivalents which are referred to the Advisory Committee, are subject to an automatic minimum waiting period of three months between leaving Crown employment and taking up an outside appointment, unless they have

1. If the Advisory Committee believes that the appointment is unsuitable, it may add that advice to its recommendation that the application be subject to a waiting period of two years, and that advice will be available for publication.

been appointed from outside the Civil Service on a limited period contract. The Advisory Committee has the discretion to recommend waiving the minimum waiting period if, in the Committee's view, the appointment is one which is entirely unconnected with the applicant's official knowledge and no questions of propriety arise. Although applicants serving on limited period contracts will not be required to serve the *automatic* waiting period, approval of applications may be subject to waiting periods or other conditions in the same way as any other application.

18. Appointments approved by the Prime Minister on the advice of the Advisory Committee on Business Appointments which are subsequently taken up may be the subject of a public announcement. Staff at those levels are required to confirm to their department (or former department) their intentions to take up any appointment for which an application has been considered by the Committee. The new employer may wish to include a reference to the Prime Minister's approval in their own announcement of the appointment, and applicants should discuss with the department and the new employer the terms of the statement; in other cases, the Government reserves the right to publish the terms of the Prime Minister's decision. A consolidated record of all appointments taken up will be included in the Advisory Committee's annual report.

PROCEDURES FOR DEPARTMENTS AND AGENCIES

Making staff aware of the Rules

19. Departments and agencies must:

- a. draw the attention of staff to the existence of the Rules in letters of appointment. Departments and agencies are advised to take special care to explain to staff recruited from

outside the Crown service either on secondment or on a limited period contract their position under the Rules on appointment;

- b. include a copy of the Rules in departmental and agency staff handbooks;
- c. issue regular reminders to staff at all levels about the Rules and the circumstances in which they apply, concentrating on particular areas as necessary;
- d. require members of the Senior Civil Service in signing their contracts of employment to acknowledge in writing that they have seen and are conversant with the Rules – and ask them to provide a further, similar acknowledgement on retirement or resignation from the Crown service or at the end of a period appointment;
- e. remind all staff of the Rules:
 - on retirement;
 - on resignation;
 - at the end of a limited period appointment.

(In the case of staff who resign or come to the end of a limited period appointment this should normally take the form of providing them with a copy of the Rules and an application form. The Cabinet Office model application form incorporates the relevant extracts from the Rules for this purpose.)

20. Departments and agencies are advised:

- a. to take all opportunities provided by letters of resignation, exit interviews and requests for references to check whether an application under the Rules is necessary; and

- b. to ensure that personnel and line managers of staff working in areas which involve contact of a commercial nature with outside organisations, particularly on procurement or contract work, are issued with regular reminders to monitor resignations by staff employed in those areas to ensure that applications are made where necessary.

Approval of applications

21. Decisions on applications, other than those referred to the Prime Minister through the Advisory Committee and those by Special Advisers, rest with the Minister in charge of the department after taking advice of the Cabinet Office as appropriate. The Minister may, however, approve arrangements under which defined categories of cases may be decided without reference to the Minister. Decisions on applications by Special Advisers taken at departmental level are the responsibility of the permanent Head of the Department after taking advice of the Cabinet Office as appropriate, which may consult the Head of the Home Civil Service or refer the application to the Advisory Committee.

22. In cases where it is proposed to impose a waiting period or other conditions, applicants should be given the opportunity of having an interview with an appropriate departmental officer if they so choose.

23. There may be occasions when a Minister decides that the national interest is the overriding consideration, regardless of the circumstances of the case. In all such cases, the normal procedures for dealing with applications must first be followed, including reference to the Advisory Committee where that is appropriate. A decision that the national interest should override other considerations may only be taken by the Minister in charge of the department or, in the case of applications

referred to the Advisory Committee, by the Prime Minister.

24. Departments and agencies must:

- a. inform prospective employers of any conditions which have been attached to the approval of an appointment;
- b. make a careful record of all decisions to approve appointments under the Rules, noting in particular any conditions that were applied;
- c. submit quarterly statistical returns, including nil returns, of applications dealt with under the Rules to the Cabinet Office in the form requested.

Procedure for dealing with applications

25. *All Permanent Secretary posts; other posts in departments which satisfy all of the following criteria: have a JESP score of 18 or more, have a pay range within the top three pay bands, and where the post reports direct to a Permanent Secretary or is itself the Head of a Department or Agency; and specialists and Special Advisers of equivalent standing.*

Applications are normally approved by the Prime Minister on the advice of the Advisory Committee on Business Appointments (apart from those from Special Advisers). All cases must be referred to the Cabinet Office which will refer them to the Advisory Committee unless the Head of the Home Civil Service agrees that such reference would be inappropriate, for example where the appointment is to a non-commercial body, such as a university. Applications from Special Advisers of equivalent standing will be approved by the Head of the Home Civil Service on the advice of the Advisory Committee.

26. *Other Heads of Department; other postholders in the Senior Civil Service in salary band 4 and above and in a post attracting a minimum JESP score of 13; and specialists and Special Advisers of equivalent standing.*

All applications must be referred to the Cabinet Office, which will consult the Head of the Home Civil Service.

27. *Other members of the Senior Civil Service; and specialists and Special Advisers of equivalent standing.*

Departments and agencies must consult the Cabinet Office unless:

- the applicant has had no official dealings with the prospective employer at any time during his or her period of Crown service and there appears to be no risk of criticism; or
- the employment is with a non-commercial organisation.

28. *Staff outside the Senior Civil Service.*

Departments and agencies do not need to consult the Cabinet Office where:

- the applicant has had no official dealings with the prospective employer in the previous two years, or at most dealings of a casual nature; and
- there appears to be no risk of the disclosure of commercially sensitive information; or
- the appointment is with a non-commercial organisation.

29. Departments and agencies may refer any application to the Cabinet Office for advice. Any application may be referred to the Advisory

Committee if the Head of the Home Civil Service and the departmental Minister so agree.

30. When referring cases to the Cabinet Office, departments must submit:

- a. a copy of a completed and countersigned application form;
- b. a covering letter, giving their own assessment of the application, including the outcome of any consultations with competitors of the prospective employer, and their proposed or recommended course of action.

31. Guidance for departments and agencies preparing assessments of applications for submission to Cabinet Office and considering applications for departmental approval is provided in Section 4.3 Annex B of the Civil Service Management Code.

GUIDANCE FOR DEPARTMENTS AND AGENCIES ON THE RULES ON THE ACCEPTANCE OF OUTSIDE APPOINTMENTS BY CROWN SERVANTS

1. The Rules are designed primarily to counter any suspicion that an appointment might be a 'reward for past favours' granted by the applicant to the employer, or that a particular employer might gain an unfair advantage over its competitors by employing someone who had access to what they might legitimately regard as their own 'trade secrets.'

2. An appointment might also be sensitive because of the employer's relationship with the department and because of the nature of any information which the applicant possesses about Government policy.

3. While appointments must not only be, but also be seen to be, free from reproach and departments must therefore take account of public perception, departments should be prepared to defend an appointment which they were otherwise willing to approve when public concern can be shown to be unjustifiable.

The employer and the applicant

4. In most cases problems will occur only if the applicant has had some degree of contact with the prospective employer, giving rise to criticism that the post is a 'reward for past favours'. Departments are asked to take the following into account:

- a. how much of the contact was in the course of official duties;
- b. how significant was the contact;
- c. the nature of the proposed employment;
- d. the connection between the new job and the applicant's previous official duties.

5. In order to establish whether the applicant was able to exert any degree of influence over the outcome of contractual or other dealings with the prospective employers, departments are advised to establish:

- a. whether the individual was acting as a member of a team, jointly with other individuals in the department or in Government more widely, or taking sole responsibility;
- b. whether the employer benefited substantially from such dealings;
- c. whether contact was direct;
- d. whether it was indirect (ie through those for whom the applicant was responsible, whether or not they normally worked for him or her).

6. Departments are advised to take into account contacts in the course of official duty which have taken place:

- a. at any time in the two years before resignation or retirement;
- b. earlier, where the association was of a continued or repeated nature.

7. Departments are advised to consider in particular whether the applicant has been:

- a. dealing with the receipt of tenders from the employer;
- b. dealing with the award of contracts to the employer;
- c. dealing with the administration or monitoring of contracts with the employer;
- d. giving professional or technical advice about such contracts whether before or after they were awarded;
- e. involved in dealings of an official but non-contractual nature with the employer (this is particularly important in the circumstances set out in paragraph 9).

8. Departments should consider the circumstances of an applicant's departure as a component of considering each application on its merits. Staff-reduction policies will not justify reducing standards of propriety, or any weakening of the element of protection which the rules offer to third parties in respect of trade secrets. If a civil servant is asked to retire, or is offered early retirement, at relatively short notice, or is unexpectedly made redundant, any presumption that he or she had been paving the way to subsequent employment by offering favours to potential employers may largely be removed. Conversely a protracted period of uncertainty might heighten concerns that individuals were anticipating redundancy by cultivating potential employers improperly.

On balance, where departments and agencies intend to reduce numbers during a relatively short period of a year or so, unexpected departures should normally be considered as a factor mitigating any concerns on grounds of rewards.

The employer and the Government

9. The relationship of the prospective employer to the Government may be a relevant factor in considering applications. Departments are advised to pay special attention to appointments where the employer:

- a. has a contractual relationship with the department;
- b. is regulated by the department;
- c. receives subsidies, loans, guarantees or other forms of financial assistance from the department;
- d. is one in which the Government is a shareholder; or
- e. is one with which departments or branches of Government or the Armed Services are, as a matter of course, in a special relationship.

Overseas employers

10. The same considerations apply to foreign publicly-owned institutions or companies as to their UK counterparts. If the prospective employer is a foreign government, departments are advised to consider whether the applicant has information that would benefit that government to the detriment of HM Government or its allies. This can arise where the person:

- a. has been giving advice to HM Government on policies affecting the foreign government; or
- b. would have been in a position to gain special knowledge of HM Government's policies and intentions concerning the foreign government.

Government policy or business

11. Many Crown servants deal with private interests on behalf of the Government. They have special knowledge of how the Government would be likely to react in particular circumstances. Departments are advised to consider whether the application could be, or could be thought to be, significantly helpful to the employer in dealing with matters where policy is developing or legislation is being prepared in a way which might disadvantage competitors of that employer. This applies in particular to specific areas where:

- a. there has been a negotiating relationship between the department and the employer;
- b. the applicant has been involved in policy discussions within the department leading to a decision of considerable benefit to the employer;
- c. the applicant has been involved in policy discussions within the department, knowledge of which might give the employer an improper advantage over its competitors; or

- d. where there is a risk of public criticism that the applicant might have scope to exploit contacts in his or her former department for commercial purposes.

In such cases, departments are asked to consider the implications of the applicant's joining the employer, and be guided accordingly.

The employer and competitors' trade secrets

12. Appointments might be criticised on the grounds that the applicant had access to information about his or her prospective employer's competitors which they could legitimately regard as 'trade secrets.' Concern on this score can arise whether or not the applicant has had previous dealings with the prospective employer. Departments are strongly advised to consult competitors as a matter of course, preferably using a standard letter based on the Cabinet Office model letter, to see whether they have any objections to the appointment.

Consultancies

13. Individuals who are to be employed on a consultancy basis (either for a firm of consultants or as an independent, self-employed consultant, competing for commissions in the open market – a 'brass plate' consultancy) should be treated in the same way as other applicants under the Rules. Extra care is needed, however, in dealing with such applications.

14. In the case of an applicant wishing to take up a salaried appointment with a firm of consultants, the 'rewards for past favours' issue will relate almost exclusively to the nature of any previous dealings between the applicant and the firm he or she is seeking to join. Departments will, however, need to consider the 'trade secrets' question both from the point of view of any competitors of the consultancy firm and then, more generally from the point of view

of the service which the applicant will be offering on behalf of the consultant. It may be necessary to impose conditions on the appointment to protect the 'trade secrets' of firms with which the applicant or the department had dealings.

15. Where an applicant wishes to set up a 'brass plate' consultancy, the question of 'rewards for past favours' does not arise in the usual way. But departments will wish to keep in mind the need:

- a. to counter any suspicion of impropriety that might arise if such individuals were to be given lucrative contracts by clients with which they or their former departments had dealings; and
- b. to protect 'trade secrets' to which such individuals may have had access. There may be circumstances in which it would be undesirable for an independent consultant to offer services to a particular client where he or she has had access to the trade secrets of a competitor of the client. The fact that the competitor might also be free to use the same consultant, but did not choose to do so, would not make the information any less sensitive or negate the potential advantage which could be gained by the client.

In approving applications to set up 'brass plate' consultancies departments will, therefore, need to consider carefully the imposition of conditions in cases where such considerations apply.

16. Departments will also need to consider whether to apply conditions limiting contacts between applicants proposing to work as consultants and their former departments. This may be particularly relevant in the case of staff at senior levels, where there is a risk of public criticism that they could be exploiting contacts in their former departments for commercial purposes.

ANNEX D: THE COMMITTEE'S RECOMMENDATIONS ON APPOINTMENTS TAKEN UP BY FORMER CROWN SERVANTS

1 APRIL 2002 – 31 MARCH 2004

The Committee's recommendations to the Prime Minister or to other Ministers on applications from former Crown servants are set out in this Annex, using the key below. Appointments were approved on the terms shown.

In the cases of the recommendations marked †, one member of the Committee dissented from the advice given.

Category	Explanation of recommendation
Unconditional approval	The applicant should be permitted to take up the appointment immediately
Take up, as proposed, on (a specified date)	The applicant should be permitted to take up the appointment on a specified future date (normally proposed by the applicant)
Normal three months wait	<p>Unless they have been appointed from outside the Civil Service on a limited period contract, Permanent Secretaries, including Second Permanent Secretaries, and their direct equivalents are normally subject to an automatic waiting period of three months between leaving Crown employment and taking up an outside appointment. Applicants within this category are shown by an *</p> <p>(When an applicant sought permission before leaving Crown service or within the three months, the application was subject to the waiting period unless the Committee recommended that it should be waived. When an applicant sought permission after the three months had expired, and provided there were no concerns about the appointment, the recommendation was unconditional approval)</p>
Approved, subject to (a condition)	The application should be approved, subject to a (specified) condition
Waiting period	The applicant should wait for a (specified) period before taking up the appointment.

All waiting periods and conditions run from the date that the applicant left Crown service, unless otherwise indicated.

An appointment is shown with the Committee's recommendation only if it has been taken up (or announced) during the period covered by this report. Recommendations on appointments yet to be taken up will be included in the Committee's next report.

NAME, FORMER DEPARTMENT AND DATE OF LEAVING SERVICE	APPOINTMENT	ADVISE AND DATE TENDERED	DATE TAKEN UP
• Admiral Sir Peter Abbott GBE KCB * Ministry of Defence Vice Chief of the Defence Staff August 2001 (Last day in post 31 May 2001)	Consultant Close Brothers	Unconditional approval November 2002	January 2003
	Consultant Bechtel	Unconditional approval December 2002	January 2003
• P Bureau National Savings and Investments Chief Executive August 2002	Member of Advisory Board Corporate Value Associates	Approved subject to the condition that, for two years after his last day of service, he should not undertake any assignments for competitors of Siemens Business Services (a year having elapsed since he retired) † September 2003	November 2003
• Vice Admiral Sir Jeremy Blackham KCB Ministry of Defence Deputy Chief of Defence Staff (Equipment Central Customer) September 2002 (Last day in post 11 March 2002)	Non-executive Director and consultant Atmaana	Approved subject to the condition that he should not undertake any consultancy work through the firm for defence companies, or in the defence sector, for six months from his last day of Crown service, and that after the expiry of this period he should not give advice on or undertake any work concerning the Battlefield Light Utility Helicopter, Surface Combat and Maritime Rotocraft or Support Amphibious and Battlefield Rotocraft projects without first submitting a further application under the Rules December 2002	December 2003
	Senior Adviser (and subsequently Country President from October 2003) European Aerospace and Defence Systems	Approved subject to a six months waiting period from his last day of Crown service, and the condition that he should not give advice on or undertake any work on the Battlefield Light Utility Helicopter, Surface Combat and Maritime Rotocraft or Support Amphibious and Battlefield Rotocraft projects without first submitting an application under the Rules December 2002	March 2003
• Sir Graham Boyce KCMG FCO HM Ambassador, Cairo July 2001	Deputy Chairman Vesper Thornycroft (UK) Ltd	Unconditional approval August 2002	September 2002
	Consultant BAe systems	Unconditional approval January 2002	July 2002
• Sir Richard Broadbent * HM Customs & Excise Chairman July 2003	Non-executive Director Barclays Bank	Approved subject to the condition that, for one year from his last day of service, he should stand aside from discussions, if any, of commercial contracts with the Revenue Departments (the normal three months waiting period having being waived) June 2003	September 2003

NAME, FORMER DEPARTMENT AND DATE OF LEAVING SERVICE	APPOINTMENT	ADVICE AND DATE TENDERED	DATE TAKEN UP
• V Brown Export Credits Guarantee Department Chief Executive January 2004	Financial Adviser Ministry of Finance and National Economy, Bahrain	Approved on the basis that, provided that there was no significant change in circumstances and he did not have any dealings with Bahrain before leaving his current post, he could take up the appointment in January 2004, as he had proposed January 2004	April 2004
• A Campbell No 10 Director of Communications & Strategy October 2003	Historical series on great sportsmen Times Newspapers	Unconditional approval November 2003	January 2004
• Dr R Carden CB DTI Director General of Europe and World Trade June 2003	European Commission	Unconditional approval April 2003	June 2003
• Air Marshal Sir Christopher Coville KCB BA FCIPD FRAeS Ministry of Defence Commander-in-Chief Personnel and Training Command May 2003 (Last day in post 24 April 2003)	Defence Adviser British Telecommunications Defence	Approved subject to a three months waiting period from his last day of Crown service † January 2003	July 2003
	Non-executive Director AgustaWestland	Approved subject to a six months waiting period from his last day in post July 2003	October 2003
	Military Adviser Defence Strategy and Solutions	Approved subject to a three months waiting period from his last day in post July 2003	July 2003
• Air Chief Marshal Sir John Day KCB OBE * Ministry of Defence Commander-in-Chief, Strike Command August 2003 (Last day in post 30 July 2003)	Military Adviser BAe Systems	The Committee recommended that the application should be approved subject to a waiting period of 12 months from his last day of service. For the reason explained in the report, the application was approved subject to the automatic three months waiting period from his last day of service and the condition that he should not be involved in any way with the Future Strategic Tanker Aircraft project until after the preferred bidder was announced May 2003	December 2003
• Sir Richard Dearlove KCMG OBE* Head of the SIS July 2004	Master of Pembroke College Pembroke College, Cambridge	Unconditional approval, the normal three months waiting period being waived November 2003	Announced that he will be taking up this appointment in September 2004
• Admiral Sir Nigel Essenhig GCB * Ministry of Defence First Sea Lord and Chief of Naval Staff December 2002 (Last day in post 17 September 2002)	Non-executive Chairman Defence Strategy and Solutions	Normal three months waiting period † January 2003	March 2003
	Non-executive Director Babcock International Group plc	Normal three months waiting period † January 2003	March 2003

NAME, FORMER DEPARTMENT AND DATE OF LEAVING SERVICE	APPOINTMENT	ADVICE AND DATE TENDERED	DATE TAKEN UP
	Military Adviser Northrop Grumman International Inc	Unconditional approval † September 2003	November 2003
• Sir Anthony Galsworthy KCMG * FCO HM Ambassador, Beijing May 2002 (Last day in post 5 February 2002)	Consultant BP China	Unconditional approval September 2002	October 2002
• M Granatt Cabinet Office Director General, Government Information and Communication Service March 2004 (Last day in post 31 December 2003)	Managing Partner Luther Pendragon	Approved subject to a three months waiting period from his last day in post and the condition that, for 12 months from his last day in post, he should not be involved personally in lobbying UK Ministers or officials on behalf of Luther Pendragon or its clients February 2004	March 2004
• J Heywood CB No 10 Principal Private Secretary to the Prime Minister Special unpaid leave from January 2004 (Last day in post 24 December 2003)	Managing Director/adviser on mergers and acquisitions and UK strategy Morgan Stanley	Approved subject to a three months waiting period from his last day in post and the condition that, for 12 months from the same date, he should not be involved in lobbying UK Ministers or officials on behalf of Morgan Stanley or its clients January 2004	March 2004
• J B Howe CB OBE Ministry of Defence Deputy Chief Executive of the Defence Procurement Agency May 2002 (on secondment to Thales from May 2000)	Vice Chairman Thales	Unconditional approval July 2002	August 2002
• D Irwin DTI Chief Executive Officer Small Business Service March 2002	Consultant Royal Bank of Scotland	Unconditional approval July 2002	July 2002
	Chairman Cobweb Information Ltd	Unconditional approval July 2002	November 2002
	Consultant Annabel Jackson Associates	Unconditional approval July 2002	July 2002
	Consultant Pica Consulting Services Ltd	Unconditional approval July 2002	July 2002
• Sir John Kerr GCMG * FCO Permanent Under Secretary February 2002	Non-executive Director Shell Transport & Trading Company plc	Unconditional approval July 2002	July 2002
	Non-executive Director The Scottish American Investment Company plc	Unconditional approval July 2002	July 2002
	Non-executive Director Rio Tinto plc	Unconditional approval October 2003	October 2003
• Sir Stephen Lander KCB * Security Service Director General October 2002	Independent Lay Commissioner Law Society	Unconditional approval, the normal three months waiting period being waived May 2002	November 2002
	Consultant De La Rue plc	Approved subject to the normal three months waiting period October 2002	February 2003

NAME, FORMER DEPARTMENT AND DATE OF LEAVING SERVICE	APPOINTMENT	ADVICE AND DATE TENDERED	DATE TAKEN UP
	Adviser to the Board of Detica Detica Ltd	Unconditional approval † January 2003	March 2003
	Non-executive Director Northgate Information Solutions	Unconditional approval January 2004	February 2004
• Sir Paul Lever * FCO HM Ambassador, Berlin May 2003	International Adviser Thames Water	Approved subject to the normal three months waiting period and the condition that, for six months from his last day in post, he should not re-visit the country of his last posting for business purposes, give advice on it, or have dealings with companies there May 2003	September 2003
• Sir David Logan KCMG FCO HM Ambassador, Ankara December 2001	Partner AB Consultancy	Unconditional approval July 2002	September 2002
• T Matthews Highways Agency Chief Executive July 2003	Managing Director Parsons Brinckerhoff Ltd	Approved subject to a three months waiting period from his last day of service and the condition that, for six months from the same date, he should not be involved personally either in contacts with the Highways Agency or contracts within its gift June 2003	October 2003
• Sir Christopher Meyer KCMG * FCO HM Ambassador, Washington February 2003 (Last day in post 28 February 2003)	Chairman Press Complaints Commission	Unconditional approval, the normal three months waiting period being waived July 2002	March 2003
	Member, Board of Directors Riggs National Corporation	Approved subject to the normal three months waiting period and the condition that, for six months from his last day in post, he should not re-visit the USA for business purposes, give advice on it, or have dealings on behalf of his new employer with companies there May 2003	November 2003
	Non-executive Director GKN	Approved subject to the condition that, for six months from his last day in post, he should not re-visit the USA for business purposes, give advice on it, or have dealings with companies there June 2003	August 2003
	Non-executive Director Sanctuary Group	Approved subject to the condition that, for six months from his last day in post, he should not re-visit the USA for business purposes, give advice on it, or have dealings with companies there June 2003	August 2003

NAME, FORMER DEPARTMENT AND DATE OF LEAVING SERVICE	APPOINTMENT	ADVICE AND DATE TENDERED	DATE TAKEN UP
	Consultant Diamond Trading Corporation	Approved subject to the condition that, for six months from his last day in post, he should not re-visit the USA for business purposes, give advice on it, or have dealings with companies there July 2003	September 2003
	Independent consultant Accenture	Unconditional approval February 2004	February 2004
• Ms D Nichols CB Department for Environment, Food & Rural Affairs Director General Environment February 2003 (Last day in post 28 November 2002)	Non-executive Director Pennon Group plc	Approved subject to a six months waiting period from her last day in post June 2003	June 2003
• Air Marshal Sir Peter Norriss KBE CB AFC Ministry of Defence Deputy Chief of Defence Procurement (Operations) March 2001 (Last day in post 31 October 2000)	Consultant SM&A	Unconditional approval † August 2002	August 2002
	Non-executive Director Microturbo Ltd	Unconditional approval provided his role with Microturbo was not extended any more widely within the Snecma Group for two years from his last day of service † August 2002	September 2002
• Admiral Sir James Perowne KBE * Ministry of Defence Deputy Supreme Allied Commander Atlantic (NATO) May 2002 (Last day in post 11 January 2002)	Adviser Thales Underwater Systems	Unconditional approval † March 2003	July 2003
• Lt Gen Sir Anthony Pigott KCB CBE MA Ministry of Defence Deputy Chief Defence Staff (Commitments) February 2004 (Last day in post 1 August 2003)	Senior Military Adviser QinetiQ	Unconditional approval March 2004	March 2004
• Sir Steve Robson * HM Treasury Managing Director, Finance, Regulation & Industry January 2001	Member of the Chairman's Advisory Group KPMG	Unconditional approval May 2002	May 2002
• Sir Muir Russell KCB FRSE* The Scottish Executive Permanent Secretary September 2003	Principal and Vice-Chancellor University of Glasgow	Unconditional approval, the normal three months waiting period being waived October 2002	October 2003
	Council member Edinburgh International Festival	Unconditional approval November 2003	February 2004
• Sir Michael Scholar KCB * DTI Permanent Secretary July 2001	Non-executive Director Legal and General plc	Unconditional approval April 2002	May 2002

NAME, FORMER DEPARTMENT AND DATE OF LEAVING SERVICE	APPOINTMENT	ADVICE AND DATE TENDERED	DATE TAKEN UP
• Sir J Shepherd KCVO CMG FCO HM Ambassador, Rome April 2003	Secretary General Senior Consultative Group	Unconditional approval October 2003	November 2003
• M Sixsmith Department for Transport, Local Government and the Regions Director of Communications February 2002	Reporter for TV documentary Blakeway Productions Ltd	Unconditional approval July 2002	June 2002
• General Sir Rupert Smith KCB DSO OBE QGM * Ministry of Defence Deputy Supreme Allied Commander Europe (NATO) January 2002 (Last day in post 18 September 2001)	Consultant QinetiQ	Unconditional approval July 2002	September 2002
	Military Adviser Airborne Systems	Unconditional approval July 2002	September 2002
	Military Adviser Defence Strategy and Solutions	Unconditional approval April 2003	June 2003
• Dr J Taylor OBE FRS DTI Director General of Research Councils December 2003	Non-executive Chairman Roke Manor Research Ltd	Unconditional approval October 2003	January 2004
• C Wales HM Treasury Special Adviser to the Chancellor and other Treasury Ministers November 2003	Managing Director, Financing Group Goldman Sachs	Approved subject to the condition that, for 12 months from his last day of service, he should not become involved personally in lobbying UK Ministers or officials on behalf of Goldman Sachs or its clients March 2004	March 2004
• Sir Robert Walmsley KCB * Ministry of Defence Chief of Defence Procurement April 2003	Non-executive Director British Energy plc	Approved subject to a three months waiting period from his last day of service and the condition that, for 12 months from the same date, he should stand aside from discussion of any commercial dealings with the MOD and should not be involved personally in lobbying Government Ministers or officials on British Energy's behalf June 2003	August 2003
	UK Director Stratos Global Corporation	Approved subject to the condition that, for 12 months from his last day of service, he should stand aside from discussion of any commercial dealings with the MOD and should not be involved personally in lobbying Government Ministers or officials on behalf of Stratos October 2003	January 2004
	Member of US Board of Directors General Dynamics	Approved subject to a 12 months waiting period from his last day of service † January 2004	May 2004

NAME, FORMER DEPARTMENT AND DATE OF LEAVING SERVICE	APPOINTMENT	ADVICE AND DATE TENDERED	DATE TAKEN UP
	Senior Adviser Morgan Stanley UK	Approved subject to the condition that, for 12 months from his last day of service, he should stand aside from any discussion of commercial dealings with the MOD and should not be involved personally in lobbying Government Ministers or officials on Morgan Stanley's behalf January 2004	February 2004
• Lord Wilson of Dinton GCB * Cabinet Office Cabinet Secretary and Head of the Home Civil Service September 2002	Master of Emmanuel College Cambridge	Unconditional approval, the normal three months waiting period being waived February 2002	September 2002
	Non-executive Director BSkyB	Approved subject to the condition that, for 12 months from his last day of service, he should not become involved personally in lobbying Ministers or officials in Government departments February 2003	February 2003
	Non-executive Director Xansa plc	Approved subject to the condition that, for 18 months from his last day of service, he should stand aside from any of Xansa's business with Government Departments March 2003	April 2003
• Sir David Wright KCMG LVO * British Trade International Group Chief Executive September 2002	Non-executive Director Balfour Beatty	Normal three months waiting period May 2002	January 2003
	Vice Chairman Barclays Capital	Normal three months, waiting period May 2002	January 2003

TABLE 1
Applications from Crown servants

DEPARTMENT/AGENCY	APPLICATIONS		UNCONDITIONAL APPROVAL		CONDITIONAL APPROVAL	
	2002-03	2003-04	2002-03	2003-04	2002-03	2003-04
British Trade International (now UK Trade & Investment)	2	-	-	-	2	-
Cabinet Office	9	9	6	6	3	3
HM Customs & Excise	45	17	36	16	9	1
Defence (Civilian)	54	91	50	61	4	30
Defence (HM Forces)	104	95	81	74	23	21
Defence Science Technology Laboratory	20	15	19	12	1	3
Education and Skills	-	3	-	3	-	-
Environment, Food and Rural Affairs	15	11	14	10	1	1
Estyn	2	1	-	1	2	-
Export Credits Guarantee Department	-	1	-	1	-	-
Foreign & Commonwealth Office	15	24	14	10	1	14
Forestry Commission	-	2	-	2	-	-
Government Actuary's Department	3	5	-	5	3	-
Government Communications Headquarters	9	17	9	16	-	1
Health	1	2	1	2	-	-
Health and Safety Executive	1	-	1	-	-	-
Highways Agency	-	2	-	-	-	2
Home Office	5	11	5	7	-	4
Inland Revenue	21	26	21	26	-	-
International Development	12	13	12	13	-	-
HM Land Registry	-	1	-	1	-	-
Lord Chancellor's Department (now Department for Constitutional Affairs)	1	-	-	-	1	-
National Assembly for Wales	11	10	11	10	-	-
National Savings & Investments	1	1	-	-	1	1
Office for Standards in Education	6	2	6	2	-	-
Office of Fair Trading	1	3	1	1	-	2
Office of Government Commerce	3	-	3	-	-	-
Office of the Deputy Prime Minister	7	12	5	12	2	-
Office of the Deputy Prime Minister (Transport)	1	-	1	-	-	-
Office of Telecommunications	-	3	-	-	-	3
Office of Water Services	1	-	1	-	-	-
Ordnance Survey	1	-	1	-	-	-
Scottish Court Service	-	1	-	-	-	1
Scottish Executive	7	13	6	11	1	2
Trade & Industry	51	23	47	19	4	4
Transport	-	5	-	-	-	5
Transport, Local Government and the Regions	5	-	3	-	2	-
HM Treasury	2	8	1	7	1	1
Work and Pensions	4	2	3	1	1	1
TOTALS	420	429	358	329	62	100

TABLE 2
Applications referred to the Cabinet Office

DEPARTMENT	APPLICANTS		APPLICATIONS		UNCONDITIONAL APPROVAL		CONDITIONAL APPROVAL	
	2002-03	2003-04	2002-03	2003-04	2002-03	2003-04	2002-03	2003-04
British Trade International (now UK Trade & Investment)	1	-	2	-	-	-	2	-
Cabinet Office	7	8	9	9	6	6	3	3
Culture, Media and Sport	-	1	-	1	-	1	-	-
HM Customs & Excise	-	2	-	3	-	1	-	2
Defence (Civilian)	2	4	2	7	2	2	-	5
Defence (HM Forces)	15	13	28	19	18	8	10	11
Environment, Food and Rural Affairs	2	3	6	7	6	6	-	1
Education and Skills	-	1	-	1	-	1	-	-
Export Credits Guarantee Department	-	1	-	1	-	1	-	-
Foreign & Commonwealth Office	13	13	16	24	12	10	4	14
Government Communications Headquarters	-	1	-	4	-	4	-	-
Health	1	5	1	5	1	1	-	4
Health & Safety Executive	1	-	1	-	1	-	-	-
Highways Agency	-	1	-	1	-	-	-	1
Home Office	2	5	2	6	2	3	-	3
International Development	2	1	9	1	9	1	-	-
Lord Chancellor's Department (now Department for Constitutional Affairs)	1	-	1	-	-	-	1	-
National Savings & Investments	1	1	1	1	-	-	1	1
Office of the Deputy Prime Minister	7	3	7	3	6	3	1	-
Office of the Deputy Prime Minister (Transport)	1	3	2	4	2	-	-	4
Office of Fair Trading	1	3	1	3	1	1	-	2
Office of Government Commerce	1	-	3	-	3	-	-	-
Office of Telecommunications	-	2	-	3	-	3	-	-
Office of the Rail Regulator	-	1	-	1	-	-	-	1
Security Service	1	1	3	1	2	1	1	-
Scottish Executive	3	8	3	9	2	6	1	3
Trade & Industry	20	11	40	14	36	11	4	3
Transport, Local Government and the Regions	2	-	3	-	1	-	2	-
HM Treasury	2	6	4	8	4	7	-	1
Work and Pensions	3	2	4	2	3	1	1	1
TOTALS	89	100	148	138	117	78	31	60

TABLE 3
Applicants whose applications were referred to the Cabinet Office, by reason for leaving Crown service

REASON FOR LEAVING	CROWN SERVANTS		HM FORCES	
	2002-03	2003-04	2002-03	2003-04
Normal age retirement	30	50	12	18
Early retirement	11	18	3	1
Resignation	30	41	1	-
End of contract	-	10	-	-
End of secondment	2	-	-	-
TOTALS	73	119	16	19

TABLE 4
Applications considered by the Advisory Committee

DEPARTMENT	APPLICANTS		APPLICATIONS		UNCONDITIONAL APPROVAL		CONDITIONAL APPROVAL	
	2002-03	2003-04	2002-03	2003-04	2002-03	2003-04	2002-03	2003-04
British Trade International (now UK Trade & Investment)	1	-	2	-	-	-	2	-
Cabinet Office	1	3	2	3	-	1	2	2
HM Customs & Excise	-	1	-	2	-	-	-	2
Defence (Civilian)	1	1	1	4	1	-	-	4
Defence (HM Forces)	8	7	14	11	7	3	7	8
Environment, Food & Rural Affairs	-	1	-	1	-	-	-	1
Export Credits Guarantee Department	-	1	-	1	-	1	-	-
Foreign & Commonwealth Office	5	8	6	18	6	6	-	12
Highways Agency	-	1	-	1	-	-	-	1
Home Office	-	1	-	1	-	1	-	-
National Savings & Investments	1	1	1	1	-	-	1	1
Office of the Rail Regulator	-	1	-	1	-	-	-	1
Scottish Executive	1	1	1	1	1	1	-	-
Security Service	1	1	3	1	2	1	1	-
Trade & Industry	2	2	6	2	6	2	-	-
Transport, Local Government and the Regions	1	-	1	-	1	-	-	-
HM Treasury	1	1	1	1	1	-	-	1
TOTALS	23	31	38*	49*	25	16	13	33

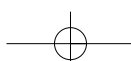
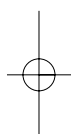
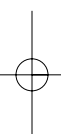
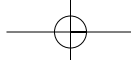
SUMMARY OF APPLICATIONS		2002-03	2003-04
Unconditional approval		25	16
Conditional approval			
Subject to waiting periods			
	3 months	6	2
	6 months	-	6
	9 months	1	-
	12 months	-	2
Subject to other conditions		3	15
Subject to waiting period and other conditions		1	6
* Includes applications that were withdrawn		2	2
TOTAL		38	49

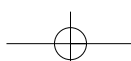
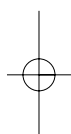
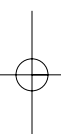
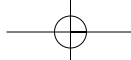
TABLE 5
Applicants whose applications were considered by the Advisory Committee, by department and reason for leaving Crown Service

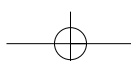
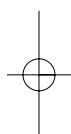
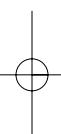
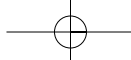
DEPARTMENT	NORMAL AGE RETIREMENT		EARLY RETIREMENT		RESIGNATION		END OF CONTRACT		SPECIAL UNPAID LEAVE	
	2002-03	2003-04	2002-03	2003-04	2002-03	2003-04	2002-03	2003-04	2002-03	2003-04
	British Trade International (now UK Trade & Investment)	-	-	1	-	-	-	-	-	-
Cabinet Office	1	-	-	1	-	1	-	-	-	1
HM Customs & Excise	-	-	-	-	-	1	-	-	-	-
Defence (Civilian)	-	-	1	-	-	-	-	1	-	-
Defence (HM Forces)	8	6	-	1	-	-	-	-	-	-
Environment, Food & Rural Affairs	-	-	-	1	-	-	-	-	-	-
Export Credits Guarantee Department	-	1	-	-	-	-	-	-	-	-
Foreign & Commonwealth Office	3	6	1	1	1	1	-	-	-	-
Highways Agency	-	-	-	-	-	-	-	1	-	-
Home Office	-	-	-	-	-	-	-	1	-	-
National Savings & Investments	1	1	-	-	-	-	-	-	-	-
Office of the Rail Regulator	-	-	-	-	-	1	-	-	-	-
Scottish Executive	1	1	-	-	-	-	-	-	-	-
Security Service	1	1	-	-	-	-	-	-	-	-
Trade & Industry	-	1	1	-	-	-	1	1	-	-
Transport, Local Government and the Regions	-	-	-	-	1	-	-	-	-	-
HM Treasury	-	-	-	-	1	1	-	-	-	-
TOTALS	15	17	4	4	3	5	1	4	-	1

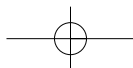
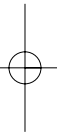
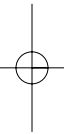
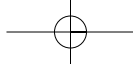
TABLE 6
Applications considered by the Advisory Committee, by department and nature of new employment

DEPARTMENT	BOARD LEVEL/ SENIOR MANAGEMENT		CONSULTANT/ ADVISER		OTHER	
	2002-03	2003-04	2002-03	2003-04	2002-03	2003-04
British Trade International (now UK Trade & Investment)	2	-	-	-	-	-
Cabinet Office	2	2	-	-	-	1
HM Customs & Excise	-	2	-	-	-	-
Defence (Civilian)	1	3	-	1	-	-
Defence (HM Forces)	4	2	9	7	1	2
Environment, Food & Rural Affairs	-	1	-	-	-	-
Export Credits Guarantee Department	-	-	-	-	-	1
Foreign & Commonwealth Office	4	6	1	10	1	2
Highways Agency	-	1	-	-	-	-
Home Office	-	1	-	-	-	-
National Savings & Investments	-	1	1	-	-	-
Office of the Rail Regulator	-	-	-	-	-	1
Scottish Executive	-	-	-	-	1	1
Security Service	-	1	2	-	1	-
Trade & Industry	2	2	4	-	-	-
Transport, Local Government and the Regions	-	-	-	-	1	-
HM Treasury	-	1	-	-	1	-
TOTALS	15	23	17	18	6	8









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Publication date: July 2004

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