



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: John Alty CB, former Director General and Interim Permanent Secretary for Department of International Trade. Appointment with Cumbria Local Enterprise Partnership.

1. Mr Alty sought advice from the Advisory Committee on Business Appointments (the Committee) under the government's Business Appointments Rules for former Crown servants (the Rules) on taking up a role with Cumbria Local Enterprise Partnership (CLEP) as Strategic adviser. The material information taken into consideration by the Committee is set out in the annex.
2. The purpose of the Rules is to protect the integrity of the government. Under the Rules, the Committee's remit is to consider the risks associated with the actions and decisions made during her time in office, alongside the information and influence he may offer CLEP.
3. The Rules set out that Crown servants must abide by the Committee's advice¹. It is an applicant's personal responsibility to manage the propriety of any appointment. Former Crown servants are expected to uphold the highest standards of propriety and act in accordance with the 7 Principles of Public Life.

The Committee's Consideration

4. Mr Alty did not meet with CLEP while in government service and did not make any policy or regulatory decisions specifically affecting CLEP. While CLEP does have a relationship with the Department for International Trade (DIT), but confirmed Mr Alty had no involvement in regulatory or commercial decisions specific to CLEP. Therefore, the Committee² considered the risk he could be seen to have been offered this role as a reward for decisions made, or actions taken in office, was low.

¹ Which apply by virtue of the Civil Service Management Code, The Code of Conduct for Special Advisers, The Queen's Regulations and the Diplomatic Service Code

² This application for advice was considered by; Jonathan Baume; Isabel Doverty; Susan Liautaud; The Rt Hon Lord Pickles; and Mike Weir. Andrew Cumpsty; Larry Whitty; Richard Thomas and Sarah de Gay were unavailable

5. Given Mr Alty's role as Interim Permanent Secretary for DIT there is a risk he had access to a broad range of general privileged information that could be of interest to any organisation. DIT did not consider his access to information to pose any particular risk in relation to this work, there is no direct overlap in the information he worked on and this organisation/role and over 6 months have passed since he was in government. Further, he has an ongoing duty of confidentiality.
6. This appointment will not include contact with government; however, Mr Alty will be providing advice on CLEP's handling of a proposal for a nuclear fusion reactor - competing with other UK sites for government funding from the department for Business, Energy and Industrial Strategy (BEIS). The Committee noted Mr Alty has no known privileged insight into the specific BEIS policy or commercial policy/decision here and had no responsibility or involvement in anything that relates to CLEP, this competition or anyone involved in this competition. As such the advice Mr Alty will be providing CLEP does not overlap with his time in government. The Committee also considered the nature of the organisation was important, it is a public organisation that works with central government to set local investment priorities. Further, this process is public and has been published [here](#). Given this while there are inherent risks associated with Mr Alty's contact from his time in office, the risk of undue influence here was considered limited.

The Committee's advice

7. There is an inherent risk associated with former officials working on government contracts but this is not considered to raise proprietary issues because there is no direct overlap with his responsibilities or access to information in office. The Committee's advice is that this work is limited to this specific proposal for a nuclear fusion reactor. If this piece of work is extended or changed in any way Mr Alty must return to the Committee for further advice.
8. The Committee's advice to the Prime Minister, under the government's Business Appointment Rules, that this appointment with **Cumbria Local Enterprise Partnership**, should be subject to the following conditions:
 - He should not draw on (disclose or use for the benefit of himself or the persons or organisations to which this advice refers) any privileged information available to him from his time in Crown service;
 - for two years from his last day in Crown service, he should not become personally involved in lobbying the UK government on behalf of Cumbria Local Enterprise Partnership (including parent companies, subsidiaries, partners and clients); nor should he make use, directly or indirectly, of his contacts in the government and/or ministerial contacts to influence policy, secure business/funding or otherwise unfairly advantage Cumbria Local Enterprise Partnership (including parent companies, subsidiaries, partners and clients);

- he can draw on his skills and experience gained in office to advise Cumbria Local Enterprise Partnership on this specific proposal for a nuclear fusion reactor, provided he does not draw on any privileged information or contacts from his time in office (as per the condition above). He must not work or advise on any other bids to secure government funding or contracts.
9. Government in this context, means the government you served in office and its arm's length bodies except in respect of any responsibilities you had for policy in another administration, in which case it refers to the relevant government.
 10. By 'privileged information' we mean official information to which a Minister or Crown servant has had access as a consequence of his or her office or employment and which has not been made publicly available. Applicants are also reminded that they may be subject to other duties of confidentiality, whether under the Official Secrets Act, the Civil Service Code or otherwise.
 11. The Business Appointment Rules explain that the restriction on lobbying means that the former Crown servant/Minister "*should not engage in communication with Government (Ministers, civil servants, including special advisers, and other relevant officials/public office holders) – wherever it takes place - with a view to influencing a Government decision, policy or contract award/grant in relation to their own interests or the interests of the organisation by which they are employed, or to whom they are contracted or with which they hold office.*"
 12. I should be grateful if you would inform us as soon as Mr Alty takes up employment with this organisation, or if it is announced that Mr Alty will do so, either by returning the enclosed form or by emailing the office at the above address. We shall otherwise not be able to deal with any enquiries, since we do not release information about appointments that have not been taken up or announced. This could lead to a false assumption being made about whether Mr Alty has complied with the Rules.
 13. Please also inform us if Mr Alty proposes to extend or otherwise change the nature of his role as, depending on the circumstances, it may be necessary for him to make a fresh application.
 14. Once the appointment has been publicly announced or taken up, we will publish this letter on the Committee's website, and where appropriate, refer to it in the relevant annual report.

Yours sincerely,

Isabella Wynn
Committee Secretariat

Annex - Material information

The role

1. Mr Alty said CLEP is a Public/private body promoting economic development in Cumbria. The website states CLEP is providing a strategic lead on all activities contributing to the county's economic growth. It works with partners to invest over £60 million in the Cumbrian economy to stimulate economic growth. CLEP is one of 38 LEPs in England. The website states Local Enterprise Partnership (LEP) is a locally-owned partnership between local authorities and businesses. It states LEP's play a central role in deciding local economic priorities and undertaking activities to drive economic growth and create local jobs. A LEP is overseen by a Board which is led by a business Chair and its board members are local leaders of industry (including SMEs), educational institutions, and and from the public sector.
2. The LEP Network website states by 2021 the government will have invested over £12bn through the Local Growth Fund, allowing '*...LEPs to use their local knowledge to get all areas of the country firing on all cylinders*'.
3. Mr Alty said this is a short term advisory post assisting the LEP with the handling of a proposal for a nuclear fusion reactor, competing with other UK sites for government funding - BEIS is sponsoring the competition. He said his role will be to act as an adviser on how best the Cumbrian LEP can present their arguments ahead of a government decision. He said he will not be involved directly in lobbying or contacting the government.
4. When asked to demonstrate why it would not be inappropriate for him to advise CLEP on this bid/ potential contract with government, Mr Alty said having agreed not to lobby government he does not think his involvement will give the Cumbria LEP any unfair advantage and the subject matter is not one with which he has been associated in government. Mr Alty said the only benefit he believes he could give CLEP '*...in this area would be a general understanding of how government works, to the extent that they are not already aware of this, and a pair of eyes to review the arguments they put forward against the sorts of arguments which are persuasive with Government*'.
5. Mr Alty said to that extent he considered a blanket ban on advising on projects funded by Government would be disproportionate, though he '*...can understand that a cautious approach to perception might support it. That has to be balanced against the restrictions it is placing on an individual's ability to be employed*'.

Dealings in office

6. Mr Alty said he did not meet with CLEP while in service and made no policy or regulatory decisions affecting CLEP. He said he did not meet with competitors of CLP nor did he have access to sensitive information affecting these CLEP.

Department Assessment

7. DIT and Cabinet Office provided views on this appointment.
8. DIT holds stakeholder relationships with the LEP network but these are at a working level and will have been far removed from Mr Alty when he was in his previous roles.
9. Neither department has any concerns with regards to this application and recommended the Committee apply the standard conditions.