



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: Lord Edward Udny-Lister KT, former Senior Strategic Advisor (Special Adviser) to the Prime Minister, appointment with Saudi British Joint Business Council.

1. Lord Udny-Lister 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 an appointment he wishes to take up with Saudi British Joint Business Council (SBJBC) as a Non-Executive Director. 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 time in office, alongside the information and influence a former Crown servant may offer SBJBC.

3. The Rules¹ set out that Crown servants must abide by the Committee's advice. It is an applicant's personal responsibility to manage the propriety of any appointment. Former Crown servants are expected to uphold the highest standards of propriety and act in accordance with the 7 Principles of Public Life.

4. It should also be noted that in addition to the conditions imposed on this appointment under the government's Business Appointment Rules, there are separate rules in place with regard to his role as a member of the House of Lords.

The Committee's consideration of the risks presented

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

5. This role as a Non-Executive Director is unpaid² and, the Committee's³ experience is that the risks related to unpaid roles are limited. The purpose of the Rules is to protect the integrity of the government by considering the real and perceived risks associated with former Crown servants using privileged access to contacts and information to the benefit of themselves or those they represent; and to mitigate the risks that individuals may make decisions or take action in office to in expectation of rewards, on leaving government. These risks are significantly limited in unpaid cases due to the lack of financial gain to the individual.

6. The Committee took into account that Lord Udny-Lister did not meet with SBJBC and there is no commercial or contractual relationship between SBJBC and his former department. Lord Udny-Lister was not involved in decisions affecting SBJBC. Given the above and the unpaid nature of this role, the Committee considered there was no evidence to suggest Lord Udny-Lister was offered this role as a reward for actions or decisions taken in office.

7. This role does have some overlap with Lord Udny-Lister's time in office and given his role in government, there is a risk he could have access to relevant privileged information and knowledge, which could unfairly benefit this organisation. The Committee noted the amount of time that has passed since Lord Udny-Lister was in office and the unpaid nature of this appointment limits the real and perceived risk of individuals making improper use of information they had access to while in office for their personal benefit. Lord Udny-Lister also has an ongoing duty of confidentiality.

8. The Committee noted SBJBC works closely with the British Embassy and the Department for International Trade. As a result Lord Udny-Lister stated there may be times the UK government is present at the same event including where he is present/involved. However, Lord Udny-Lister confirmed he would not initiate any contact or discussion with the government and confirmed he would not lobby government. The Committee noted that where the UK government is in attendance at events this would be in keeping with the Committee's advice and the conditions imposed.

The Committee's advice

9. The Committee did not consider this appointment raised any particular proprietary concerns under the government's Rules. The standard conditions below, preventing him from drawing on his privileged information and using his contacts to the unfair advantage of their new employer, will sufficiently mitigate the risks in this case.

10. Taking into account these factors, in accordance with the government's Business Appointment Rules, the Committee advises this appointment with **Saudi British Joint Business Council** be subject to the following conditions:

² By unpaid the Committee means that no remuneration of any kind is received for the role. Applicants must declare where it is agreed or anticipated they may receive remuneration or some other compensation at some stage in the future.

³ This application for advice was considered by Jonathan Baume; Sarah de Gay; Isabel Doverty; and Dr Susan Liataud; Richard Thomas; Mike Weir; and Lord Larry Whitty. Andrew Cumpsty and the Rt Hon Lord Pickles were recused.

- 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 Saudi British Joint Business Council (including parent companies, subsidiaries, partners and clients); nor should he make use, directly or indirectly, of his contacts in the government and/or Crown service to influence policy, secure business/funding or otherwise unfairly advantage of Saudi British Joint Business Council (including parent companies, subsidiaries, partners and clients); and
- for two years from his last day in Crown service he should not undertake any work with Saudi British Joint Business Council (including parent companies, subsidiaries, partners and clients) that involves providing advice on the terms of, or with regard to the subject matter of a bid with, or contract relating directly to the work of, the UK government.

11. Lord Udny-Lister must inform us as soon as he takes up employment with this organisation(s), or if it is announced that he will do so and we will publish this letter on our website.

12. Any failure to do so may lead to a false assumption being made about whether he has complied with the Rules.

13. Lord Udny-Lister must inform us if he 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(s) has been publicly announced or taken up, we will publish this letter on the Committee's website and where appropriate refer to in the annual report.

Yours sincerely

Isabella Wynn
Committee Secretariat

Annex - Material information

The role

1. The website states membership of the Council comprises over 150 senior British and Saudi business representatives from all sectors, including larger corporates, SMEs and trade associations. It is an independent and private sector-led body, which aims to develop and enhance business relations between Saudi Arabia and the United Kingdom. It is in association with the British Chambers of Commerce and the Department for International Trade. Its key objectives is to:
 - Promote business and partnership opportunities in both Kingdoms, particularly for small and medium sized enterprises;
 - Provide support and advice to SBJBC members and potential members seeking to do business in either Kingdom;
 - Offer a voice for business concerns and potential barriers to trade with authorities in both countries; and
 - Facilitate training, technology transfer and knowledge exchange between the UK and Saudi Arabia in support of Saudi Vision 2030.
2. Lord Udny-Lister said SBJBC works with its members to develop the Saudi opportunities to the benefit of British business. EL will provide council, help and guidance on an unpaid basis (no remuneration at all). EL's role will be to help British companies break into the Saudi Arabia market and conduct business there, including representing these British businesses at events with Saudi business representatives.
3. Lord Udny-Lister stated he will have no specific contact with government in this role and have no intention of lobbying the UK government. He noted he does not wish to lobby HMG in this or any other capacity. Lord Udny-Lister did note there may be events where government officials are in attendance (in particular DIT). However, he stated he understands that he would not be involved in inviting HMG to these events and that he has no plans in this role to contact HMG on behalf of the SBJC or the businesses it represents.

Dealings in office

4. Lord Udny-Lister confirmed he did not have any involvement with SBJBC while in post. He also said he did not have access to sensitive information relevant to SBJBC and did not meet with competitors of SBJBC.

Department Assessment

5. The Cabinet Office, DIT and the FCDO were consulted on this application given his previous role in office, his time as an Envoy and the nature of this organisation.
6. The details given in Lord Udny-Lister's application were confirmed, alongside the following:
 - there is no commercial relationship with SBJBC
 - FCDO noted SBJBC's work is aligned to government objectives
 - DIT confirmed it collaborates with SBJBC
 - There were no specific risks identified and risks were considered limited given this is an unpaid appointment and length of time that has passed

since Lord-Udny Lister left office as a special adviser was noted (13 months).

- It was recommended Lord-Udny Lister be reminded of his ongoing duty of confidentiality.