



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: General Sir Nick Carter GCB CBE DSO ADC Gen, former Chief of the Defence Staff at the Ministry of Defence. Paid appointment with Convex UK Services Ltd.

1. Gen Sir Nick 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 Convex UK Services Ltd (Convex) as a Strategic Advisor. 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 Gen Sir Nick's time in office, alongside the information and influence a former Chief of the Defence Staff may offer Convex.
3. The Committee has advised that a number of conditions be imposed to mitigate the potential risks to the government associated with this appointment under the Rules; this does not imply the Committee has taken a view on the appropriateness of this appointment for a former Crown servant in any other respect.
4. 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.

The Committee's consideration of the risk presented

5. The Committee² noted there is no relationship between Convex and the Ministry of Defence (MOD). Gen Sir Nick did not meet with Convex whilst in government, nor did he make any decisions specific to the company. The Committee therefore considered the risk this appointment could reasonably be perceived as a reward for decisions or

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; Andrew Cumptsy; Isabel Doverty; Sarah de Gay; Dr Susan Liautaud; The Rt Hon Lord Pickles, Richard Thomas, and Mike Weir. Lord Larry Whitty was unavailable.

actions taken in office is low.

6. Though Convex is not a defence company, it conducts business in areas which may overlap with or be affected by this sector. The Committee noted the MOD's assessment that he may have knowledge of risks associated with the activities of defence and security companies in the UK and overseas, which could be advantageous to Convex's insurance and reinsurance activities in both the UK and overseas. There are a number of mitigating factors that help to reduce the risks associated with Gen Sir Nick's access to information and insight that may be seen to offer Convex an unfair advantage.
7. The risk is broad as the proposed role does not directly overlap with his responsibilities in office. The MOD noted that while Gen Sir Nick has a general awareness of the involvement of insurance companies in defence and security, he will not have been privy to information regarding their overall commercial interests or health. The MOD confirmed Gen Sir Nick has not had access to information or been involved in any MOD work since he left post in November 2021. The several months that have now passed since he last had access to privileged information reduces the risks associated with his access to information. It is also relevant that Gen Sir Nick is prevented from drawing on privileged information from his time in office and has an ongoing duty of confidentiality.
8. The Committee agreed with the MOD that, as Chief of the Defence Staff, Gen Sir Nick will have gained contacts in the UK and internationally - within other governments and private companies, particularly in the defence sector. As such there is a risk his network and influence might be used to the unfair advantage of Convex.
9. Further, that there is a risk should he advise on matters directly related to his responsibilities in office - a risk which arises given he will be advising Convex's clients, which are unknown.

The Committee's advice

10. The Committee determined the risks identified in this application can be appropriately mitigated by the conditions below. These make it clear Gen Sir Nick cannot make use of his access to privileged information, contacts or influence gained from his time in Crown service to the unfair advantage of Convex and its clients. In particular, alongside the usual conditions, the Committee imposed restrictions on the work to prevent Gen Sir Nick from advising on policy or operational matters he had specific involvement in or responsibility for during his time at the MOD to mitigate the unknown nature of some of the work he might undertake.
11. The Committee advises under the government's Business Appointment Rules that Gen Sir Nick's appointment with Convex be subject to the following conditions:
 - a waiting period of three months from his last day in Crown service;
 - 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 or any of its arm's length bodies on behalf of Convex (including parent companies, subsidiaries, partners and clients); nor should he make use, directly or indirectly, of his contacts in

government and/or Crown service to influence policy, secure business/funding or otherwise unfairly advantage Convex (including parent companies, subsidiaries, partners and clients);

- for two years from his last day in Crown service, he should not provide advice to Convex (including parent companies, subsidiaries, partners and clients) on the terms of, or with regard to the subject matter of, a bid or contract with, or relating directly to the work of the UK government, the Ministry of Defence or its trading funds;
- for two years from his last day in Crown service, he should not become personally involved in lobbying contacts he has developed during his time in office in external organisations (including other governments) for the purpose of securing business for Convex (including parent companies, subsidiaries and partners);
- for two years from his last day in Crown service, he should not advise Convex (including parent companies, subsidiaries, partners and clients) on work with regard to any policy or operational matter he had specific involvement in or responsibility for as Chief of the Defence Staff at the Ministry of Defence, or where he had a relationship with the company or organisation during his time at the Ministry of Defence.

12. The advice and the conditions under the government's Business Appointment Rules relate to Gen Sir Nick's previous roles in government only; they are separate to rules administered by other bodies such as the Office of the Registrar of Consultant Lobbyists or the Parliamentary Commissioner for Standards. It is an applicant's personal responsibility to understand any other rules and regulations they may be subject to in parallel with this Committee's advice.
13. 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.
14. 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*'.
15. Gen Sir Nick must inform us as soon as he takes up employment with this organisation, or if it is announced that he will do so, 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 Gen Sir Nick has complied with the Rules.
16. Gen Sir Nick also needs to 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.

17. 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,

Oli Purnell
Committee Secretariat

Annex - Material information

The role

1. Gen Sir Nick said he has been offered a paid, part-time appointment with Convex UK Services Ltd as a Strategic Adviser. In this role Gen Sir Nick said he would assist Convex UK Services Ltd in *'developing their business, managing risk and realising their strategic objectives as well as advising their clients'* in addition to acting *'as an internal leadership and management consultant'* to assist Convex UK Services Ltd in maximising the talent of their workforce. Gen Sir Nick said this would be a non-executive role.

Dealings in office

2. Gen Sir Nick advised the Committee he did not meet with Convex whilst in office. He said he did not have involvement in any policy development or decisions that would have been specific to the company, and held no commercial or contractual responsibilities relating to it. He said he did not meet with competitors of the company, nor did he have access to sensitive information regarding these competitors.

Department Assessment

3. The MOD confirmed the details Gen Sir Nick provided.
4. The MOD said Gen Sir Nick had no official contact with Convex Services UK Ltd whilst a serving officer, and therefore was of the view this appointment could not be perceived as a reward. The MOD also confirmed it has no official relationship with the company.
5. The MOD said Gen Sir Nick will have *'...developed awareness of the landscape of involvement of companies, such as Convex, in insuring the activities of defence and security companies in the UK and overseas, and their exposure in these areas, he will not have been privy to information regarding their overall commercial interests or health. Therefore the risk that this appointment could be perceived to give unfair advantage over competitors, by access to sensitive commercial information regarding them, is low.'*
6. MOD said Gen Sir Nick will have developed *'...an extensive network of potential clients for Convex, and an extensive network in the UK and overseas of those with in depth knowledge of risk associated with activities of defence and security companies in the UK and overseas'*. Therefore the MOD advised that for the duration of the business appointment rules Gen Sir Nick should be prevented from making use of contacts gained in office in both the UK and overseas to unfairly benefit Convex.

7. The MOD recommended this appointment be subject to conditions which prevent:
- use of privileged access to information
 - lobbying of the UK government
 - making improper use of contacts gained in post outside of the MOD and government in the UK and overseas
 - involvement in bids and contracts with the MOD/ UK government.