



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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March 2017

GENERAL SIR NICHOLAS (NICK) HOUGHTON GCB CBE ADC

Dear Sir Nick

The Committee has considered your request to accept a new commission under the terms of your independent consultancy, to work on a project with Inter-Mediate, a charity which specialises in conflict resolution.

Inter-Mediate is a registered charity for negotiation and mediation and aims to contribute towards a sustainable end to conflict - particularly in the most difficult, complex and dangerous conflict areas. It was established by Jonathan Powell (the chief British negotiator on the Northern Ireland peace process from 1997-2007 and Tony Blair's former chief of staff) and Martin Griffiths (founder and former director of the Centre for Humanitarian Dialogue in Geneva).

The Committee sought the views of the MOD Business Appointments Panel and the Permanent Secretary at the MOD, Stephen Lovegrove. When considering the application, the Committee took into consideration the following matters:

- You are seeking to start the work with Inter-Mediate as a Strategic Advisor imminently, as you have been asked to take part in a project in Thailand which is time sensitive - starting during March 2017.
- You have said that the work will be part-time and that Inter-Mediate will pay expenses and some small compensatory allowance.
- You consider the role will likely involve some contact with the UK Government, via briefings with the FCO in relation to the project you will be working on.
- The MOD have confirmed there is no contractual relationship between the Department and Inter-Mediate.
- The Permanent Secretary does not see that this appointment raises any issues of impropriety and has no reservations about you taking up the role.

- The Permanent Secretary notes that whilst there is usually a three month waiting period applied to someone of your seniority (Head of the Armed Forces), he recommends this should not apply in this particular case given the time sensitivities and the nature of the role - which is to further UK diplomatic aims and to help resolve conflict overseas.
- Almost two months has passed since your last day in Crown Service and more than eight months have passed since your last day in post as Chief of Defence Staff.

The Committee considers that this work is broadly consistent within the terms of your independent consultancy, which was described as advising at board level on corporate leadership, operating model enhancements and geo-political risk. The Committee also recognises the public interest in you being available to work with Inter-Mediate immediately. Therefore, taking into account the particular circumstances of this application, the three month waiting period that applies to your independent consultancy (and commissions with Carillion and BP) should be waived in this instance.

The conditions that apply to your independent consultancy are:

- a three-month waiting period from your last day in Crown service (waived in the particular circumstances of this application with Inter-Mediate);
- that you should not draw on (disclose or use for the benefit of himself or the organisations to which this advice refers) any privileged information available to you from your time in Crown service;
- for two years from your last day in post you should not work in the UK Defence market;
- for two years from your last day in Crown service, you should not undertake any work as a consultant that involves providing advice to any company or organisation on the terms of, or with regard to the subject matter of, a bid or contract relating directly to the work of the MOD or is trading funds;
- for two years from your last day of Crown service you should not become personally involved in lobbying the UK Government on behalf of any of your clients or those you advise, nor make use of, directly or indirectly, your Government and/or Crown Service contacts to influence policy or secure business on behalf of your clients; and
- for two years from your last day in Crown service, before accepting any new commissions and or/before extending or otherwise changing the nature of any commission, you should make a case directly to the Committee to confirm that each individual commission you wish to take would be permissible under the terms of this consultancy.

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 or otherwise.

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."

I should be grateful if you would ensure that we are informed as soon as Sir Nick takes up this work, or if it is announced that he will do so (I enclose a form for this purpose). We shall otherwise not be able to deal with any enquiries, since we do not release information about appointments which have not been taken up or announced, and this could lead to a false assumption being made about whether he had complied with the rules.

Once the appointment has been publicly announced or taken up, we will publish this letter on the Committee's website and include the main details of the application, together with the Advisory Committee's advice, in the regularly updated consolidated list on our website and in the next annual report.

Yours sincerely

Catriona Marshall
Committee Secretariat