



**OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS**

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Dear Air Marshal Bagwell,

**Independent Consultancy - New Commission**

The Committee has considered your request to accept a new commission with Cobham plc under your independent consultancy. Cobham plc is a UK based technology, manufacturing and services organisation, which operates globally.

The Committee noted that your commission would involve providing advice to Cobham on military matters. It is likely to involve approximately 100 days of work per year. Given the international nature of the company the vast majority of the work would concern Europe, the Middle East and Asia although some work will be in the UK. The nature the advice would be defence wide and focus primarily on increasing the company's understanding of military requirements and looking into emerging markets and capabilities.

When considering your application the Committee noted that the MOD has contractual dealings with Cobham plc, including a large contract through the AirTanker Consortium. However, it took into account that while at the MOD you worked in operations, and never had any involvement in procurement matters. It also took into account your assurance that you had no dealings with Cobham during your time at the MOD.

**The Committee agrees that this commission is permissible within the terms of your independent consultancy, which was defined as a general aerospace consultancy.**

The conditions that apply to your independent consultancy are:

- A waiting period of six months from your last day in post (this expired on 27 November 2016);
- That you should not draw on (disclose or use for the benefit of yourself 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 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 should you make use, directly or indirectly, of your Government and/or Crown service contacts to influence policy or secure business on behalf of your clients;

- For 12 months from your last day of service you should not undertake any work as a consultant which involves providing advice to any company or organisation on the terms of a bid or contract relating directly to the work of the MOD or its trading funds; and
- For two years from your last day of service, before accepting any new commission you should make a case directly to the Committee to confirm that each individual commission you wish to undertake would be permissible under the approved terms of the consultancy. (If, after enquiry, the Committee takes the view that a commission is, or may be, outside the terms of the consultancy you will be expected to submit a fresh application).

**The Committee has decided that, given the contractual relationship between Cobham plc and the MOD it would be appropriate to extend the 12-month ban on providing advice in relation to the terms of a bid or contract relating directly to the work of the MOD to two years for this Commission.**

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.

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 let me know when you take up this piece of work, or if it is announced that you are to do so. This will enable the Committee to publish this letter and brief details on the regularly updated consolidated list on its website and in its next annual report.

Yours sincerely,

Catriona Marshall  
Committee Secretariat