



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

G/7 Ground Floor, 1 Horse Guards Road SW1A 2HQ

Telephone: 020 7271 0839

Email: acoba@acoba.gov.uk

Website: <http://www.gov.uk/acoba>

May 2017

BUSINESS APPOINTMENT APPLICATION:MR JAMES CHAPMAN

The Committee has been asked to consider an application from Mr James Chapman, former Special Adviser at the Department for Exiting the European Union (DExEU), in relation to an appointment with Bell Pottinger Private Communications Ltd (Bell Pottinger).

The Committee noted that Bell Pottinger is a British, multinational public relations and marketing company, which focuses on a range of communications disciplines; financial and corporate, political, engagement and litigation.

Mr Chapman is seeking to join Bell Pottinger as a Partner. He explained this would be a paid, full-time role and that he would be offering strategic advice to clients on how to handle any press and media issues they may face, as well as strategic advice on how the Government may be expected to handle issues affecting them.

When considering the application, the Committee also took into account the following:

- Mr Chapman is a former Special Adviser at DExEU and previous to this, at Her Majesty's Treasury (HMT).
- DExEU confirmed that whilst in office, Mr Chapman's role as a Special Adviser centered around media and communications advice and in particular, the public delivery of the Government's strategy on leaving the EU. The Permanent Secretary, said that in "*a very indirect sense, the Government's overall strategy for the UK's withdrawal from the EU and forging of a future partnership with it, could be seen as policy information of interest*" to Bell Pottinger and its clients. However, he also noted that Mr Chapman had access to information at a generic, high level and this information is now available in the public domain in the white paper and the Article 50 paper. He noted that Mr Chapman has chosen this time to leave Government, having made the strategy public. DExEU also confirmed that Mr Chapman had 'very limited' interactions with Bell Pottinger whilst he was in office, and had no official dealings

with them - as such, they considered there was no reason to suggest this appointment could be seen as a reward.

- Neither DExEU, nor Mr Chapman's previous department (HMT), had any concerns about him taking up this appointment.
- Mr Chapman said that there could be very occasional, informal contact with Special Advisers or Government Ministers, such as if a client was invited to a stakeholder event organised by a government Department. He made clear to the Committee that any such contact would not involve lobbying Government, but rather "straightforward exchanges of information," and that he does not expect to be working with Government directly as Bell Pottinger does not have, and does not anticipate having, any contracts with Government.

The Committee's advice to the Permanent Secretary that is that, in accordance with the Government's Business Appointment Rules, this appointment be subject to the following conditions:

- Mr Chapman should not draw on (disclose or use for the benefit of himself or the organisation to which this advice refers) any privileged information available to him from his time in the Crown Service; and
- for two years from his last day in service, he should not become personally involved in lobbying the UK Government on behalf of Bell Pottinger Private Communications Ltd, or make use, directly or indirectly, of his contacts in Government and/or Crown service to influence policy or secure funding on behalf of Bell Pottinger Private Communications Ltd or its clients.

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, Code of Conduct for Special Advisers or otherwise. As with all Special Advisers, the Committee makes this recommendation on the understanding that, if he has not already done so, Mr Chapman must confirm in writing to his department that he recognises that he continues to be bound by the provisions of the criminal law (including the Official Secrets Act), which protect certain categories of information, and by his duty of confidentiality owed to the Crown.)

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 Mr Chapman takes up this position, 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.

I should also be grateful if you would ask that Mr Chapman informs 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.

Once these appointments have 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

Sarah Parkington
Committee Secretariat