



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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January 2018

BUSINESS APPOINTMENT APPLICATION: JAMES CHAPMAN

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

Appointment details

Adviser, JH Communications

Mr Chapman has been invited to take up an appointment as a freelance adviser at a new company called JH Communications. He describes the role as offering strategic advice to clients on how to handle press and media issues they may face and strategic advice on how Government might handle issues affecting them. He has explained he will be working for Bell Pottinger's CEO James Henderson at his new business following the collapse of the company. He notes this work will be identical in nature to that in which he was previously engaged at Bell Pottinger. This is a paid role, likely to involve approximately 3 days per week.

Mr Chapman explained that the job might involve some occasional contact with Government but this would not include direct lobbying of Ministers or officials. He said he would not use contacts made during his period in Government to seek to obtain information that might give his employer any unfair advantage.

Departmental assessment

The Committee noted that Philip Rycroft, Permanent Secretary at DExEU and Tom Scholar, Permanent Secretary at HMT have no reservations about this appointment, subject to imposing conditions restricting Mr Chapman from drawing on privileged information or lobbying.

Mr Rycroft commented that the applicant's role was predominately on the public presentation of the Government's strategy, therefore by definition about information Government planned to place in the public domain. A considerable period of time has elapsed since the applicant left the department and the Government has set out its strategy in the Article 50 letter, White

Papers, PM's Florence speech and joint report on progress during phase 1 of the negotiations. Therefore the information in the applicant's possession is of arguably limited value and was of sufficiently high level of generality at the time that it could not confer any direct competitive advantage.

The Committee's consideration

The Committee has already provided advice on Mr Chapman's appointment with Bell Pottinger and, since he will be doing a very similar job for Mr Henderson's new business, the same considerations apply. The appointment cannot reasonably be seen as a reward for decisions made in office given his very limited interactions with Bell Pottinger and as none of these interactions could be classed as official dealings that would have a bearing on Bell Pottinger's and now JH Communication's commercial interests.

The Committee considered the risk that this appointment could afford the company with an unfair advantage but was persuaded by the Department's assessment that he is unlikely to hold any information that could confer any direct competitive advantage, given that the Government's strategy on withdrawing from the EU has been made public. Any residual risk should be managed by the privileged information and lobbying conditions set out below.

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:

- he 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 JH Communications or its clients, or make use, directly or indirectly, of his contacts in Government and/or Crown service to influence policy or secure business on behalf of JH Communications 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 this 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

Nicola Richardson
Committee Secretariat

