



## OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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### **BUSINESS APPOINTMENT APPLICATION: AIR CHIEF MARSHAL SIR ANDREW PULFORD**

The Committee has been asked to consider an application from Air Chief Marshal Sir Andrew Pulford, former Chief of the Air Staff (CAS), who would like to take up an appointment with BAE Systems.

Sir Andrew was CAS between July 2013 and July 2016. He was accountable to the Secretary of State for the RAF's fighting effectiveness, efficiency and morale. Reporting through the Chief of the Defence Staff (CDS), CAS is responsible for the development, generation, integration and sustainment of the RAF in accordance with defence policy and priorities to meet CDS' strategic objectives. His last day in post was 11 July 2016 and he retired from Crown service on 28 October 2016.

Sir Andrew proposes to take up an appointment with BAE Systems as a senior military advisor. This would be a part-time position, involving three days per week.

For the first year of his engagement with BAE Systems he will be exclusively involved in supporting export contract / campaign work by BAE Systems with foreign government customers located overseas.

Sir Andrew would have an ambassadorial role, supporting Typhoon and Hawk sales to other Governments. He has explained that this would allow BAE Systems (a major British exporter) to build on the relationships he has with prospective foreign customers, in line with wider national interests, defence relationships, and the prosperity agenda. This work would at times involve engagement with HMG, including MOD and the UK Armed Forces, where HMG is supporting the export work (for example where the RAF offers training support to the overseas customer air force) or on those occasions where the contract route is a Government to Government arrangement, as opposed to a direct sale by BAE Systems to the overseas government customer.

Sir Andrew explained that his role would also involve liaising with the MOD and the RAF and potentially other parts of Government to facilitate existing routine relations between BAE Systems and the MOD/RAF and the already planned development of long-term programmes. His involvement on any future work would be at a strategic level.

When considering this application, the Committee took into account that while Sir Andrew had an official Chief of Staff relationship with BAE Systems with additional contact for high-level co-operation on overseas sales, he did not have any contractual dealings with the company while in office or involvement in any decisions that might affect the business of the company.

In determining its recommendation in this case, the Committee took into account the views of the MOD Business Appointments Panel, who were content with the appointment subject to the behaviour conditions incorporated below.

The Committee noted that defence exports are a major contributor to the UK economy and that the National Security Strategy places defence exports as one of the Government's highest national priorities.

When considering this application the Committee considered that given Sir Andrew's senior rank in the military it was appropriate for there to be a significant gap between leaving his role as Chief of Defence Air and taking up the appointment with BAE Systems. On balance it formed the view that a 12-month waiting period would be appropriate and Sir Andrew has confirmed that his engagement will not begin until 1 November 2017.

The Prime Minister accepted the Committee's advice that the appointment be subject to the following conditions:

- A twelve-month waiting period from Sir Andrew's last day in Crown service;
- That he 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 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 on behalf of BAE Systems plc or its clients; nor should he make use, directly or indirectly, of his contacts in Government and/ or Crown service to influence policy or sell BAE Systems' products to the MOD. This is not intended to preclude him from liaising with the MOD to support the onward sale of BAE Systems' products to foreign Governments through Government-to-Government arrangements.
- For two years from his last day in Crown service, he should not provide advice on the terms or with regard to the subject matter of a bid or contract relating directly to the work of the MOD or its trading funds. This would not preclude Sir Andrew from advising on contracts, potential contracts, or marketing campaigns with foreign Governments.

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 Andrew takes up this appointment, 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 Sir Andrew 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 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

Nicola Richardson  
Committee Secretariat

