



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: PATRICK (PADDY) MCGUINNESS CMG OBE

The Committee has been asked to consider an application from Paddy McGuinness, the former Deputy National Security Adviser.

Mr McGuinness has a pre-existing and ongoing role representing Government as Envoy for the Department of Digital Culture Media and Sport on National Security aspects of Data – specifically in the context of the General Data Retention Regulations. This is about EU Member States' approaches to Data Adequacy under GDPR as it affects National Security (and thus State) data holdings. It does not involve any contact with commercial organisations, or consideration of regulation that might affect them or access to commercially sensitive information.

His last day in the Civil service was 26 April 2018.

Appointment details

Mr McGuinness proposes to form a consultancy called Hudhud Associates, which will provide primarily private sector clients with consultancy advice, support and mentoring on issues of risk, strategy, resilience in the face of all hazards and threats, crisis management and security with an emphasis on cyber security and mitigation through technology and management systems.

He has been clear that his consultancy will not facilitate contact with Government or pursue UK Government contracts.

He has sought advice on the following commissions:

- **Glasswall Solutions Limited (Glasswall)**, a cyber security solutions provider.

Mr McGuinness would join Glasswall's Advisory Board in return for equity in the business. He anticipates the time commitment would be approximately 20 days per year.

- **Brunswick Group LLP (Brunswick)**

Brunswick is a global advisory firm, offering advice on reputation management, investor relations, public affairs, internal communications and opinion research across all sectors.

Mr McGuinness would take up a paid role as a senior advisor, spanning, geo-politics, resilience and cyber security.

Mr McGuinness has confirmed that he has had no direct contractual, commercial or other dealings with his potential clients from his Government position.

While he has chaired Government bodies where regulation was considered in a general sense and has acted as lead on the National Cyber Security Programme, he has not been directly involved in discussion of regulatory action concerning these companies, nor has he held authority to regulate.

The former Director General, Propriety & Ethics has no concerns about the consultancy and commissions. She has confirmed that Mr McGuinness has not had access to information relating to competitors, which could be regarded as being commercially valuable or sensitive and that he has not had access to policy or other departmental information, knowledge of which could give his clients an unfair advantage.

Committee's consideration

The Committee's experience is that applications where there is a connection between former civil servants' responsibilities in Government and the area they are looking to work in outside Government are more likely to raise risks under the Rules. The Committee¹ noted that the purpose of this consultancy - to help companies to guard themselves against threats - does not in itself present any particular risk. However, whether risks arise in individual commissions will depend on the specific facts in each case.

The Committee's assessment on this application is that the commissions cannot reasonably be viewed as a reward given that he was not involved in any contractual dealings with the companies and had no direct contact with them (aside from attending some of the same events).

He and the Cabinet Office have confirmed that he had no access to commercial information about competitors while in post and he has been clear that his consultancy will not facilitate contact with the UK Government or pursue UK Government contracts. While he has chaired Government bodies where regulation was considered in a general sense, he has not been directly involved in discussion of regulatory action concerning his potential clients. The risk of affording his clients an unfair advantage is therefore low.

Given the connection with the field that Mr McGuinness worked in while in Government, the Committee considered it would be appropriate to impose an extended lobbying ban to make it clear this would preclude him from making use of his contacts, directly or indirectly, to influence policy or secure business or funding for his clients. The Committee has also imposed a condition prohibiting him from advising on the terms of a bid or contract relating to the work of the UK Government to address any residual risks he might unfairly benefit his clients.

Whether the conditions set out below can sufficiently mitigate the risks presented by any future commission Mr McGuinness proposes to take up will depend on the specific details of each piece of work. Further conditions may be appropriate. Mr McGuinness will need to revert to the Committee to seek advice on each commission.

The Prime Minister accepted the Committee's advice that the consultancy and commissions with Glasswall Solutions Limited and Brunswick Group LLP, be subject to the following conditions:

¹ This application for advice was considered by Sir Alex Allan; Jonathan Baume; Baroness Browning; Lord Michael German; Terence Jagger; Dr Susan Liautaud; Richard Thomas and John Wood. Baroness Helen Liddell recused herself from this application in line with ACOBA's published Code of Practice.

- 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 or in any capacity in which he continues to represent the UK Government;
- for two years from his last day in Crown service, he should not become personally involved in lobbying the UK Government on behalf of any of his clients or those he advises, nor should he make use, directly or indirectly, of his Government and/or Crown service contacts to influence policy or secure business on behalf of his clients;
- for two years from his last day of service he should not undertake any work as a consultant that involves providing advice to any company or organisation on the terms of a bid or contract relating directly to the work of the UK Government; and
- for two years from his last day in Crown service, before accepting any commissions and or/before extending or otherwise changing the nature of any commission, he should seek advice from the Committee. The Committee will decide whether each commission is consistent with the terms of his consultancy and consider any relevant factors under the Business Appointment Rules.

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 ensure that we are informed as soon as Mr McGuinness establishes his consultancy and takes up these commissions, 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 McGuinness informs us if he proposes to expand or otherwise change the nature of his consultancy or the commissions as, depending on the circumstances, it may be necessary for him to make a fresh application.

Once the consultancy and commissions have been publicly announced or taken up, we will publish this letter on the Committee's website, and where appropriate, refer to it in the relevant annual report.

Yours sincerely

Nicola Richardson
Committee Secretariat

