



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

Room G/8, 1 Horse Guards Road, London, SW1A 2HQ

Telephone: 020 7271 0839

Email: acoba@acoba.gov.uk

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

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You sought the Committee's advice about taking accepting a commission under the terms of your independent consultancy. The Committee has now considered your application.

Commission details

BMT Group Limited (BMT)

You wish to take up a commission under your independent consultant with BMT - a large international design, engineering, science and risk management consultancy. It operates as an international multidisciplinary engineering, science and technology consultancy offering a wide range of services, particularly in the defence; energy; environment; maritime transport; marine risk and insurance; shipping; and general transportation sectors. You note that BMT specialises in design, design support, risk and contract management and salvage.

You seek to join BMT as a Strategic Advisor, which you describe as 'supporting the leadership as it seeks to develop and grow its engineering capability'. This will involve sitting on a quarterly Strategic Advisory Board, with follow-on tasks in support of specific initiatives (such as advising/ mentoring on innovation; bringing together engineering communities; and software engineering practices).

The commission is for part-time, paid work involving a few days of work a month, initially for over 12 months. The role will not involve any contact with the Government. You also told the Committee BMT have seen the conditions imposed on your independent consultancy and their proposed commission is consistent with those conditions.

You confirmed you had no dealings with BMT whilst in office; nor were you party to any discussions about BMT; nor did you have any official dealings with competitors; nor any access to commercially sensitive information.

However, BMT are a subcontractor to PA Consulting which has a contract with your former department for System Engineering (BMT provide PA Consulting with 2-3 System Engineers to support PA Consulting in this contract). BMT have confirmed it has no contract directly

with GCHQ. Therefore you noted that some members of your team (which consists of thousands of people) 'will therefore have worked with the BMT System Engineers and would probably have been aware that they were BMT employees. But any contractual dealings would have been with PA Consulting, not BMT.'

GCHQ confirmed there were no additional risks to the information you provided and raised no concerns about you taking up this work under your consultancy.

The Committee's consideration

The Committee¹ considered this was consistent with your independent consultancy - which you described as offering strategic advice on risk, primarily in the areas of cyber security and the exploitation of data and technology. (On setting up your independent consultancy, you also told the Committee you would not take on work that involves representing the interests of clients to the Government.)

The Committee noted that whilst some employees of BMT work on a contract to carry out work with GCHQ, the company does not hold a contract with GCHQ as the contract is held between GCHQ and PA Consulting. Therefore, there is no direct commercial link; and you had no contact or discussion with BMT and no direct involvement in any contracts or commercial relationship with the organisation whilst in office.

GCHQ have previously confirmed your description of your role in office: while you were responsible for ensuring there was a fit-for-purpose commercial strategy and the correct governance processes were followed, there were clear delegated financial management and you were not involved in the specification; evaluation; selection or award stages; nor were you involved in the management/assessment of existing contracts. The Committee considered there was no reason to suggest you were offered this work as a reward for decisions made while in office, given GCHQ raised no concerns and confirmed the governance structures in place around GCHQ procurement.

The Committee carefully considered whether there was a risk BMT could be seen to unfairly benefit from employing you, by virtue of your time in office. The Committee noted it has now been 8 months since you were in post, and significantly longer since you had any involvement in commercial strategy and governance at GCHQ - therefore it has been a significant amount of time since you have had access to relevant sensitive information.

The Committee recognised you will have general knowledge about the requirements and practices of government and the security services. However you confirm you have no access to specific sensitive information (commercial or otherwise) and GCHQ have confirmed it sees no further risk here. The Committee considered the inherent risks can be appropriately mitigated by the conditions applied to your consultancy which: prevent use of privileged information; prevent use of your contacts to lobby the UK Government; and prevent advising on the terms of, or with regard to the subject matter of, a bid or contract with the UK Security and Intelligence Agencies.

¹ This application for advice was considered by Sir Alex Allan; Jonathan Baume; Baroness Angela Browning; Lord Michael German; Terence Jagger; Baroness Helen Liddell; Richard Thomas; and John Wood. Dr Susan Liautaud was unavailable.

Under the Government's Business Appointment Rules the Committee advises your commission with BMT Group Limited is subject to the conditions which apply to your independent consultancy:

- 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 of service you should not become personally involved in lobbying the UK Government on behalf of those you advise under your independent consultancy or their subsidiaries, partners or clients. Nor should you make use, directly or indirectly, of your Government and/or Crown Service contacts to influence policy or secure business or funding on their behalf;
- for two years from your last day in Crown service, you should not provide advice to any company or organisation on the terms of, or with regard to the subject matter of, a bid or contract relating directly to the work of the UK Security and Intelligence Agencies; and
- for two years from your last day in Crown service, before accepting any commissions and or/before extending or otherwise changing the nature of any commission, you should seek advice from the Committee. The Committee will decide whether each commission is consistent with the terms of the 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 "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 commission, or if it is announced that you are to do so. This will enable the Committee to publish this letter on the Committee's website, and where appropriate, refer to it in the relevant annual report.

Yours sincerely

Catrina Marshall
Committee Secretariat

