



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>

July 2020

BUSINESS APPOINTMENT APPLICATION: Paul Arkwright

1. Mr Arkwright has approached the Committee about establishing an independent consultancy. Mr Arkwright is currently the Regional Ambassador for Africa at the United Nations Climate Change Conference, his last day in office will be 30 September 2020.
2. Mr Arkwright was previously British High Commissioner to Nigeria from September 2015 to November 2018, CEO UK-Africa Investment Summit from February 2019 to November 2019 and Acting British Ambassador to Democratic Republic of Congo from January 2020 until February 2020.

Application Details

3. Airtel Africa PLC (Airtel Africa) is a subsidiary of Bharti Airtel Limited, an Indian telecommunications company. Bharti Airtel Limited operates in 18 countries, 14 of which are in Africa, but across South Asia and the Channel Islands as well; its headquarters are in New Delhi and it is the second largest mobile network operator in the world. As of March 2019, Airtel Africa had over 99 million subscribers in Africa, with Airtel Nigeria being the most profitable unit of Airtel Africa.
4. Mr Arkwright is proposing he take up a commission to provide part-time advisory work for Airtel Africa. Mr Arkwright's role would be providing advisory services to the Chairman and Board of Airtel Africa, including travel to Airtel Africa operations in Africa and attending Board meetings (not as a Board member). He states his role will have no contact with Government.
5. Mr Arkwright stated he had no official contact with Airtel Africa whilst in office, and that he was not involved in any regulatory work that would have specifically affected Airtel Africa. He stated he was not involved in any commercial decisions relating to Airtel Africa and did not have any responsibility for people who did. He stated she did not have any

involvement in grants or contracts affecting the company. He also stated she did not have any sensitive information about competitors.

6. The FCO confirmed Mr Arkwright's application details. Stating no concerns with the appointment it confirmed he had no official contact with Airtel Africa whilst in office and did not make any policy, contractual or regulatory decisions whilst that would have affected Airtel Africa.

The Committee's Consideration

7. The Committee¹ considered that, as Mr Arkwright had no official contact with Airtel Africa whilst he was in office, and made no decisions specific to Airtel, the risk that this appointment is a reward for actions taken in office is low.

8. The Committee noted that Mr Arkwright would have been privy to sensitive information about various African countries from his various roles with the FCO, most notably Nigeria and DRC where he held ambassadorial roles. The Committee considered that this information would have been broad in nature given Mr Arkwright and the Department confirmed it was not in relation to specific policy or commercial matters.

9. Therefore, there is a risk around his general access to privileged information. Further, the Committee recognised his potential influence given his roles representing the UK, including the contacts he will have gained within the UK and foreign governments. It is likely he could be perceived to offer any company operating in Africa such as Airtel Africa with an unfair advantage in this regard. The conditions attached to his consultancy seek to mitigate these risks.

10. Taking into account the specific facts in this case, in accordance with the Government's Business Appointment Rules, the Committee advises Mr Arkwright's work with **Airtel Africa** be subject to the same conditions as his independent consultancy:

- 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 those he advises under his independent consultancy (including parent companies, subsidiaries, partners and clients). Nor should he make use, directly or indirectly, of his government and/or Crown service contacts to influence policy, secure funding/business or otherwise unfairly benefit those he advises under his independent consultancy (including parent companies, subsidiaries, partners and clients); and
- for two years from his last day in ministerial office, he should not become personally involved in lobbying contacts he has developed during his time in office and in other

¹ This application for advice was considered by Sir Alex Allan; Jonathan Baume; Dr Susan Liautaud; The Rt Hon Lord Pickles; Richard Thomas; Mike Weir; Lord Larry Whitty and John Wood.

Governments and organisations for the purpose of securing business for any company or organisation (including parent companies, subsidiaries and partners);

- for two years from his last day in office he should not advise those he advises under his independent consultancy (or its parent companies, subsidiaries, partners and clients) on the terms of, or with regard to the subject matter of, a bid or contract with, or relating directly to the work of the UK Government.
- for two years from his last day in crown service, before accepting any commissions for his independent consultancy and or/before extending or otherwise changing the nature of his commissions, he 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.

11. 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.

12. 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."

13. I should be grateful if you would ensure that we are informed as soon as Mr Arkwright 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.

14. I should also be grateful if you would ask that Mr Arkwright 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.

15. Once this commission has 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,

Sam Lynch
Committee Secretariat