



## **OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS**

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### **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. Mr Arkwright is seeking to establish an independent consultancy focusing on providing strategic advice to companies planning to invest overseas, with a particular emphasis on Africa.
4. The FCO confirmed Mr Arkwright's application details. It stated no concerns with the description of the independent consultancy Mr Arkwright proposed.

#### The Committee's Consideration

##### **Consultancy**

5. When considering Mr Arkwright's application, the Committee took into account that his proposed consultancy is fairly broadly defined, to provide general investment and strategic advice. The Committee noted there are generic risks associated that can be mitigated. The conditions below apply to his consultancy to mitigate the inherent risks in this broad area of consultancy work. The conditions prevent: lobbying of the UK Government and contacts gained in office; the use of privileged information; and advising on the terms of bids or contracts relating to the UK Government.

##### **Future Commissions**

6. Whether the conditions set out below can sufficiently mitigate the risks presented by any future commission Mr Arkwright proposes to take up will depend on the specific details of each piece of work. It is the Committee's experience that applications where there is a

connection between the former Crown servant's responsibilities in government and the area they are looking to work in outside Government, are more likely to give rise to risks under the Rules. As Mr Arkwright is seeking to take up work for organisations that are looking to invest in Africa, there could be a perceived risk that Mr Arkwright would offer an unfair advantage to these companies given his knowledge from office. Whilst the conditions below prevent him from drawing on privileged information, further conditions may be appropriate where there is a specific overlap. As is usual in such cases, Mr Arkwright will need to seek advice from the Committee for each commission he wishes to accept.

7. The Committee will consider with each commission whether the restrictions below sufficiently mitigate the risk attached and will decide whether each commission is consistent with the terms of the consultancy, considering any relevant factors under the Business Appointment Rules. For example, should Mr Arkwright seek to work on matters he had direct responsibility for in office, the Committee would consider whether a waiting period may be required. The Committee will consider such risks on a case by case basis.

8. Although this application has been made before Mr Arkwright has left office the Committee is prepared to provide advice now. However, the Committee wish to make clear its recommendation is made on the basis of the information provided. If Mr Arkwright should become aware of any circumstances that would be relevant to his application and this advice, in the gap between receiving this advice and taking up this role, he should revert to the Committee for further advice.

9. Mr Arkwright has stated that he will not be taking up any paid commissions under this consultancy until 3 months after he leaves Crown service (taking him to the 1 January 2021). The Committee considers this waiting period to be appropriate and therefore it issues its advice on this understanding.

**10. The Committee also advises that when seeking work and/or commissions, he should adhere to the conditions below.**

11. In the circumstances, the Committee recommends to the Foreign Secretary that, under the Business Appointment Rules, Mr Arkwright's independent consultancy be subject to the following conditions:

- 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);
- 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 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; and

- 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.

12. 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.

13. 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."

14. 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.

15. 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.

16. Once this consultancy has been publicly announced or is live 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**