



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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January 2021

Dear Lieutenant General Ivan Hooper

1. You sought the Committee's advice on taking up a paid role with Harmonic Ltd (Harmonic). The Committee has now considered this commission.

2. You said Harmonic is a medium size company providing IT, engineering, digital and organisational transformation consultancy services, direct to the industrial supply chain and to government. Its website states it works with Government as well as a number of companies in various industries including Defence & Security, Transport, Outsourcing, Infrastructure and Technology. Companies include BAE System, Boeing and Lockheed Martin. The website states it helps its clients:

- Grow by '*...transforming your selling and bidding capability*'
- Deliver projects faster
- Changes its organisational or functional performance
- Create solutions to operational problems

3. You said your role will be to provide consultancy and advisory services to Harmonic and it's clients on areas including transformation, multi-domain operations and digital transformation. Provision of support to Harmonic's corporate strategy and capability development. You said you do not expect this role to involve any contact with HMG or the UK Ministry of Defence (MOD).

4. You also informed the Committee you neither met, nor made any commercial or contractual decisions with or on Harmonic while in office. Nor did you have any involvement in policy development or decisions. You also said you did not meet with competitors, nor did you have access to sensitive information on these competitors. From your previous application to the Committee it was confirmed your role as CEO was not focussed on long term policy and was more ensuring the provision of defensive cyber capability for the UK Ministry of Defence.

5. You further informed the Committee there is a relationship between Harmonic and the MOD, however, you confirmed you will not be working on UK MOD contracts. You stated there are two current contracts between Harmonic and Government:

- for the provision of technical support to the MOD's Waterguard project;
- with the Cabinet Office Civil for the provision of data analysis.

6. The MOD was consulted regarding your role with Harmonic and confirmed the details you provided above. It further confirmed the MOD does have a contractual relationship with Harmonic as it works on the MOD's Waterguard project. However, it noted you had no involvement or command responsibility with regard to the project whilst in office. The MOD stated *'The Harmonic contract with WATERGUARD was let by [Head Office and Corporate Services Commercial in Glasgow] following an open competition. All bids were subject to technical, financial and commercial evaluation. These evaluations were independently carried by subject matter experts and their scores assessed by [Head Office and Corporate Services Commercial in Glasgow] to determine the winning bidder. The contract has been managed by my team in conjunction with DE&S finance and [Head Office and Corporate Services Commercial in Glasgow]'*.

7. The MOD has no concerns with you taking up this appointment.

The Committee's Consideration

8. The Committee¹ considered this role is consistent with the terms of your consultancy previously described as working in defence and other sectors, in advisory and non-executive roles, including: strategy development; risk management; international market access, growth and penetration; leadership and delivery of major programmes; and executive team and organisational leadership development.

9. When considering this application, the Committee took into account that you were not involved in any decisions that benefitted Harmonic specifically. The Committee noted the MOD does have a contract with Harmonic but you, nor ISS, had any involvement in awarding this contract. The Committee therefore considered the risk this appointment could be seen as a reward for decisions taken in office is low.

10. When considering your application, the Committee noted this appointment is not directly related to your most recent time in office. However, as the former CEO at Information Systems and Services, you may have general access to policy and information that could benefit Harmonic and its clients. However, the Committee put weight behind the department's confirmation you had no access to relevant sensitive information. Further, it noted the amount of time that has now passed since you were in office (over 16 months). The Committee noted that you are prevented from drawing on your privileged information as with all former Crown servants which helps to mitigate this risk.

11. The Committee noted there is a possible risk of unfair advantage in relation to access to the contacts you gained while in Crown service, especially if you were to advise Harmonic or its clients on a bid or contract involving the MOD. However, the lobbying restriction and the restriction on providing advice on the terms, a bid or contract relating directly to the work of the Government, imposed below makes clear that it would be inappropriate for you to use your contacts across Government to the unfair advantage of Harmonic. The Committee noted this was in keeping with your role as described and you confirmed you will not be working on UK MOD contracts.

12. The Committee also considered there may be potential risks associated with the unknown nature of Harmonic's clients. The Committee noted your comments that your role as CEO at ISS was not focussed on long term policy, and was more ensuring the provision of defensive cyber capability for the UK Ministry of Defence. However, should Harmonic's clients be a company or organisation you or the MOD had a commercial relationship with or where you had some specific insight or influence in respect of their work whilst in post, this

¹ This application for advice was considered by Jonathan Baume; The Rt Hon Lord Pickles; Richard Thomas; Mike Weir; Lord Larry Whitty and Dr Susan Liataud

could raise significant risks. Therefore, the Committee considered it would be appropriate to impose a condition to prevent you from advising Harmonic or its clients where it involves working on matters you had involvement with in service.

13. In accordance with the Government's Business Appointment Rules, the Committee advises this commission with **Harmonic Ltd** should be subject to the same conditions as your independent consultancy and the additional restriction which follows:

- 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 Crown service you should not become personally involved in lobbying the UK Government, the UK MOD on behalf of your clients (including parent companies, subsidiaries and partners); nor should you make use, directly or indirectly, of your MOD or government contacts to influence policy, secure funding/business or otherwise unfairly benefit your clients (including parent companies, clients, subsidiaries and partners);
- 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 with, or relating directly to the work of, the MOD or its trading funds; and
- for two years from your last day in Crown service, before accepting any commissions for your independent consultancy and or/before extending or otherwise changing the nature of your commissions, 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.

In addition, the Committee considered this commission with Harmonic Ltd be subject to the following condition:

- for two years from your last day in Crown service, you should not advise Harmonic or its clients on work with regard to any policy you had specific involvement or responsibility for or where you had a relationship with the relevant client during your time as Chief Executive Office at Information Systems and Services

14. 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.

15. 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.*"

16. I should be grateful if you could 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.

17. Please also inform us if you propose to extend or otherwise change the nature of your commission as, depending on the circumstances, it may be necessary for you to make a fresh application.

Yours sincerely

Isabella Wynn
Committee Secretariat