



**OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS**  
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### **BUSINESS APPOINTMENT APPLICATION: The Lord Mark Sedwill KCMG, D Group.**

1. Lord Sedwill, former Cabinet Secretary and National Security Adviser, sought advice from the Advisory Committee on Business Appointments (the Committee) under the government's Business Appointments Rules for former Crown servants (the Rules) on taking up a role with the D Group as a Non-Executive Chair of the Advisory Board. The material information taken into consideration by the Committee is set out in the annex.
2. The purpose of the Rules is to protect the integrity of the government. Under the Rules, the Committee's remit is to consider the risks associated with the actions and decisions made during Lord Sedwill's time in office, alongside the information and influence he may offer D Group.
3. The Rules set out that Crown servants must abide by the Committee's advice<sup>1</sup>. It is an applicant's personal responsibility to manage the propriety of any appointment. Former Crown servants are expected to uphold the highest standards of propriety and act in accordance with the 7 Principles of Public Life.

#### The Committee's Consideration

4. When considering this application, the Committee<sup>2</sup> noted that Lord Sedwill did give a speech at a dinner hosted by D Group, however the department confirmed this was part of his official duties as Cabinet Secretary. Lord Sedwill did not make any decisions directly affecting D Group. Therefore, the Committee considered there is no reason it might be perceived this appointment is a reward for decisions made or actions taken from his time in office.

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<sup>1</sup> Which apply by virtue of the Civil Service Management Code, The Code of Conduct for Special Advisers, The Queen's Regulations and the Diplomatic Service Code

<sup>2</sup> This application for advice was considered by Jonathan Baume; Andrew Cumpsty; Sarah de Gay; Isabel Doverty; The Rt Hon Lord Pickles; Richard Thomas; Mike Weir; Lord Larry Whitty and Dr Susan Liataud.

5. As the former Cabinet Secretary and National Security Advisor, the Committee noted he would have had access to privileged information which may be seen to be of general use to any company he chooses to join. Specifically the Committee noted that due to his role he would have access to sensitive information regarding the government's planning around the impact of the UK's departure from the EU. The Committee recognised any company operating in the UK and internationally may be considered to be gaining from his insight unavailable to its competitors (such as insight into possible approaches to future trade agreements). However, the Committee noted Lord Sedwill left office before the UK's departure and 8 months have now passed since he had access to information. Further, Lord Sedwill has confirmed he will not be involved in D Group's operational work. The Committee would draw Lord Sedwill's attention to the restriction on using privileged information imposed below. The Committee considered that in this context he should specifically avoid giving his new employer privileged insight into the UK's negotiating strategy post its departure from the EU.
6. Additionally, the Committee noted due to Lord Sedwill's seniority and influence at the centre of government, there is a risk it could be perceived his network and influence might assist D Group unfairly. This is especially relevant as D Group describes that it engages with multiple governments, governmental departments and public figures to deliver insights to its members. However, the Committee noted Lord Sedwill's role with D Group will not involve any contact with government; the government's Rules prevent him from lobbying the government; and he has been explicit with D Group about the limitation placed on him by virtue of the Rules. Subject to this limitation of the role and the condition below which make it clear he must not make improper use of his contacts and influence in government, the Committee considered the risk of Lord Sedwill providing an unfair advantage to D Group in this respect were mitigated.
7. While Lord Sedwill's role will not involve advising clients, the Committee noted that D Group's potential clients and/or members are unknown. It is possible that he may be asked to advise clients who were affected by matters of policy that relate to policy areas he had direct involvement in. Therefore, the Committee imposed a specific condition on this appointment which makes clear that in working with D Group, Lord Sedwill should not advise D Group or its clients on work with regard to any policy he had specific involvement or responsibility for as Cabinet Secretary and/or National Security Advisor.
8. The Committee advises, under the government's Business Appointment Rules, that Lord Sedwill's role with **D Group** should be subject to the following conditions:
  - He should not draw on (disclose or use for the benefit of himself or the persons or organisations to which this advice refers) any privileged information available to him from his time in Crown service. In the context of this general provision, the Committee considers he should specifically avoid giving D Group, (including parent and associated companies, subsidiaries, partners or clients), privileged

insight based on information from his time in Crown service into Brexit related issues, insofar as it as it pertains to UK's negotiating strategy post its departure from the EU;

- for two years from his last day in Crown service, he should not become personally involved in lobbying the UK government on behalf of D Group (including parent and associated companies, subsidiaries, partners and clients); nor should he make use, directly or indirectly, of his contacts in the government and/or ministerial contacts to influence policy, secure business/funding or otherwise unfairly advantage the D Group (including parent and associated companies, subsidiaries, partners and clients);
  - for two years from his last day in Crown service, he should not provide advice to D Group (including parent and associated companies, subsidiaries, partners and clients) on the terms of, or with regard to the subject matter of, a bid with, or contract relating directly to the work of the UK government; and
  - for two years from his last day in Crown service, he should not advise D Group (including parent and associated companies, subsidiaries, partners and clients) on work with regard to any policy he had specific involvement or responsibility for as Cabinet Secretary or National Security Advisor, or where he had a relationship with the company or organisation during his time as Cabinet Secretary or National Security Advisor.
9. 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.
10. 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."*
11. I should be grateful if you would inform us as soon as Lord Sedwill takes up employment with this organisation, or if it is announced that Lord Sedwill will do so, either by returning the enclosed form or by emailing the office at the above address. We shall otherwise not be able to deal with any enquiries, since we do not release information about appointments that have not been taken up or announced. This could lead to a false assumption being made about whether Lord Sedwill has complied with the Rules.
12. Please also inform us if Lord Sedwill 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.

13. Once the appointment 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,

Isabella Wynn  
**Committee Secretariat**

## **Annex - Material information**

### The role

1. Lord Sedwill said D Group is a strategic business development consultancy. The website states *'Membership of The D Group will enable your leadership teams to build strategic relationships, gain competitively advantageous insights and engage [its] network that has been maintained over 27 years at the highest levels of commerce and governments'*.
2. D Group is a cross-sector strategic business development network. It provides networking and relationship building opportunities, insights and intelligence to support members, and strategic advisory services. Strategy International is the holding company for the D Group, other companies include British Expertise International, British Foreign Policy Group, and The Future Group. The topics covered in D Group's publicly available reports include defence, foreign policy and national security issues. It states on the website it engages with multiple governments, governmental departments and public figures to deliver insights to their members. Further, it engages 'with multiple governments, governmental departments and public figures to deliver insights to our members'. The organisation offers:
  - Networking & relationship building
  - Dedicated Account Management
  - Private Briefing Programme
  - Strategic Business Development
  - Strategic Advisory Services
3. Lord Sedwill said although the D Group is a network organisation, seeking to offer insights and access to its members, he will not be involved in its operational work, and has explained the Rules - which D Group understands and are content to proceed on that basis. The Board meets twice a year. He also confirmed he will not have contact with government in this role.

### Dealings in office

4. Lord Sedwill advised the Committee he spoke (unremunerated) at a D Group dinner by invitation. Lord Sedwill said as Cabinet Secretary and Head of the Civil Service, all government business, including contact with commercial entities, was under his general supervision, albeit indirect. He also noted he was responsible for regulating the Civil Service and Ministerial Codes. He said he would expect, for example, the permanent secretaries at departments to have had routine contact with a wide range of businesses, but he was not involved in this nor routinely informed. He said part of his official duties were to hold regular official briefings arranged by the CBI (Confederation of British Industry) and WIG with CEOs and Chairs of a wide range of sectors, and with the Prime Minister's Business Councils. The speaking engagement with the D Group was a routine part of this engagement, well before his decision to leave public service.
5. He also told the Committee he did not have any involvement in any relevant policy development or decisions that would have affected D Group and no commercial or contractual responsibilities relating to D Group. Further, he did not meet with competitors of D Group; nor did he have access to sensitive information regarding these competitors.

#### Department Assessment

6. The Cabinet Office confirmed the details provided by Lord Sedwill and confirmed he was invited to speak at a D Group dinner. It said that as he had explained, holding regular official briefings arranged by the CBI and WIG with CEOs and Chairs of a wide range of sectors, and with the Prime Minister's Business Councils was a routine part of his role. This engagement was a part of this routine engagement.
7. The department also stated D Group does have a relationship with government as a whole. Part of their work is to engage with multiple governments and public figures to deliver insights to their members through talks, network events and thought leadership.
8. Cabinet Office said in his previous role he could have had access to government policy in development which could give the prospective employer an unfair advantage. However, it said Lord Sedwill left his official role in September 2020. Since then, a number of major government announcements have set out publicly much of the latest policy considerations. This means the information accessed in post is likely to be out of date.
9. The Cabinet Office said overall, the role does not pose a risk of being seen as a reward or of the company gaining an improper advantage by employing the applicant. Due to the seniority of the official role, conditions limiting lobbying and Lord Sedwill being reminded of his obligations to not share privileged information would seem appropriate.