



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: Thomas Hurd CB, commission with Gallos Technologies Limited under his Independent Consultancy.

1. You 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 commission with Gallos Technologies Limited (Gallos) under your independent consultancy. 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 your time in office, alongside the information and influence you may offer Gallos, based on the information provided by you and your former department.
3. The Committee considered whether this appointment was unsuitable given your former role as Director General at the Office for Security and Counter-Terrorism (OSCT), and Gallos' focus on companies in the defence and security sectors. The Committee must also consider the information provided by the Home Office about any potential conflict. The Committee has advised that a number of conditions be imposed to mitigate the potential risks to the government associated with this appointment under the Rules; this does not imply the Committee has taken a view on the appropriateness of this appointment in any other respect.
4. The Rules¹ set out that Crown servants must abide by the Committee's advice. 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 of the risk presented

¹ 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.

5. In this commission you said you would provide strategic advice to companies Gallos invests in, drawing on your broad experience in the defence and security sectors around global trends and customer priorities. The Committee² considered this commission falls within the scope of the consultancy the Committee previously advised on - which was set up to support private companies in their approach to risk management and analysis, in particular how to derive insight from data and act on it (the Committee's previous advice on the consultancy is available online here: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005287/Tom_Hurd_Independent_Consultancy.pdf).
6. The Committee noted this company was formed after you left office, and the Home Office confirmed it has no relationship with it. Therefore, the Committee considered the risk of this work being offered as a reward for decisions made, or actions taken in office, as low.
7. The Committee took into account there is a general overlap with your time in office - specifically with regard to your work in defence and security. It also considered your access to information on specific security threats. However, the Committee noted there are a number of mitigating factors that help to reduce the risks associated with your access to information and insight that may be seen to offer Gallos an unfair advantage:
 - you are prevented from drawing on privileged information from your time in office and have an ongoing duty of confidentiality;
 - your access to information was limited by your role, holding responsibility for specific terrorist threats, rather than for general defence or security issues or any other policy formation beyond this;
 - you have been out of office for more than 10 months, reducing the likelihood that any privileged information is sufficiently up-to-date; and
 - the Home Office considered the risk associated with any specific information is low.
8. The Committee noted the companies Gallos will invest in are unknown, and there is a risk you may be asked to advise companies which may have an overlap with matters related to areas you had direct involvement in whilst in government service.

The Committee's advice

9. The Committee determined the majority of the risks above can be appropriately mitigated by the conditions that it advised apply to your consultancy. These conditions make it clear you cannot make use of your access to information or influence gained from your time in government service to the unfair advantage of Gallos and the companies it works with.
10. However, as the companies Gallos will invest in are unknown, the Committee also imposed a further condition. This makes it clear that in working with Gallos,

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

you should not advise it or the companies it works with on policy or operational matters you had specific involvement or responsibility for as Director General at the OSCT, or where you had a relationship with the company or organisation during your time as Director General at the OSCT.

11. The Committee advises, under the Government's Business Appointment Rules, that your **commission with Gallos Technologies Limited** be subject to the conditions of your consultancy:

- you should not draw on (disclose or use for the benefit of yourself or the persons or 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 in Crown service, you should not become personally involved in lobbying the UK government and its arms' length bodies on behalf of those you advise under your independent consultancy (including parent companies, subsidiaries, partners and clients); nor should you make use, directly or indirectly, of your contacts in the government and/or Crown service to influence policy, secure business/funding or otherwise unfairly advantage those you advise under your independent consultancy (including parent companies, subsidiaries, partners and clients);
- for two years from your last day in Crown service, you should not become personally involved in lobbying contacts you have developed during your 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 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 UK government and its arms' length bodies; 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 has imposed the following condition on this work with Gallos Technologies Limited:

- **for two years from your last day in Crown service, you should not advise Gallos Technologies Limited (including parent companies, subsidiaries, partners and clients) on work with regard to any policy or operational matter you had specific involvement or responsibility for as Director General at the Office for Security and Counter-Terrorism, or where you had a relationship with the**

company or organisation during your time as Director General at the Office for Security and Counter-Terrorism.

12. The advice and the conditions under the government's Business Appointment Rules relate to your previous role in government only; they are separate to rules administered by other bodies such as the Office of the Registrar of Consultant Lobbyists or the Parliamentary Commissioner for Standards. It is your personal responsibility to understand any other rules and regulations you may be subject to in parallel with this Committee's advice.
13. 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.
14. 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*'. This Rule is separate and not a replacement for the Rules in the House.
15. You must inform us as soon as you take up employment with this organisation, or if it is announced that you will do so and we will publish this letter on our website. Any failure to do so may lead to a false assumption being made about whether you had complied with the Rules.
16. You must inform us if you propose to extend or otherwise change the nature of this commission as, depending on the circumstances, it may be necessary for you to make a fresh application.
17. Once the commission has been publicly announced or taken up, we will publish this letter on the Committee's website.

Yours Sincerely,

William Young
Committee Secretariat

Annex - Material information

The role

1. You said you have been offered a paid, part-time advisory commission with Gallos. Incorporated in September 2021, you said Gallos Technologies Limited is a newly formed investment vehicle. You said '*It has to date made no investments but will focus primarily on companies in the security and defence sectors*'. Companies House says the nature of Gallos' business is '*Business and domestic software development*' and '*Information technology consultancy activities*'.
2. You said you would:
 - attend quarterly advisory board meetings;
 - talent spot for good investment opportunities;
 - be available as requested to provide general support and advice to companies Gallos invests in;
 - provide general strategic advice, drawing on your '*...broad experience over nearly thirty years working in the defence and security fields around global trends and likely customer priorities*'; and
 - in helping particular companies develop their business, draw on your '*...general corporate experience on how to build capabilities and cultures within organisations*'.
3. You said you would not advise '*...on the specifics of any individual contracts that any given company will be pursuing*', nor would you be involved in any lobbying of the UK government. Further, you said this commission would not include any contact or dealings with your former department or government more generally.

Dealings in office

4. You advised the Committee you did not meet with Gallos, which was established after you left office. Further, you said you did not have any involvement in any policy development or decisions that would have been specific to Gallos, and held no commercial or contractual responsibilities relating to the organisation.

Department Assessment

5. The Home Office confirmed the details you provided, stating it does not consider this commission could be seen as improper, and has no reservations.
6. The Home Office noted you would be providing general strategic advice to Gallos and any companies in which they may invest, including those in the security and defence sectors.
7. The Home Office recommended that this commission be subject to the conditions of your consultancy.