



**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](mailto:acoba@acoba.gov.uk)

Website: <http://www.gov.uk/acoba>

March 2022

**BUSINESS APPOINTMENT APPLICATION: Rupert Kenneth McNeil, former Government Chief People Officer, appointment with Optimal Organisational Outcomes (trading name 3XO).**

1. Mr McNeil, former Government Chief People Officer, 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 3XO as Chair, Partner and Management Committee Member. 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 Mr McNeil's time in office, alongside the information and influence he may offer 3XO.
3. 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 for a former Government Chief People Officer.
4. 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

---

<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

5. When considering this application, the Committee<sup>2</sup> noted that Mr McNeil did not meet with 3XO in his role as Government Chief People Officer; nor did he make any decisions directly affecting 3XO. 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.
6. As the former Government Chief People Officer and sponsor for the Places for Growth Programme and the Government Consulting Hub, the Committee noted he would have had access to privileged information which may be seen to be of general use to 3XO. The Cabinet Office noted while he had some access to sensitive information it did not believe this would provide 3XO or its clients with an unfair advantage. Further mitigations include that Mr McNeil has an ongoing duty of confidentiality and he is returning to his career, having gained expertise and knowledge in this sector outside of the government.
7. The Committee noted that 3XO's potential clients are unknown. In this regard, there is a risk if Mr McNeil was to specifically advise 3XO where the subject matter or client conflicts with his responsibilities in office. For example, this might include government HR capabilities, requirements and commercial processes that are not in the public domain
8. Additionally, the Committee noted due to Mr McNeil's role, there is a risk it could be perceived that his network and influence might assist 3XO unfairly. Recognising this Mr McNeil informed the Committee his role will not involve contact with government. While talent acquisition doesn't appear to be the focus of this role, the Committee noted there was a risk he could utilise his knowledge of the capabilities of departmental employees to head-hunt individuals on behalf of 3XO or their clients.

#### The Committee's advice

9. Whilst Mr McNeil has gained expertise, skills and knowledge in this sector prior to joining government there remains a risk in relation to his access to information. However, the conditions below appropriately mitigate the risks under the Rules in relation to insight derived from any information he had access to while in government.
10. Given the unknown nature of 3XO's clients, the Committee imposed a limitation on Mr McNeil's role preventing him from drawing on privileged insight on specific government HR issues such as its capabilities, requirements and related commercial processes, when providing advice to 3XO or its clients. The Committee considered this limitation in his role and noted Mr McNeil's confirmation he will not have contact with government.
11. The Committee would draw Mr McNeil's attention to the restrictions below that prevent him: lobbying government; providing advice on the terms of a bid or contract relating directly to the work of the UK government; and from drawing

---

<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.

on information concerning the capabilities of current employees of government. These conditions mitigate the risk he could provide an unfair advantage to 3XO in respect to his contacts across the government. Although the Committee noted this was in keeping with Mr McNeil's role as Chair, Partner and Management Committee Member at 3XO.

12. Although this application has been made before Mr McNeil has left office the Committee is prepared to provide advice now. However, the Committee wishes to make clear its recommendation is made on the basis of the information provided. If Mr McNeil 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.
13. The Committee advises, under the Government's Business Appointment Rules, that this role with **Optimal Organisational Outcomes (trading name 3XO)** 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;
  - for two years from his last day in Crown service, he should not become personally involved in lobbying the UK government on behalf of Optimal Organisational Outcomes (trading name 3XO) (including parent 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 Optimal Organisational Outcomes (trading name 3XO) (including parent companies, subsidiaries, partners and clients);
  - for two years from his last day in Crown service, he should not provide advice to Optimal Organisational Outcomes (trading name 3XO) (including parent 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;
  - for two years from his last day in Crown service he should not draw on information concerning the capabilities of current employees of government, known to him by virtue of his time in Crown service, to actively initiate or assist head-hunting of those employees on behalf of Optimal Organisational Outcomes (trading name 3XO); and
  - for two years from his last day in Crown service, when working on matters related to HR policy Mr McNeil must not provide privileged insight to 3XO or its clients on government HR issues in relation to its capabilities, requirements and related commercial processes.
14. 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.

15. 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.
16. 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.*"
17. I should be grateful if you would inform us as soon as Mr McNeil takes up employment with this organisation, or if it is announced that Mr McNeil 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 Mr McNeil has complied with the Rules.
18. Please also inform us if Mr McNeil 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.
19. 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. Mr McNeil said 3XO is a human capital services consultancy, providing advice to clients on a wide range of workforce related issues, particularly those arising between and out of the transition between strategy and implementation. The website states 3XO supports boards and their executive teams to design and deliver people strategies. The website states *'Organisations can easily buy high quality advice to develop their strategies, but it is more difficult to get experienced, practical support to execute those strategies'*. The website states 3XO helps with this.
2. Mr McNeil said he will take up a paid appointment as one of 3XO's leaders of the business, involved in identification of and management of associates, seeking and securing business for the partnership and in all aspects of business management. Mr McNeil said he will not have contact with government and confirmed 3XO will seek clients in the private sector, and does not intend to seek or perform work for organisations in the UK public sector (at least until December 2024).
3. Mr McNeil said he has spent ten years in professional services (in human capital businesses) and ten years in corporate Human Resources roles, in both of which capacities he was involved with the management consulting, professional services and human capital sectors. Mr McNeil joined the Civil Service in 2016, joining from Lloyds Banking Group, where he was the Group HR Director.
4. Mr McNeil confirmed he would have no contact with government in his role as Chair, Partner and Management Committee Member at 3XO.

#### Dealings in office

5. Mr McNeil told the Committee Mike Aldred conceived of a new HR advisory partnership in 2021 and approached Mr McNeil to determine if he was interested in becoming a partner in the future. The partnership was formed in November 2021 by Mike Aldred and one other partner (without him) - as demonstrated on [companies house](#). It was subsequently agreed that once he left his current role he would join the partnership and also take the roles of Chair and Management Committee member.
6. Mr McNeil confirmed there is no known relationship between the Cabinet Office and 3XO and said he:
  - did not have any involvement in any relevant policy development or decisions that would have affected 3XO; and
  - had no commercial or contractual responsibilities relating to 3XO.
7. Mr McNeil said the business proposition of 3XO is *'...unique and [does] not consider it to have direct competitors. It will work with other professional services firms of many types, including management consultancies, human capital services firms and executive search organisations'*. Mr McNeil said he has had interactions with firms of these types through his current role but is not directly involved in making an award to firms or in the direct management of their engagements. This is done by his direct reports and/or their teams.

## Department Assessment

8. The Cabinet Office confirmed the details provided by Mr McNeil and confirmed it had no relationship with 3XO.
9. The department stated Mr McNeil did not have access to information that could provide an unfair advantage to 3XO but may have had access to sensitive national security and other information through his other roles in government. But it confirmed this information is protected under the Official Secrets Act.
10. Cabinet Office said whilst Mr McNeil will have interactions with professional services firms in his current role as GCPO and sponsor of GCH, the department confirmed he would not have been directly involved in any procurement competitions or activity and as such was far enough removed from them.
11. Cabinet Office said 3XO will seek clients in the private sector, and does not intend to seek or perform work for organisations in the UK public sector (at least December 2024). The department acknowledges however there is a risk that his seniority and role within government could be perceived to unfairly assist its clients in influencing government, although given the nature of the work of the consultancy, providing advice to clients on a wide range of workforce related issues, particularly those arising between and out of the transition between strategy and implementation, that risk would appear small.
12. The department recommended the standard conditions.