



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: Gen Sir Nick Carter GCB CBE DSO, former Chief of the Defence Staff at the Ministry of Defence. Paid appointment with Helsing.

1. Gen Sir Nick Carter 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 Helsing as a Member of their Advisory Council. 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 Gen Sir Nick's time in office, alongside the information and influence a former Chief of the Defence Staff may offer Helsing.
3. The Committee considered whether this appointment was unsuitable given Gen Sir Nick Carter's former role as Chief of the Defence Staff at the very centre of government, and the nature of Helsing as a defence and AI company - which has the potential to overlap with his time in office. The Committee also considered the information provided by the department.
4. 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 the former Chief of the Defence Staff taking up this role with Helsing in any other respect.

5. 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

6. There is no relationship between Helsing and the Ministry of Defence (MOD) and Gen Sir Nick did not meet with, nor make any decisions specific to the company. The Committee² therefore considered the risk this appointment could reasonably be perceived as a reward for decisions or actions taken in office as low.
7. As the former Chief of the Defence Staff, Gen Sir Nick would have had access to a wide range of privileged information regarding defence and security. Given the span of that information and his proximity to decisions and other senior decision makers at the heart of government - he could offer any defence and security focussed company unfair access to information and influence.
8. The Committee agreed with the MOD that there are a number of mitigating factors that help to reduce the risks associated with Gen Sir Nick's access to information and the unfair insight he may be seen to offer Helsing:
 - the MOD confirmed Gen Sir Nick withdrew completely from all defence matters from his last day in post - in November 2021;
 - as Chief of the Defence Staff he is subject to a waiting period of three months from his last day in Crown service. This period has now passed and it is almost a year since General Sir Nick has had access to information and decisions within government/ and the MOD. This reduces the currency of this information;
 - Gen Sir Nick is prevented from drawing on privileged information and has an ongoing duty of confidentiality; and
 - there is a general risk associated with his wide ranging and influential role at the heart of defence in government. There is nothing specific the MOD has made the Committee aware of that might offer a significant advantage to Helsing.
9. As Chief of the Defence Staff, Gen Sir Nick will have gained contacts within the UK and internationally - including within other governments, militaries and

¹ Which apply by virtue of the Civil Service Management Code, The Code of Conduct for Special Advisers, The King's Regulations and the Diplomatic Service Code.

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

private companies, particularly in defence. As such, there is a risk his network and influence might be used to assist Helsing unfairly.

10. The MOD confirmed Gen Sir Nick stepped away from the MOD and government work in November 2021 (before his Crown service came to an end in July 2022) and it has been almost 12 months since he last had access to privileged information at the MOD. It is hard to argue that, as the most senior figure in the UK Armed Forces, Gen Sir Nick would not have privileged access to information and influence in the UK defence and security sector. However, it is a mitigating factor that Gen Sir Nick's proposed role is internationally focussed (outside of the UK) and he will be working with Helsing GmbH based in Germany, not its UK subsidiary.

The Committee's advice

11. The Committee noted the mitigating factors above that help to reduce the risks associated with Gen Sir Nick's access to information. Given the potential for Helsing's work in the UK to overlap with his access to information and responsibilities as Chief of the Defence staff, the Committee recommended that he be prevented from working in the UK defence sector - which is in keeping with the role as he describes it.

12. Due to Gen Sir Nick's influence in the defence industry and his network outside the UK, including in relation to NATO militaries, the Committee has also advised that he must not make use of this privileged network to secure business for Helsing.

13. The Committee advises, under the government's Business Appointment Rules, that Gen Sir Nick's role with **Helsing** 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 or any of its Arm's Length Bodies on behalf of Helsing (including parent companies, subsidiaries, partners and clients); nor should he make use, directly or indirectly, of his contacts in the government and/or Crown service contacts to influence policy, secure business/funding or otherwise unfairly advantage Helsing (including parent companies, subsidiaries, partners and clients);
- for two years from his last day in Crown service, he should not provide advice to Helsing (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 the UK government and its Arms' Length Bodies, including the Ministry of Defence or its trading funds;

- for two years from his last day in Crown service, he should not become personally involved in lobbying contacts he has developed during his time in office and in foreign governments and organisations (including NATO and its allied nations' governments and/or militaries) for the purpose of securing business/funding or otherwise unfairly advantage Helsing (including parent companies, subsidiaries and partners);
 - for two years from his last day in Crown service, he should not advise Helsing on the UK defence sector; and
 - for two years from his last day in Crown service, he should not advise Helsing (including parent companies, subsidiaries, partners and clients) on work with regard to any policy or operational matter he had specific involvement in or responsibility for as Chief of the Defence Staff, or where he had a relationship with the company or organisation during his time as Chief of the Defence Staff.
14. The advice and the conditions under the government's Business Appointment Rules relate to Gen Sir Nick's 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 an applicant's personal responsibility to understand any other rules and regulations they 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. Gen Sir Nick must inform us as soon as he takes up employment with this organisation, or if it is announced that he will do so, 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 Gen Sir Nick has complied with the Rules. Gen Sir Nick also needs to inform 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.

18. 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

Hamzah Rizvi
Committee Secretariat

Annex - Material Information

The role

1. Helsing GmbH is a German based company with a UK subsidiary - Helsing Ltd. Gen Sir Nick said as a Member of the Advisory Council of the German based company, Helsing GmbH, his role would not be UK-facing in any respect, as he is not working with the UK-based subsidiary.
2. Gen Sir Nick said '*Helsing is a software and artificial intelligence (AI) company that designs technology products that will transform the operational capabilities of both new and existing platforms*'. Its website says it is a defence company that uses artificial intelligence in developing and implementing methods of security and data processing for democratic governments.
3. He described his role as a member of the advisory council as providing.... '*insight and guidance to Helsing's Advisory Council to help them design software and decision support capability that meets the requirements of NATO militaries*'. He said he would not use his military network gained in office.

Dealings in office

4. Gen Sir Nick advised the Committee he did not meet with Helsing whilst in office; had no involvement in any policy development or decisions that would have been specific to the company; and held no commercial or contractual responsibilities relating to it.

Departmental Assessment

5. The MOD confirmed the details Gen Sir Nick provided, and also confirmed it has no contractual relationship with Helsing.
6. The MOD stated Gen Sir Nick had the highest levels of influence across UK and international governments on all matters related to defence and security, but he had no direct involvement in any of the MOD's relationships with similar companies and organisations operating in the same area of capability.
7. The MOD noted Gen Sir Nick has influence at the highest levels of UK and overseas governments, and in the UK defence industry, by virtue of his role. It recommended suitable restrictions be put in place on this appointment to mitigate the risk of perception that his proposed employer could gain undue advantage through use of such contacts.
8. It recommended conditions preventing:
 - use of privileged information
 - lobbying of the UK government on behalf of Helsing
 - making improper use of contacts on behalf of Helsing, gained in post outside of the MOD and government in the UK and overseas
 - involvement in bids and contracts on behalf of Helsing with the MOD or the UK government.