



**OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS**

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**BUSINESS APPOINTMENT APPLICATION: Elizabeth Sizeland, former Attache for the Joint Intelligence Organisation at the UK Embassy in Washington DC USA, application to establish an independent consultancy.**

1. Ms Sizeland 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 her proposal to establish an 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 Ms Sizeland's time in office, alongside the information and influence a former Crown servant may offer their consultancy and its future clients.
3. The Committee<sup>1</sup> has advised that a number of conditions be imposed to mitigate the potential risks to the government associated with setting up this consultancy under the Rules. The Committee's advice is not an endorsement of this application in any other respect.
4. The Rules 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.

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<sup>1</sup> This application for advice was considered by Andrew Cumpsty; The Rt Hon Lord Pickles; The Baroness Jones of Whitchurch, Richard Thomas; and Mike Weir. Sarah de Gay, Isabel Doverty, and Jonathan Baume were unavailable.

## The Committee's Consideration

### **Consultancy**

5. Ms Sizeland proposes to set up a consultancy focused on providing advice on management of crises, organisational risks, leadership and governance; advice on dramatic realism/concept development for television and film; teaching and writing (op-ed and non-fiction/fiction books).
6. It would not be improper for Ms Sizeland to operate a consultancy which draws on generic skills and experience gained from her time in office. There is general overlap between Ms Sizeland's time in office and the proposed advisory work of her consultancy. The Committee agreed with the department that the risks associated with Ms Sizeland's access to information are limited given the planned work and her ongoing duty of confidentiality but that in relation to advisory work the risks need to be determined on a case by case basis.
7. A key part of Ms Sizeland's most recent role was to liaise and build a network. There is an associated risk she could be seen to make improper use of contacts he made in office, for example in foreign governments, to secure business.

### **Future Commissions**

8. Ms Sizeland must seek advice from the Committee for each commission she wishes to accept in respect of her plans to take on advisory work in crises management, organisational risks, leadership and governance. Whether the conditions set out below can sufficiently mitigate the risk presented by any future commission she proposes to take up will depend on the specific details of each piece of work. Any failure to seek advice before accepting work would be a breach of the Rules and treated as such - including reporting breaching to government.
9. The Committee deemed it appropriate that this condition be waived for her work: in academia, advising on dramatic realism and writing. There are limited risks in relation to these types of work. The Committee determined that these risks can be appropriately mitigated by the conditions imposed on her independent consultancy below. These seek to prevent her and her clients from making improper use of her privileged access to contacts and information gained in office.

10. The risks under the Rules will be most significant where Ms Sizeland seeks to provide advice on matters where there is a direct overlap with organisations and/or the subject matter she worked with in office - any such applications will need close scrutiny. The Committee will want to carefully consider the suitability of this work, and may advise that a further waiting period is required. Where conditions and a suitable waiting period cannot appropriately mitigate the risks, the Committee may advise the work is unsuitable<sup>2</sup> to take up within the two years the Rules apply. The Committee will consider such risks on a case by case basis.
11. All potential clients must be notified of this advice, and when seeking work/new clients, Ms Sizeland must adhere to the conditions below. Under the government's Business Appointment Rules, the Committee advises that this **Independent Consultancy**, should be subject to the conditions set out below:
- she should not draw on (disclose or use for the benefit of herself or the persons or organisations to which this advice refers) any privileged information available to her from her time in Crown service;
  - for two years from her last day in Crown service, she should not become personally involved in lobbying the UK government or any of its arm's length bodies on behalf of those she advises under her independent consultancy (including parent companies, subsidiaries, partners and clients); nor should she make use, directly or indirectly, of her contacts in the government and/or Crown service contacts to influence policy, secure business/funding or otherwise unfairly advantage those she advises under her independent consultancy (including parent companies, subsidiaries, partners and clients);
  - for two years from her last day in Crown service, she should not provide advice to on behalf of those she advises under her independent consultancy (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 or any of its Arm's Length Bodies;
  - for two years from her last day in Crown service, she should not become personally involved in lobbying contacts she has developed during her time in office and in other governments and organisations for the purpose of securing business for her independent consultancy; and
  - for two years from her last day of Crown service, before accepting any commissions and/or before changing the nature of the consultancy, she should make an application to the Committee. This condition does not apply to work in academia, writing for publication, or advising on dramatic realism of security themes in film and television/concept development - consistent with the description provided in your application. Should any commission fall

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<sup>2</sup> Should an applicant subsequently take up or announce this work, ACOBA will publish relevant information.

outside of that description you would need to seek advice from the Committee.

12. The advice and the conditions under the government's Business Appointment Rules relate to an individual'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 individual's responsibility to understand any other rules and regulations they 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.*"
15. Ms Sizeland must inform us as soon as her company is live or is announced. Ms Sizeland must also inform us if she proposes to extend or otherwise change the nature of her consultancy as, depending on the circumstances, it may be necessary for her to make a fresh application.
16. 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,

**Xante Chalwell**  
**Committee Secretariat**

## **Annex - Material information**

### Independent consultancy

1. Ms Sizeland said his consultancy will focus on:
  - Advising on management of crises, organisational risk, leadership and governance
  - Advising on dramatic realism (entirely open source) of security themes, film and TC as well as concept development
  - Teaching (for example, Washington universities) on the use of intelligence in policy
  - Publication of any op ed pieces linked to think tank or academic work
  - Writing (both nonfiction and fiction)
  
2. Ms Sizeland said her consultancy will not involve any dealings or contact with the UK government.

### Department assessment

3. GCHQ said there is no risk of reward or anti/unfair competition and no real risk of unfair influence or national security risks - particularly in light of the type of work she seeks to do and her responsibilities under the Official Secrets Act.
  
4. GCHQ noted Ms Sizeland had access to classified and policy information that could be of use to any prospective client of her consultancy and and without knowledge of her clients, it is impossible to judge the risks. It recommended standard consultancy conditions, including returning for advice.