



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: General Sir Mark Carleton-Smith, former Chief of the General Staff at the Ministry of Defence (MOD). Paid appointment with CT Group.

1. General Sir Mark 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 CT Group as a Senior Advisor.
2. The purpose of the Rules is to protect the integrity of the government. The Committee has considered the risks associated with the actions and decisions made during your time in office, alongside the information and influence General Sir Mark may offer the CT Group. The material information taken into consideration by the Committee is set out in the annex.
3. The Committee's advice is not an endorsement of the appointment - it imposes a number of conditions to mitigate the potential risks to the government associated with the appointment under the Rules.
4. The Committee considered whether this work was unsuitable given Sir Mark's former role as Chief of the General Staff at the MOD and the nature of CT Group's lobbying work. The Committee also considered the information provided by the department. 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.
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

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

6. The CT Group has established relationships with senior political figures previously in the UK government, and the wider Conservative Party, but not General Sir Mark's former department the Ministry of Defence (the MOD). General Sir Mark did not meet with the CT Group while in office and the MOD confirmed he was not involved in any decisions specific to the company. Therefore, the Committee considered there is no reason it might be perceived that this appointment is a reward for decisions made or actions taken from his time in government service.
7. As the former Chief of the General Staff, the Committee noted General Sir Mark would have had access to privileged information which may be seen to benefit any company he chooses to join. However, the Committee considered it significant that:
 - a. this is a general risk, he had no specific responsibilities for this sector in office as confirmed by the MOD;
 - b. nine months have passed since he was left Crown service, and 16 months since he last had access to information as Chief of the General staff - reducing the currency of the information he had access to;
 - c. General Sir Mark's role with the company is limited to working on the company's work outside the UK; and
 - d. he has an ongoing duty of confidentiality.
8. The Committee considered there is a risk associated with the influence that the former Chief of the General Staff - the head of the Army joining an organisation that lobbies the UK government. Where any individual is subject to the lobbying ban, and joins an organisation with a significant interest in influencing government, this risk must be mitigated. In part this is mitigated given General Sir Mark has been clear that the role will not involve working on CT Group's UK business. . Significantly, the CT Group confirmed that his role as Senior Advisor *'...would not involve lobbying of government nor policy on behalf of clients. In addition, Sir Mark will not work with government directly as CT Group does not have any contracts, and never has had any contracts with the government'*.
9. The Committee noted the risks associated with the nature of his role building the company's business, even outside of the UK. Particularly as his role in office would have involved building contacts outside of the UK in defence and other governments.
10. CT Group has confirmed he will not be working on policy on behalf of clients, but there is an unknown risk associated with its unknown clients. Should General Sir Mar be asked to work on matters related to his responsibilities in office or in relation to clients he had contact with during his time in government, this would raise risks under the Rules.

The Committee's advice

11. General Sir Mark confirmed there will be no lobbying of the government in this role, in line with the expectations set out in the Rules. However, there is a risk he could be seen to be offering CT Group unfair access and influence in this role. The Committee's advice is therefore that General Sir Mark should have no direct engagement with the UK government on behalf of CT Group. The Committee also advises that he must not use his network outside the UK to secure business for CT Group.
12. To address the risk associated with CT Group's unknown clients, the Committee considered it necessary to impose a further condition. This makes it clear that in working with the company, General Sir Mark should be prevented from working in the UK defence sector - which is in keeping with the role as he describes it.
13. These conditions, alongside the standard conditions below, seek to prevent General Sir Mark from drawing on his privileged information, contacts and influence gained in Crown service to the unfair advantage of CT Group.
14. The Committee advises, under the government's Business Appointment Rules, that General Sir Mark's role with **CT 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;
 - 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 CT Group (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 to influence policy, secure business/funding or otherwise unfairly advantage of CT Group (including parent companies, subsidiaries, partners and clients);
 - for two years from his last day in Crown service he should not provide advice to CT Group 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 or any of its arm's length bodies;
 - 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 other governments and organisations for the purpose of securing business for CT Group (including parent companies, subsidiaries and partners);
 - for two years from his last day in Crown service he should not have any engagement with the UK government on behalf of CT Group and its other businesses (including parent companies, subsidiaries, partners and clients); and

- for two years from his last day in Crown service his role should be limited to CT group's work outside the UK and he must not advise on the UK defence sector.
15. 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 applicant's personal responsibility to understand any other rules and regulations they may be subject to in parallel with this Committee's advice.
 16. 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.
 17. 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."*
 18. General Sir Mark must inform us as soon as he takes up this work or if it is announced that he will do so. Similarly, he must inform us if he proposes to extend or otherwise change his role with the organisation as depending on the circumstances, it might be necessary for him to seek fresh advice.
 19. Once this appointment has been publicly announced or taken up, we will publish this letter on the Committee's website.

Yours Sincerely,

Isabella Wynn
Committee Secretariat

Annex - Material information

The role

1. The website states the CT Group is an international consultancy that uses expertise in research, campaigns, intelligence and giving advice '...in order to deliver winning campaigns globally'. It is a lobbying firm and political

consultancy. The firm provides social research, corporate strategy and political polling services to its clients.

2. General Sir Mark said he will be the senior strategic advisor to the main board to support building the business out into the United States, Middle East and Asia-Pacific with emphasis on strategy formulation, geo-political analysis, risk-management and resilience. He said this role will not involve influencing government on any level.
3. CT Group confirmed that his role as Senior Advisor '*...would not involve lobbying of government nor policy on behalf of clients. In addition, Sir Mark will not work with government directly as CT Group does not have any contracts, and never has had any contracts with the Government*'.
- 4.

Dealings in office

5. General Sir Mark told the Committee he did not meet with CT Group while in office and there is no known relationship between the MOD and CT Group. Further, he said he:
 - a. did not have any involvement in any relevant policy development or decisions that would have affected CT Group
 - b. had no commercial or contractual responsibilities relating to CT Group; and
 - c. did not meet with competitors of the CT Group nor have access to sensitive information regarding competitors.

Department Assessment

6. The MOD confirmed he had no official dealings with CT Group and confirmed he had no access to information that could provide an unfair advantage. The departments said that 9 months have passed since his time in government.
7. The MOD noted General Sir Mark has insight and influence at the highest levels of Defence in the UK and among the UK's partners and allies, and CT group is involved in lobbying HMG. However, it considered the standard conditions and his intention of working only in their overseas business will mitigate this risk.
8. The FCDO was also contacted about this appointment and stated it had no concerns with General Sir Mark Carleton-Smith's proposed new role.