



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: Rupert McNeil, former Government Chief of People Office, Cabinet Office. Paid appointment with KPMG Saudi Arabia.

1. Mr McNeil 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 KPMG Saudi Arabia.
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 he may offer KPMG Saudi Arabia, based on the information provided by him and his former department. 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 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.

The Committee's consideration of the risks presented

5. KPMG Saudi Arabia is a non-partner member of KPMG International Ltd- one of the largest professional services providers globally. KPMG Saudi Arabia provides audit, tax and advisory services, across its geographical area, which also covers Jordan, Lebanon and Iraq.
6. There is no relationship between the UK government and KPMG Saudi Arabia. KPMG's UK branch – KPMG LLP – holds contracts with the government, including for learning and development with the Cabinet Office through Crown Commercial

Services (CCS). The Cabinet Office confirmed the process for managing KPMG LLP and the CCS contracting was outside of your responsibilities. Mr McNeil attended events where partners from KPMG LLP were also in attendance and he would have spoken with them regarding HR generally. The Committee took into consideration that KPMG Saudi Arabia is a separate legal entity to KPMG LLP; these interactions with KPMG LLP did not involve KPMG Saudi Arabia; and Mr McNeil made no decisions specific to either KPMG entity whilst in office. The Committee therefore considered that the risk that he was offered the role for decisions made or actions taken in office is low.

7. In his role as Government Chief People Officer Mr McNeil was the Head of the Government Human Resources function; sponsor for the Place for Growth Programme and the Government Consulting Hub; and had responsibility for delivering the Civil Service's People Strategy. The Committee agreed with the Cabinet Office that the risk that Mr McNeil may have access to privileged information or insight that could offer KPMG Saudi Arabia an unfair advantage is low, because:
 - He has been out of office for 18 months, significantly reducing the likelihood that any information he has will be up to date.
 - KPMG Saudi Arabia does not have a presence in the UK and he will be advising clients outside the UK, on non-UK matters.
 - He will be advising on capability and workforce-related issues and this is a continuation of his career as an HR professional before joining government.
8. While there are inherent risks in relation to Mr McNeil's influence within government and the Civil Service, this role is outside the UK, limiting the associated risks that he could be seen to offer unfair access to government.
9. Where an individual is working with unknown clients, the Committee is concerned about the potential unknown risks attached. Specifically, should there be a client or piece of work they are asked to advise on that overlaps with their time in office. The Committee recognised the risks here are limited as Mr McNeil and the firm will not be operating in the UK.

The Committee's advice

10. The Committee considered there are no particular proprietary concerns with Mr McNeil taking up this role. The risks under the Rules here are limited given his previous roles in HR and that this work is operating outside of the UK.
11. The conditions below adequately mitigate the risk he could offer an unfair advantage to KPMG Saudi Arabia and its clients as a result of his access to information, contacts and influence whilst in office over 18 months ago.
12. In accordance with the government's Business Appointment Rules, the Committee advises this appointment with **KPMG Saudi Arabia** 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 your time in Crown service;
 - for two years from his last day in office, he should not become personally involved in lobbying the UK government and its arm's length bodies on behalf of KPMG Saudi Arabia (including parent companies, subsidiaries, partners and clients); nor should he make use, directly or indirectly, of his contacts in government and/or Crown service to influence policy, secure business/funding or otherwise unfairly advantage KPMG Saudi Arabia (including parent companies, subsidiaries, partners and clients);
 - 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 any company or organisation (including parent companies, subsidiaries and partners);
 - for two years from his last day in Crown service he 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 or any of its arm's length bodies; and
 - for two years from his last day in Crown service, if and when working on matters related to HR policy, he must not provide privileged insight to KPMG Saudi Arabia or its clients on government HR issues in relation to its capabilities, requirements and related commercial processes.
13. The advice and the conditions under the government's Business Appointment Rules relate to your previous role in government only; there are separate rules administered by other bodies such as the Office of the Registrar of Consultant Lobbyists, the Parliamentary Commissioner for Standards and the Registrar of Lords' Interests. 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.
14. 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.
15. 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'.

16. Mr McNeil must inform us as soon as he takes up this work, or it is announced he will do so. Once the appointment has been publicly announced or taken up, we will publish this letter on the Committee's website.
17. Mr McNeil should also inform us if he proposes to extend or otherwise change the nature of this role as, depending on the circumstances, it may be necessary for him to make a fresh application.

Yours sincerely

Shaneez Mithani
Committee Secretariat

Annex - Material information

The role

1. KPMG Saudi Arabia is a member of KPMG International's global network of firms. It is a separate legal entity, is locally owned and independent to the other firms in the organisation (for example, the UK arm is KPMG LLP). It provides audit, tax and advisory services to both public and private sector clients across its geographical region – Saudi Arabia, Jordan, Lebanon, Iraq.
2. Mr McNeil said that his role will be a partner-level role, working with KPMG Saudi Arabia's public and private sector clients, including ministries of the Kingdom of Saudi Arabia's (KSA). This will be in the context of KSA's 'Vision 2030' which is the KSA's economic and social transformation programme, and will be focused on 'issues... arising between and out of the transition between strategy and implementation'. He will be advising on:
 - capability building
 - operating model work
 - other workforce related issues.
3. Mr McNeil said that there will be no contact or involvement with the UK government or any other UK clients (public or private) in this role whilst subject to the Business Appointment Rules. After this point, he noted there may be some contact – for example, for sharing areas of best practice.
4. Mr McNeil said he was offered this role following work he did with KPMG Saudi Arabia through Optimal Organisational Outcomes LLP (3XO). ACOBA previously advised on this appointment.

Dealings in office

5. Mr McNeil stated that:
 - he had no dealings, contractual or otherwise, with KPMG Saudi Arabia or any of its competitors while in office;
 - he had no access to commercially sensitive information about KPMG Saudi Arabia or its competitors;
 - he attended events where you interacted and engaged with partners from KPMG LLP – KPMG's UK member firm – because of a joint interest: employing HR professionals.

Department Assessment

6. Mr McNeil's former department, the Cabinet Office, confirmed the details in your application and said:
 - There is no departmental relationship with KPMG Saudi Arabia.
 - He made no policy or regulatory decisions in office that would impact KPMG Saudi Arabia or KPMG LLP.

- Although he attended industry events where KPMG LLP were present, there were no meetings with any KPMG subsidiary which involved the development of government policy.
7. The Cabinet Office stated that it has utilised the services of KPMG LLP, provided for under contracts with Crown Commercial Services, and confirmed that you did not select KPMG LLP or manage the contracts.
 8. The Cabinet Office had no concerns in respect of Mr McNeil's access to privileged information. It stated that the fact that he has been out of office for 18 months means that his information as to the government's thinking of HR matters is unlikely to be up to date.
 9. The FCDO were also contacted in relation to this application. It had no concerns regarding this appointment.
 10. The Cabinet Office recommended that this role be subject to the standard conditions.