



**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>

February 2024

**BUSINESS APPOINTMENT APPLICATION: Gaven Smith CB FReng, former Director General Technology GCHQ - paid appointment with Gallos Technologies Limited**

1. Mr Smith 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 his proposal to work with Gallos Technologies Limited (Gallos).
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 Mr Smith made during his time in office, alongside the information and influence he may offer Gallos. 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<sup>1</sup> 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

---

<sup>1</sup> 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.

5. There is no known relationship between Gallos and GCHQ. Mr Smith did not meet with Gallos, nor did he make any decisions specific to the company during his time in service. As such, the Committee<sup>2</sup> considered there is no reason it might be perceived that this appointment is a reward for decisions made or actions taken in office.
6. As Director General Technology, Mr Smith would have had access to a range of particularly sensitive information, including that which relates to technology and investment opportunities within the sector Gallos operates in. As a result, there are real and perceived risks he could offer Gallos an unfair advantage due to insight gained in office. The information he had access to could be relevant to any number of companies, and the risk is broad, not specific to Gallos. Mr Smith said he hopes to bring his 30 years of experience in the technology sector to advise on what is good within the sector and Gallos' business.
7. It is also relevant that Mr Smith planned with GCHQ to have a break from his time in office before taking up an outside role. He stepped aside from his role as Director General Technology on 3 November 2023.
8. There is a specific risk in this case that Mr Smith may be seen to have access and insight into new and upcoming technology and AI companies that might not otherwise be known, and could offer Gallos an unfair advantage.
9. The unknown nature of the companies Gallos will invest in and co-build technology with means that it is difficult to determine the precise work that Mr Smith will undertake. Although Mr Smith was not responsible for making policy, he was likely privy to a breadth of information and may have stepped into some issues in depth. Therefore there is a risk he may be asked to advise on matters that have some overlap with his responsibilities in office, or with companies he had specific involvement with in office. This work could raise real and perceived risks of his offering an unfair advantage to Gallos.

### The Committee's advice

10. The Committee determined the risks identified in this application can be appropriately mitigated by the conditions below. These make it clear Mr Smith cannot make use of information or influence gained from his time in Crown service to the unfair advantage of Gallos and the companies it works with. Alongside the standard conditions, the Committee imposed a restriction on

---

<sup>2</sup> This application for advice was considered by Andrew Cumpsty; Isabel Doverty; Sarah de Gay; The Rt Hon Baroness Jones of Whitchurch; The Rt Hon Lord Eric Pickles; and Mike Weir.

lobbying contacts he made in other governments and organisations outside of GCHQ and the UK government for the purpose of securing business for Gallos.

11. Additionally, as the companies that Gallos co-build technology with are unknown, the Committee needs to mitigate the risk associated with his working with unknown companies.. The Committee has imposed a condition which makes it clear that in working with Gallos, Mr Smith should not advise on work that arises where it relates to matters he had a material role in developing or determining during his time as Director General Technology.
12. Mr Smith has not been in his role as Director General Technology since 3 November; and has been on leave from GCHQ since. This will create a gap of three months between his access to information and his proposed start with Gallos. In the circumstances of this application, the Committee deemed this an appropriate gap.
13. The Committee advises, under the government's Business Appointment Rules, that Mr Smith's appointment with **Gallos Technologies Limited** 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 government or any of its arm's length bodies on behalf of Gallos Technologies Limited (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 Gallos Technologies Limited (including parent companies, subsidiaries, partners and clients);
  - for two years from his last day in Crown service, he should not provide advice to Gallos Technologies Ltd (including parent companies, subsidiaries or partners) 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 their arm's length bodies;
  - for two years from his last day in Crown service, he should not become personally involved in lobbying contacts he developed during his time in office in other governments and external organisations for the purpose of securing business for Gallos Technologies Limited;

- for two years since his last day in office, he should not advise Gallos Technologies Limited or its clients on any work with regard to any decisions which he had a material role in developing or determining, or where he had a relationship with the relevant client during his time as Director General Technology GCHQ.
14. The advice and the conditions under the government's Business Appointment Rules relate to your previous role in government only; they are separate from 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<sup>3</sup>. 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 Ministerial Code/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. Mr Smith 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.
  18. Once this appointment has been publicly announced or taken up, we will publish this letter on the Committee's website.

---

<sup>3</sup> All Peers and Members of Parliament are prevented from paid lobbying under the House of Commons Code of Conduct and the Code of Conduct for Members of the House of Lords. Advice on your obligations under the Code can be sought from the Parliamentary Commissioners for Standards, in the case of MPs, or the Registrar of Lords' Interests, in the case of peers

Yours sincerely

Jessica Barrow

**Committee Secretariat**

## **Annex- material information**

### The role

1. Mr Smith wishes to take up a part-time, paid role as an Advisory Board Member for Gallos Technologies Limited (Gallos). Mr Smith said that his role will involve:
  - evaluating investment opportunities
  - advising portfolio companies
  - thought leadership
  - strategy development in technology building and investments (especially around AI)
  - Mr Smith will have no contact with government in this role
2. Mr Smith said he considered there was little opportunity for a conflict risk given it has no commercial relationship with GCHQ and/or the National Security Investment Fund etc. Mr Smith also wanted to let the Committee know that he has been explicit to prospective employers that he will not engage in any business development with government, or the intelligence agencies; nor will he provide access to his network. Rather, he seeks to use his 30 years of experience in the field to advise Gallos on *'good ideas, good people, planning, and the companies to invest in'*.
3. Gallos is a venture capital and investment firm specialising in security technology companies. The website states Gallos co-builds and invests in world-class startups focusing solely on security innovation. The company focuses on co-building security technology startups, based on nation-state technologies that are generations ahead, *'...combining security expertise, investment know-how and highly connected patient capital to create value'*.

### Dealings in office

4. Mr Smith advised the Committee he did not meet with Gallos while in service. He was not involved in any commercial or contractual decisions relating to Gallos. He also told the Committee he did not have any involvement in any relevant policy development or decisions that would have affected Gallos and did not meet with its competitors; nor did he have access to sensitive information regarding its competitors.
5. Mr Smith said that as Director General Technology at GCHQ, he was responsible for very little technology policy. That is because policy is either owned by the operational policy team in GCHQ or by other departments in government e.g. DSIT, and ultimately set by the National Technology

Council and National Security Council. <sup>4</sup> Mr Smith said his role in office was heavily leadership and delivery focused - being responsible for GCHQ's technical capability that enables it to deliver its mission and for driving the innovation to meet future technological challenges - rather than policy based.

6. Mr Smith noted that the National Security Strategic Investment Fund (NSSIF) is a UK Intelligence Community joint venture with the British Business Bank. It co-invests in technology companies of relevance to national security. It deals with a broad range of private equity and venture capital bodies. Mr Smith noted that Gallos is not part of the NSSIF family.

#### Departmental assessment

7. GCHQ confirmed the details in Mr Smith's application.
8. Gallos is regulated by the Financial Conduct Authority (an ALB of HMT). GCHQ confirmed that it does not have any form of relationship with Gallos.
9. GCHQ said Mr Smith has a deep understanding of national security and has insight into the technology sector. However, it considered none of this knowledge was commercially sensitive. It did not consider he would offer Gallos an unfair advantage in this role.
10. GCHQ recommended the standard conditions, noting there would be a gap between him leaving his role and starting new employment.

---

<sup>4</sup> <https://www.gov.uk/government/groups/national-security-council>