



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: General Sir Tim Radford KCB (CB) DSO OBE (MBE), former Deputy Supreme Allied Commander Europe in NATO. Paid appointment with Hypori

1. General Sir Tim 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 proposed role with Hypori.
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 General Sir Tim made during his time in office, alongside the information and influence he may offer Hypori. The material information taken into consideration by the Committee is set out in the annex.
3. The Committee considered whether this appointment was unsuitable given General Sir Tim's former role as Deputy Supreme Allied Commander Europe (DSACEUR) in NATO and Hypori's work within the defence sector. The Committee must also consider the information provided by his former departments about his specific dealings with this employer and the sector.
4. The Committee has advised that a number of conditions and a waiting period be imposed to mitigate the potential risks to the government associated with this appointment under the Rules. The Committee's advice is not an endorsement of the appointment.
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 King's Regulations and the Diplomatic Service Code.

6. Hypori is a US-based technology company that provides secure data access from any mobile device. Hypori works within the defence sector, along with other sectors including healthcare and finance, and currently holds a contract with the United States Army. There is currently no contract with the MOD or NATO. General Sir Tim had no dealings with the company; nor did he make policy or regulatory decisions specific to Hypori whilst in service. The Committee² considered that the risk that he could be seen to have been offered this role as a reward for decisions made or actions taken whilst in service at the MOD or NATO is low.
7. Though Hypori is not a defence company, it operates within the defence sector and holds contracts in the sector³. There is a risk that General Sir Tim would have had broad access to information regarding security, technologies, defence and operational capabilities of the UK MOD and NATO. There is a limit to his access to information given the MOD confirmed General Sir Tim has not had access to information or any MOD/NATO work since he left his role in July 2023. The risks associated with General Sir Tim's access to information are most significant where he looks to advise on the defence sector. It is relevant that his role as described will not involve advising on the defence sector.
8. There is also a risk associated with the wide range of contacts that General Sir Tim would have amassed during his time in office, in the UK and beyond. Such a network may offer unfair access to Hypori. General Sir Tim said he will have no involvement with the UK government, the MOD or NATO in this role.

The Committee's advice

9. The Committee considered General Sir Tim's role within NATO and his access to information presents real and perceived risks. Though the Committee recognised the opportunity to offer an unfair advantage is limited given the views from NATO and the MOD, it is hard to argue he would not have developed privileged insight into defence matters. The Committee has therefore imposed a ban on him advising on the defence sector in this role.
10. Under the government's Business Appointment Rules, General Sir Tim is subject to a three month waiting period from his last day in paid Crown service. The Committee determined that a waiting period would be appropriate, but determined the three month wait was sufficient, given he has been on leave from his post with no access to information since July 2023 - a total of nine months. This provides a suitable gap between his having access to information and taking up this role.

² 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.

³ <https://www.hypori.com/news-all/army-approves-hypori-virtual-byod-as-enterprise-capability>

11. The Committee advises, under the government's Business Appointment Rules, that General Sir Tim's role with **Hypori** should be subject to the following conditions:

- a waiting period of three months from his last day in Crown service;
- 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, MOD or NATO or any of their arm's length bodies on behalf of Hypori (including parent companies, subsidiaries, partners and clients); nor should he make use, directly or indirectly, of his contacts in the government and/or ministerial contacts to influence policy, secure business/funding or otherwise unfairly advantage Hypori (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 Hypori (including parent companies, subsidiaries and partners);
- for two years from his last day in Crown service, he should not provide advice to Hypori (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, the MOD and its trading funds, NATO or their arm's length bodies; and
- for two years from his last day in Crown service, he should not advise Hypori (including parent companies, subsidiaries or partners) or its clients on the defence sector, whether in the UK or elsewhere.

12. The advice and the conditions under the government's Business Appointment Rules relate to an applicant's 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' Interests⁴. 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.

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,

⁴All 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 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.

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. You must inform us as soon as General Sir Tim takes up employment with this organisation, or if it is announced that he will do so, by emailing the office at the above address. Please also 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.
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

Jess Barrow
Committee Secretariat

Annex- Material information

The role

1. General Sir Tim wishes to take up a paid part-time role as an Advisor for Hypori. General Sir Tim said that he would be responsible for strategic planning, risk assessment and product development. He said he will not be involved in any contractual negotiations for Hypori; nor will he have any dealings with the UK government or NATO.
2. Hypori is a US-based technology company that provides secure data access from any mobile device. It allows for employees to securely access critical information on the go and from any device through a virtual workspace. Hypori works within defence, finance and healthcare, allowing employees to use their own devices to access secure information. Hypori currently holds a contract with the United States Army⁵ but not in the UK.

Dealings in office

3. General Sir Tim said that he did not meet with Hypori while in service and that there is no known relationship between Hypori and either the MOD or NATO.

⁵ <https://www.hypori.com/news-all/army-approves-hypori-virtual-byod-as-enterprise-capability>

He does not consider he has any access to information of specific relevance to this application; nor did he make any decisions of relevance in office.

Department assessment

4. The MOD and NATO confirmed the details provided in General Sir Tim's application. That included that he made no decisions specific to the company.
5. NATO confirmed that although General Sir Tim would have met with policy directors and national representatives, his job was entirely operationally focused. General Sir Tim's had a pivotal role in developing NATO's strategy - which has been agreed by NATO's leaders and has been published⁶. MOD said General Sir Tim would have had knowledge of the highest levels of UK and allied partner's defence but noted his role was focused on operational command. The MOD said that he was responsible for implementation and his role did not give him privileged insight into future policy, strategy of NATO or the MOD.
6. The MOD noted that while those under his command would have used capabilities such as those offered by Hypori, responsibility for requirements setting, procurement, and support lay elsewhere. General Sir Tim would have had no involvement in commercial dealings with companies providing such capabilities.
7. SHAPE, where General Sir Tim is based, has its own procurement office that he was not responsible for and had no involvement in. Each military would hold contracts and the MOD has its own process for procurement and technology research. NATO confirmed he had no commercial responsibility over the last 3 years within NATO.
8. The MOD recommended the standard conditions, explicitly referencing NATO.

⁶ https://www.nato.int/nato_static_fl2014/assets/pdf/2022/6/pdf/290622-strategic-concept.pdf