



**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>

July 2024

**BUSINESS APPOINTMENT APPLICATION: Lieutenant General Sir Nick Borton KCB DSO MBE, former Commander of the Allied Rapid Reaction Corps (ARRC), Ministry of Defence. Paid appointment with Callen-Lenz.**

1. Lieutenant General Sir Nick Borton KCB DSO MBE (Lt Gen Sir Nick) approached the Advisory Committee on Business Appointments (the Committee) under the government's Business Appointments Rules for Former Ministers (the Rules) seeking advice on taking up an appointment to Callen-Lenz as an Advisor to the Board.
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 Lt Gen Sir Nick's time in office, alongside the information and influence he may offer Callen-Lenz. The material information taken into consideration by the Committee is set out in the annex below.
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 risks 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. Callen-Lenz is a UK company that designs, develops, and manufactures novel Uncrewed Aerial Systems (UAS) - also known as drones. It has been a supplier and commercial contractor with the UK MOD since 2019. The MOD said Defence Equipment and Support (DE&S), an arm's length body of the department, is responsible for the relevant procurement and contracts - an area entirely separate from the MOD. Further, the MOD confirmed Lt Gen Sir Nick's operational role in leading ARRC. The Committee<sup>2</sup> was informed Lt Gen Sir Nick did not make any decisions specific to Callen-Lenz; nor had any contact with the company in office. Accordingly, the risk is low that this role could reasonably be seen as a reward for decisions made or actions taken in office.
  
6. As Callen-Lenz operates within the defence sector, there is a risk that Lt Gen Sir Nick may have, or be seen to have, access to general information on defence matters. There are a number of mitigating factors in relation to his access to sensitive information:
  - Lt Gen Sir Nick's access to information was limited to the operation and training of ARRC troops - ensuring readiness and the discharge of operational tasks, as directed by higher command headquarters in the UK NATO. He was not responsible for leading on the development of overall UK or NATO military strategy or plans;
  - his operational focus was on the response to the war in Ukraine and focused on deterrence in Europe, which is a fast moving conflict area;
  - Sir Nick said that he did not have access to sensitive information, despite sitting on operational boards within ARRC, and noted that much information is readily available through Janes - a platform for global open-source defence intelligence;
  - the MOD is not aware of any access to information that could unfairly advantage the company;
  - there will have been a six month gap between Sir Nick's operational role and access to information and when he intends to take up this role.
  
7. There is also a risk associated with the wide range of contacts that Lt Gen Sir Nick would have amassed during his time in office, in the UK and beyond. Such a network may offer unfair access to Callen Lenz, particularly if he was to be involved in work related to the UK MOD where his responsibilities.

### The Committee's advice

---

<sup>2</sup> This application for advice was considered by Andrew Cumpsty; Isabel Doverty; Hedley Finn OBE; Sarah de Gay; The Baroness Jones of Whitchurch; Dawid Konotey-Ahulu CBE; The Rt Hon Lord Eric Pickles; Michael Prescott; and Mike Weir.

8. The Committee considered Lt Gen Sir Nick's role as ARRC and his access to information presents limited risks given its operational focus on Ukraine and Russia and that he left his role over four months ago.
9. However, given the general overlap with his time at the MOD and his potential influence with the UK MOD and NATO, particularly at the operational level as an expert in recent warfighting and operations. The Committee agreed with the MOD that there should be a condition imposed to prevent him from advising on the UK defence sector in this role.
10. The conditions below make it clear Lt Gen Sir Nick must not make use of his access to privileged information, contacts or influence gained from his time in Crown service to Callen-Lenz unfair advantage, including in relation to bids and contracts with the UK MOD or NATO allied militaries.
11. In accordance with the government's Business Appointment Rules, the Committee advises that this role with **Callen-Lenz** 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, MOD or NATO allied militaries or their arm's length bodies on behalf of Callen Lenz (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 Callen-Lenz (including parent companies, subsidiaries, partners and clients);
  - for two years from his last day in Crown service, he should not provide advice to Callen-Lenz (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 allied militaries or their arm's length bodies; and
  - for two years from his last day in Crown Service, he should not advise Callen-Lenz (including parent companies, subsidiaries and partners) on the UK defence market; and he must not directly engage with the UK government or its arm's length bodies on Callen-Lenz's behalf (including parent companies, subsidiaries, partners and clients).

12. The advice and the conditions under the government's Business Appointment Rules relate to his 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.
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. Lt Gen Sir Nick must inform us as soon as he takes up employment with this organisation. Similarly he must 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 in the annual report.

Xante Chalwell & Hamzah Rizvi  
**Committee Secretariat**

---

<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 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.

## **Annex - Material information**

### The role

1. According to Callen-Lenz: it is a UK company that designs, develops, and manufactures novel uncrewed aerial systems.
2. Lt Gen Sir Nick will be taking up a paid part time position as an Advisor to the Board. Lt Gen Sir Nick stated that his responsibilities will include:
  - Improving internal processes.
  - Providing leadership
  - Providing advice on how drones can be used on the battlefield, using his tactical experience.
  - Business development in Europe, possibly with European NATO militaries and also civilian organisations on civilian use.
3. Lt Gen Sir Nick's role would not have any contact or dealings with the UK MOD/government; nor would you work on UK defence matters.

### Dealings in office

4. Lt Gen Sir Nick advised the Committee that he did not meet with Callen-Lenz in office; nor did he make any policy, regulatory, commercial or operational decisions specific to the organisation.

### Departmental Assessment

5. The MOD confirmed the details Lt Gen Sir Nick provided:
  - He was not involved in any policy, regulatory, commercial or operational decisions specific to Callen-Lenz.
  - He did not have access to sensitive information specific to the organisation.
  - His operational focus was on the response to the war in Ukraine and focused on deterrence in Europe, which is a fast-moving conflict area
6. The MOD said that it does have an ongoing contractual relationship with Callen-Lenz. It said that the Defence Equipment and Support (DE&S), an arm's length body of the department, is responsible for the contractual relationship.
7. The MOD recommended the standard conditions. Additional conditions: not to advise Callen-Lenz or its clients on the UK Defence sector; ban on lobbying contacts gained in government in other governments and organisations to secure business for Callen-Lenz or its clients; and ban from advising Callen-

Lenz or its clients on work with regard to any policy or operational matter he had specific involvement with or responsible for in his most recent MOD role.