



**OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS**

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**BUSINESS APPOINTMENT APPLICATION: Sir Simon Gass GCMG CVO, former Chair, Joint Intelligence Committee. Paid appointment with SC Strategy Ltd.**

1. Sir Simon 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 SC Strategy Ltd (SC Strategy) as a Senior Adviser.
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 Sir Simon made during his time in office, alongside the information and influence he may offer SC Strategy. 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

5. Sir Simon did not make any policy, regulatory, operational or commercial decisions specific to SC Strategy, nor did he meet with the company whilst in

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<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.

office. Therefore, the Committee<sup>2</sup> considered that the risk that this role could be seen as a reward for his decisions in office is low.

6. Sir Simon will have had access to sensitive information around the UK's intelligence services, defence, security planning and foreign affairs. This overlaps with the work of SC Strategy, consultants in international strategy and geopolitical risk Consultants. The Committee agreed with the Cabinet Office that there are mitigating factors limiting the risks associated with his access to information:
  - there is no specific overlap with Sir Simon's time in office, and the risk around his access to information is broad;
  - Sir Simon has had no access to commercially sensitive information relating to SC Strategy and/or its competitors;
  - he has been out of office for 14 months, creating a significant gap between his access to information and his role with SC Strategy.
7. Given that SC Strategy's clients and the precise pieces of work that Sir Simon will undertake are unknown, there is also a risk related to a potential overlap with his time in office. The risk is most likely to arise if any of SC Strategy's work or clients relate to the UK's approach to intelligence, security and defence matters he had responsibility for in office.
8. As the former chair of JIO, there is a risk Sir Simon could be seen to offer SC Strategy unfair access to government and the intelligence communities.

#### The Committee's advice

9. Due to the nature of the unknown clients Sir Simon will be advising, the Committee has imposed a condition which makes clear that in working with SC Strategy and its clients, Sir Simon should not advise on intelligence, policy, or operational matters which he had specific involvement in or responsibility for as Chair of the JIO.
10. It is significant that SC Strategy confirmed to the Committee that it will ensure that appropriate measures are taken to adhere to the advice and conditions imposed.
11. The Committee determined that the remaining risks identified in this application can be appropriately mitigated by the conditions below. These make it clear Sir

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

Simon cannot make use of privileged information, contacts or influence gained from his time in Crown service to the unfair advantage of SC Strategy or its clients.

12. The Committee's advice, under the government's Business Appointment Rules, that this role with **SC Strategy Ltd** 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 its arm's length bodies on behalf of SC Strategy Ltd (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 contacts to influence policy, secure business or otherwise unfairly advantage SC Strategy Ltd (including parent companies, subsidiaries, partners and clients);
- for two years from his last day in Crown service, he should not provide advice to SC Strategy Ltd (including parent companies, subsidiaries, partners and clients) on the terms of, or with regard to the subject matter of, a bid with, or contract relating directly to the work of the UK government or its arm's length bodies; and
- for two years since his last day in office, he should not advise SC Strategy Ltd or its clients on any work with regard to intelligence, policy, or operational matters which he had specific involvement in or responsibility for as Chair of the JIO, or where he had a relationship with the relevant client during his time as Chair of the JIO.

13. The advice and the conditions under the government's Business Appointment Rules relate to Sir Simon'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' 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.

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<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.

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 Ministerial Code/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. Sir Simon 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 her role with the organisation as depending on the circumstances, it might be necessary for him to seek fresh advice.
17. Once this appointment has been publicly announced or taken up, we will publish this letter on the Committee's website.

Jess Barrow

**Committee Secretariat**

## **Annex- material information**

### The role

1. Sir Simon said that SC Strategy is a London-based international strategy and geopolitical advisory consultancy.
2. It advises a range of senior public and private sector clients in the UK and overseas on policy and strategy issues, with a focus on geopolitical advisory services. Its website says that it has built its advisory services around 4 key areas:
  - Geopolitical analysis and advice
  - Policy, strategy and planning
  - Intelligence reporting
  - Disputes and investigations
3. This work may include investigating and responding to specific threats, delivering intelligence reporting, interpreting national security requirements, or

reviewing strategies. It employs and works with some former government officials, particularly from the intelligence and defence communities, who also work as academics within the space<sup>4</sup>. SC Strategy's unknown clients are listed as confidential on its website.

4. Sir Simon wishes to take up a paid, part-time role with SC Strategy as a Senior Adviser. Sir Simon said that his role will be to engage with senior clients to support their understanding of geopolitical developments and to contribute to the analytical work of SC Strategy. He said that he will expect to draw on the skills and experience gained from his time in UK public service but he will not be asked to draw on any privileged information, nor engage in any lobbying of government ministers and officials.
5. SC Strategy confirmed that it will adhere to the Rules and conditions applied to Sir Simon's appointment.

#### Dealings in office

6. Sir Simon said that he did not meet with SC Strategy whilst in office, nor did his former departments have a specific relationship with the company. He said that he did not make any policy, regulatory or commercial decisions whilst in office that were specific to SC Strategy.

#### Departmental assessment

7. The Cabinet Office and JIO confirmed that neither has a relationship with SC Strategy, nor did Sir Simon meet with the company whilst in office. The Cabinet Office noted SC Strategy does not appear on the list of registered consultant lobbyists<sup>5</sup>, nor has it been a client of one<sup>6</sup>. It has no known government contracts.
8. The Cabinet Office and the JIO said Sir Simon there is no specific direct overlap with Sir Simon's proposed role with SC Strategy and his time in office. However, he was a very senior civil servant in a sensitive area of public service. The JIO noted that Sir Simon left office over 12 months ago, meaning that most of the information he was exposed to is now out of date. Further, most of the information that he had access to is highly classified and covered by the Official Secrets Act. It confirmed that Sir Simon has had no access to commercially sensitive or valuable information relating to SC Strategy's competitors.

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<sup>4</sup> <https://www.scstrategy.co.uk/who-we-are>

<sup>5</sup> [https://orcl.my.site.com/clr\\_search?consultancy=SC+&tab=1#search-consultants-tab](https://orcl.my.site.com/clr_search?consultancy=SC+&tab=1#search-consultants-tab)

<sup>6</sup> [https://orcl.my.site.com/clr\\_search?client=sc+strategy&tab=2#search-clients-tab](https://orcl.my.site.com/clr_search?client=sc+strategy&tab=2#search-clients-tab)

9. The Cabinet Office said that because SC Strategy's clients are unknown and its clients list is confidential, it is difficult to judge if there is any specific knowledge that may offer SC Strategy an unfair advantage.
  
10. The Cabinet Office noted the possible perception risk with the former Chair of the JIO joining an organisation that employs other former members of the intelligence community and focuses on corporate intelligence gathering. Whilst , it noted that the role was offered outside of an openly advertised competitive process, it considered this prospective role is likely to be seen as a consequence of Sir Simon's expertise rather than any reward.
  
11. The departments recommended the standard conditions alongside:
  - a three month waiting period (now elapsed);and a
  - restriction which prevents him from advising on intelligence, policy, or operational matters which he had specific involvement in or responsibility for as Chair of the JIO.