

From the Chair



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: Paul Scully MP, former Parliamentary Under Secretary of State (Minister for Technology and the Digital Economy) at the Department for Science, Innovation and Technology and previously, Parliamentary Under Secretary of State at the Department for Culture, Media and Sport. Paid appointment with Chowdhury Global Consulting.

1. You approached the Advisory Committee on Business Appointments (the Committee) under the government's Business Appointment Rules for Former Ministers (the Rules) seeking advice on taking up a paid role as Consultant at Chowdhury Global Consulting (CGC).
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 your time in office, alongside the information and influence you may offer CGC. 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 Ministerial Code sets out that ministers must abide by the Committee's advice. It is an applicant's personal responsibility to manage the propriety of any appointment. Former ministers of the Crown, and Members of Parliament, 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. You did not meet with CGC during your time as a minister, nor did you make any decisions specific to the company whilst in office. Therefore, the Committee¹ considered the risk this appointment could reasonably be perceived as a reward for decisions made or actions taken in office is low.
6. The Committee considered there are risks associated with the unknown nature of CGC's clients, should you be asked to advise on matters you had involvement in whilst in government; or were you to advise clients you had contact with while in office. This could raise real and perceived risks of you offering an unfair advantage to CGC or its clients.
7. DSIT said you had access to privileged information about policy development in the areas you were responsible for as minister, some of which may offer an advantage to CGC's potential clients. There are several mitigating factors in respect of the risks associated with your access to information:
 - DSIT is not aware of any privileged information that would offer CGC an unfair advantage; and
 - given the change of government and 15 months have elapsed since you were in office, much of the information you had access to is likely to be in the public domain or now irrelevant.
8. The Committee considered there is a risk associated with the influence of a former minister joining an organisation that is likely to have clients with an interest in government policy or who may wish to contract with government. You stated that you would have no contact with government.

The Committee's advice

9. The Committee determined that the risks identified in this application can be appropriately mitigated by the conditions below. These make it clear that you cannot make use of your access to privileged information, contacts or influence gained from your time in ministerial office to the unfair advantage of CGC or its clients.
10. This includes an additional condition to address the unknown risks associated with CGC's unknown clients – to limit the potential for conflict, albeit the risk is limited – you must not advise on matters you had a material role in whilst in office, should that situation arise.
11. Taking these factors into account, in accordance with the government's Business Appointment Rules, the Committee's advice is this appointment with

¹ This application for advice was considered by Hedley Finn OBE; Sarah de Gay; Dawid Konotey-Ahulu CBE, The Rt Hon Lord Pickles; Michael Prescott; The Baroness Thornton; and Michael Weir. Andrew Cumpsty was recused and Isabel Doverty was absent.

Chowdhury Global Consulting be subject to the following conditions:

- you should not draw on (disclose or use for the benefit of yourself or the persons or organisations to which this advice refers) any privileged information available to you from your time in ministerial office;
 - for two years from your last day in ministerial office, you should not become personally involved in lobbying the UK government or its arm's length bodies on behalf of Chowdhury Global Consulting (including parent companies, subsidiaries, partners and clients); nor should you make use, directly or indirectly, of your contacts in the government and/or ministerial office to influence policy, secure business/funding or otherwise unfairly advantage Chowdhury Global Consulting (including parent companies, subsidiaries, partners and clients);
 - for two years from your last day in ministerial office you should not undertake any work with Chowdhury Global Consulting (including parent companies, subsidiaries, partners and clients) that involves providing advice 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 from your last day in ministerial office, you must not advise Chowdhury Global Consulting or its clients on any work with regard to any policy which you had a material role in developing or determining as Parliamentary Under Secretary of State for DSIT or DCMS, or where you had a relationship with the company or organisation during your time in this role.
12. 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' Interests². 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.

² All Peers and Members of Parliament are prevented from paid lobbying under the the House of Commons Code of Conduct and the Code of Conduct for Members of the House of Lords.

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 you take up this role, or if it is announced that you will do so. You must also inform us if you propose to extend or otherwise change the nature of your role as, depending on the circumstances, it may be necessary for you 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.

The Rt Hon Lord Pickles

Annex - Material Information

The role

1. CGC offers strategy and risk consultancy with a political focus. It provides global strategic communications advice to governments, companies, investors and individuals on managing risk, winning campaigns and protecting reputations. It supports clients through navigating geopolitical strategy, election campaigns, regulation, commercial diplomacy, positioning and investor campaigns.
2. In your paid, part-time role as Consultant, you said you will advise on service delivery and business strategy across sectors. You said you would not advise on matters that overlap with your time in office and there will be no contact with government.

Dealings in office

3. You said you did not meet with CGC during your time in office. You said you did not have involvement in any policy, commercial or regulatory decisions nor had access to sensitive information specific to CGC.

Departmental Assessment

4. DSIT said that as Parliamentary Under Secretary of State, you did not make any policy or regulatory decisions that directly affected CGC, but that decisions you made may be relevant to CGC's clients.
5. DSIT said that you had access to privileged information about policy development in the areas you were responsible for as minister, some of which may offer an advantage to CGC's potential clients. However, DSIT said that the information you had access to is now likely to be irrelevant given the time elapsed since you left office and the change of government.
6. DSIT recommended the standard conditions with an additional broad limitation to the role, preventing you from working on anything you developed in office or where you had a relationship with the client.