



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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**BUSINESS APPOINTMENT APPLICATION: General Sir Patrick Sanders KCB
CBE DSO ADC Gen, former Chief of the General Staff at the Ministry of Defence.
Application to establish a podcast with The Times.**

1. General Sir Patrick Sanders sought advice from the Advisory Committee on Business Appointments (the Committee) under the government's Business Appointment Rules for Former Crown Servants (the Rules) on establishing a podcast as a co-host and presenter titled 'The General and the Journalist' with The Times.
2. The purpose of the Rules is to protect the integrity of the government. Under the Rules, the Committee's remit is to consider the risks associated with the actions and decisions made during General Sir Patrick's time in government service, alongside the information and influence the former Chief of the General Staff may provide this podcast and the Times. 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 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.

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.

The Committee's consideration of the risks presented

5. In his application, General Sir Patrick stated he will be a co-host and presenter of *'The General and the Journalist'* which is to be platformed on The Times - covering international affairs, geo-politics, and global conflicts. He said the podcast aims to support UK defence.
6. It would not be improper for General Sir Patrick to establish and present a podcast which draws on generic skills and experience he gained from his time in government. Whilst he would have been privy to a wide range of information and insight whilst in government service, the risk associated with his access to information is limited given the transparent nature of this role and the time that has passed since he was Chief of the General Staff. It is now over eleven months since he was in post, providing a gap between his access to sensitive information and this work.
7. As Chief of the General Staff, there is a risk associated with the influence and contacts within government that General Sir Patrick gained as a result of his time in government service. Whilst his former department, the Ministry of Defence (MOD), did not consider his access to information to present a specific risk, the department brought to his attention his responsibility to ensure his insights regarding his former colleagues and the MOD's work does not damage the integrity of national security or the UK's international relations.

The Committee's advice

8. The Committee did not consider General Sir Patrick establishing this podcast raises any particular propriety concerns under the government's Rules, provided it is subject to the conditions below. Not least given its transparent nature which significantly reduces the risks of improper use of sensitive information and unfair influence.
9. However, the Committee would remind him it is his responsibility to manage the propriety of the work and his commentary within this podcast. In particular, as the former Chief of the General Staff, he must be careful not to offer any unfair insight as a result of his access to information or any potential unfair access to serving government officials- which the conditions below seek to mitigate.
10. The Committee would also remind General Sir Patrick that he must be clear that any views provided are his own personal views, not those of the UK MOD.

11. The Committee advises, under the Government's Business Appointment Rules, that General Sir Patrick's **role with the podcast titled '*The General and the Journalist*' with The Times** 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 any of its arm's length bodies on behalf of *The General and the Journalist* and The Times (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 *The General and the Journalist* and The Times (including parent companies, subsidiaries, partners and clients); and
- for two years from his last day in Crown service, he should not provide advice to *The General and the Journalist* and The Times (including parent companies, subsidiaries, partners and clients) 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.

12. The advice and the conditions under the government's Business Appointment Rules relate to General Sir Patrick'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' 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.

14. The Business Appointment Rules explain that the restriction on lobbying means

² 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.

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. General Sir Patrick must inform us if and when he takes up employment with this organisation, or if it is announced that he will do so. He must 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,
Hamzah Rizvi
Committee Secretariat

Annex - Material Information

The role

1. General Sir Patrick stated he will be a co-host and paid presenter on a weekly podcast titled '*The General and The Journalist*' platformed on The Times covering international affairs, geo-politics, and global conflicts. General Sir Patrick stated he would intend to approach serving and retired members of the MOD for interview in the podcast on an occasional basis.
2. The role will not involve lobbying the UK government, nor any advisory work on behalf of The Times and/or News UK (parent company of The Times). He stated the intended purpose of the podcast to support UK defence priorities and that any such interviews would benefit this -without use of privileged information.
3. General Sir Patrick said the idea to create a podcast covering international affairs, geo-politics and war was conceived in conversation after he left government with an independent journalist and broadcaster who will co-host with him. He stated himself and the journalist then approached a number of media organisations to discuss the idea, and The Times offered the best all round platform for the podcast.

Dealings in office

4. General Sir Patrick stated he did not have contact with The Times during his time in government service, adding:
 - he had one dedicated Times interview that he can recall and that was after his retirement.
 - he was frequently interviewed by journalists from a wide variety of newspapers and media organisations.
 - the majority of his contact was with the BBC, Sky, Daily Telegraph, The Sun, The Independent, The Financial Times, The Economist and The Daily Mail.
5. General Sir Patrick stated he was not involved in policy, commercial or regulatory decisions relevant to the Times; nor does he hold sensitive information that can provide an unfair advantage to the Times

Departmental assessment

6. The MOD confirmed the details provided in General Sir Patrick's application, as above.
7. The MOD recommended the standard conditions apply to the appointment.
8. Separately, the Permanent Secretary of the MOD has written to General Sir Patrick to remind him of his duty of confidentiality, including that:
 - the Radcliffe Principles (set out in the Cabinet Manual) should be considered in respect of the content he may deliver.
 - General Sir Patrick is free to use his own experience for the purpose of giving an account of his own work.
 - General Sir Patrick should not make use of his experience '*....for discussing or criticising the policies and opinions of his former colleagues and Ministers, and noted his duty to ensure that his public commentary does not contravene national security rules or damage the UK's international relations.*'
 - General Sir Patrick should be considerate of the position of serving personnel, especially junior staff, who may feel conflicted by their wish to support his requests for interviews, against the MOD's policy on engagement with the media.