



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: Steven Boyd MBE, former Chief Executive at the Government Property Agency. Paid appointment with AtkinsRéalis.

1. Mr Boyd 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 taking up a role as a Non-Executive Advisor with AtkinsRéalis.
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 Mr Boyd's time in office, alongside the information and influence he may offer AtkinsRéalis. 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 set out that Crown servants must abide by the Committee's advice¹. 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

5. As Chief Executive, he held overall responsibility for the Government Property Agency. Whilst he did not personally make any policy, regulatory or commercial decisions specific to AtkinsRéalis, there is an overlap with his responsibilities in office. AtkinsRéalis was a strategic partner of Mr Boyd's

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

former department; it was awarded contracts by the department and he met with the company whilst he was in office. Therefore, the Committee ² considered the risk this role could reasonably be perceived as a reward for decisions or actions taken in office was limited.

6. There is some overlap between Mr Boyd's responsibilities in office and the role he wishes to take up with AtkinsRéalis given it operates in the property sector, amongst others. The risks related to his access to information are limited because:
 - the overlap is broad, given his work as a property professional, and are not specific to AtkinsRéalis;
 - the Cabinet Office noted that he does not have access to information that would offer any particular unfair advantage to AtkinsRéalis;
 - he has been out of office for almost 12 months, creating a gap between his role with AtkinsRéalis and his access to information;
 - Mr Boyd has built his career on many years of experience in the built environment, infrastructure and property.
7. The risk regarding Mr Boyd's access to information is greatest should he look to advise AtkinsRéalis or its clients on the property estate/portfolio for which he was responsible in office, or where he had a relationship with a particular client in office. AtkinsRéalis' clients and the precise pieces of work Mr Boyd will be asked to undertake are unknown. Therefore, there is a risk Mr Boyd could be asked about matters or organisations he was personally involved in or responsible for.
8. There is a risk associated with any senior Crown servant leaving office and joining an external organisation, in particular around offering unfair access to government. It is relevant that AtkinsRéalis has an established commercial relationship with the UK government in relation to its property operations. It would risk unfair access should Mr Boyd be involved in these matters on AtkinsRéalis' behalf. As the role involves building client relationships there is also a risk he could draw specifically on private sector contacts only gained as a result of his role at the GPA. It is significant that AtkinsRéalis has confirmed that Mr Boyd's work will not include any lobbying, and any engagement with government will be carried out by other colleagues.

The Committee's advice

9. To address the risk associated with AtkinsRéalis' unknown clients, the Committee has imposed a condition that prevents Mr Boyd advising on the

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

estate/portfolio for which he was responsible in office; or where he had a relationship with the relevant client. The remaining conditions below prevent him from making improper use of privileged access to information, contacts and his influence to the company's unfair advantage. It is significant that AtkinsRéalis confirmed that it understands and respects ACOBA's advice; and it will support Mr Boyd with adherence.

10. The Committee advises, under the government's Business Appointment Rules, that Mr Boyd's role with **AtkinsRéalis** 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 AtkinsRéalis (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/funding or otherwise unfairly advantage AtkinsRéalis (including parent companies, subsidiaries, partners and clients);
- for two years from his last day in Crown service, he should not provide advice to AtkinsRéalis (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 the UK government or its arm's length bodies;
- 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 foreign governments and organisations for the purpose of securing business/funding or otherwise unfairly advantaging AtkinsRéalis (including parent companies, subsidiaries and partners).
- for two years from his last day in the Crown service, the applicant should not advise on bids and/or contracts in relation to the property estate/portfolio he was responsible for in office, or in relation to government property decisions he had specific involvement in or responsibility for as Chief Executive, Government Property Agency; nor where he had a relationship with the relevant client in Crown service.

11. 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' Interests³. 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.

12. 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.
13. 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."
14. Mr Boyd 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 his role with the organisation as depending on the circumstances, it might be necessary for him to seek fresh advice.
15. Once this appointment has been publicly announced or taken up, we will publish this letter on the Committee's website.

Annex - Material Information

The role

1. AtkinsRéalis is an international engineering and project management company that designs and delivers major engineering projects. It has an established commercial relationship with government. It is not listed on the register of consultant lobbyists.

³ 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.

2. Mr Boyd wishes to take up a paid, part-time role with AtkinsRéalis as a Major Programme Advisor. Mr Boyd said that his role would involve:
 - Advising on building client relationships;
 - Advising on collaborative approaches to major programme delivery;
 - Programme peer review;
 - Engaging with clients as a representative;
 - Contributing to thought leadership pieces and conferences;
 - Attending and speaking at industry events.
3. Mr Boyd has said that his role will not involve any contact with government.
4. Mr Boyd stated that he has worked in built environment, property and infrastructure for his whole career. Prior to his role as Chief Executive at the GPA, he was HMRC's Estates Director delivering 13 major office buildings, planning the successful drawdown of a nationwide PFI⁴, and shrinking the size of the estate by two thirds. He also served in the British Army including leading its in-house engineering design and project management consultancy, and as its Director of Infrastructure ⁵.

Correspondence from AtkinsRealis

5. AtkinsRéalis wrote to ACOBA to confirm its adherence to the conditions applied to Mr Boyd's role as an Advisor. It said:

'AtkinsRéalis a global engineering, design and consultancy organisation proposes to appoint Steven Boyd as an advisor within their UK & Ireland Infrastructure business in a non-executive capacity.'

AtkinsRéalis understands and respects the conditions set by ACOBA and confirms it will support Mr Boyd in adhering with the conditions. ACOBA conditions will be incorporated into our internal governance arrangements in accordance with the AtkinsRéalis Conflict of Interest policy.

In particular, Mr Boyd will not engage in any lobbying of the UK government during the remainder of the period of two years after his departure from government, and this will not form part of his duties. Any engagement with government of this nature by AtkinsRéalis will be carried out by other colleagues within their existing responsibilities.'

Dealings in office

6. Mr Boyd said that he did not make policy, regulatory or commercial decisions specific to AtkinsRéalis whilst in office. He did meet with the company and there was a commercial relationship between AtkinsRéalis and his former

⁴ Private Finance Initiatives - which allow governments and the private sector to join forces to finance and implement projects that benefit the public sector.

⁵ <https://www.gov.uk/government/people/steven-boyd>

department. Mr Boyd noted that he had met with other firms that could be seen as competitors of AtkinsRéalis whilst in office. However, he was not directly involved in managing the relationship, which fell to others in his team.

Departmental assessment

7. The GPA and Cabinet Office confirmed the details Mr Boyd provided and that he was not involved in decisions specific to AtkinsRéalis.
8. The GPA and Cabinet Office recommended the standard conditions.