



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS
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BUSINESS APPOINTMENT APPLICATION: Gen Sir Nick Carter, former Chief of the Defence Staff at the Ministry of Defence. Appointment with Chartwell Speakers.

1. Gen Sir Nick Carter 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 as a speaker with the Chartwell Speakers (Chartwell). The material information taken into consideration by the Committee is set out in the annex below.
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 time in office, alongside the information and influence a former minister may offer the Chartwell.
3. 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.
4. It should also be noted that in addition to the conditions imposed on this appointment under the government's Business Appointment Rules, there are separate rules in place with regard to your role as a member of the House of Lords.

The Committee's consideration of the risks presented

¹ Which apply by virtue of the Civil Service Management Code, The Code of Conduct for Special Advisers, The Queen's Regulations and the Diplomatic Service Code.

5. The Committee² noted that Gen Sir Nick did not meet with Chartwell and there is no relationship between his former department, the Cabinet Office and Chartwell. Further, the department confirmed he did not make any decisions specific to Chartwell. Therefore, the Committee considered the risk that he could be seen to have been offered this role as a reward for decisions made, or actions taken in office, was low.

The Committee's advice

6. The Committee did not consider joining a speaking agency raised any particular concerns under the government's Business Appointment Rules, provided it is subject to the conditions below. However, the Committee would remind Gen Sir Nick it is his responsibility to manage the propriety of the specific pieces of work undertaken with Chartwell. In particular as a former Chief of the Defence Staff, he must be careful not to offer any unfair insight as a result of his access to information and potential influence in government - which the conditions below seek to mitigate.
7. Under the Government's Business Appointment Rules, all former Chief of the Defence Staff, such as Gen Sir Nick are subject to a 3 month waiting period to provide a gap between access to sensitive information at the highest levels of government and, taking up any outside appointment.
8. Taking into account these factors, in accordance with the government's Business Appointment Rules, the Committee advises this appointment with **Chartwell Speakers** be subject to the following conditions:
 - a waiting period of three months from his last day in Crown service;
 - 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 ministerial office, he should not become personally involved in lobbying the UK government or its arm's length bodies on behalf of Chartwell Speakers (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 to influence policy, secure business/funding or otherwise unfairly advantage Chartwell Speakers (including parent companies, subsidiaries, partners and clients); and
 - for two years from his last day in ministerial office he should not undertake any work with Chartwell Speakers (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, the Ministry of Defence or its trading funds.

² This application for advice was considered by Andrew Cumpsty; Mike Weir; Isabel Doverly; Dr Susan Liataud; Richard Thomas; and Jonathan Baume. Lord Larry Whitty and Sarah de Gay were unavailable.

9. The advice and the conditions under the government's Business Appointment Rules relate to Gen Sir Nick's previous role in government only; they are separate to rules administered by other bodies such as the Office of the Registrar of Consultant Lobbyists or the Parliamentary Commissioner for Standards. 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.
10. The advice and the conditions under the government's Business Appointment Rules relate to his previous role in government only; they are separate to rules administered by other bodies such as the Office of the Registrar of Consultant Lobbyists or the Parliamentary Commissioner for Standards. It is his personal responsibility to understand any other rules and regulations he may be subject to in parallel with this Committee's advice.
11. 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 or otherwise.
12. 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." This Rule is separate and not a replacement for the Rules in the House
13. Gen Sir Nick must inform the Committee if he takes up employment with this organisation, or if it is announced that he will do so, either by returning the enclosed form or by emailing the office at the above address. We shall otherwise not be able to deal with any enquiries, since we do not release information about appointments that have not been taken up or announced. This could lead to a false assumption being made about whether Gen Sir Nick has complied with the Rules.
14. Gen Sir Nick 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.
15. 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,

Annex - Material information

The role

1. Gen Sir Nick said Chartwell is a speakers bureau.
2. Gen Sir Nick informed the Committee he wishes to take up a paid, part-time role as a speaker with Chartwell. He said he would speak from time to time when the Agency identified appropriate opportunities.
3. He confirmed this role would not involve contact with government.

Dealings in office

4. Gen Sir Nick said he did not meet with Chartwell while in office and there is no relationship between Chartwell and the Ministry of Defence (MOD). Gen Sir Nick also confirmed he did not have any involvement in policy relevant to Chartwell nor did he make any decisions affecting Chartwell while in office. He also confirmed he did not have access to sensitive information relevant to Chartwell.

Department Assessment

5. The MOD confirmed the details Gen Sir Nick provided in his application.
6. The department had no concerns with regards to this application and recommended the standard conditions.