



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

G/7 Ground Floor, 1 Horse Guards Road SW1A 2HQ

Telephone: 020 7271 0839

Email: [acoba@acoba.gov.uk](mailto:acoba@acoba.gov.uk)

Website: <http://www.gov.uk/acoba>

March 2023

**BUSINESS APPOINTMENT APPLICATION: General Sir Nick Carter GCB CBE DSO ADC Gen, former Chief of the Defence Staff at the Ministry of Defence. Paid appointment with Sairdrone.**

1. Gen Sir Nick sought advice from the Advisory Committee on Business Appointments (the Committee) under the government's Business Appointments Rules for Former Crown Servants/ Ministers (the Rules) on an appointment Gen Sir Nick wants to take up with Sairdrone. The material information taken into consideration by the Committee is set out in the annex.
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 his time in office, alongside the information and influence he may offer Sairdrone. 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 risks presented

5. The Committee<sup>2</sup> took into account that Gen Sir Nick did not meet with Sairdrone while in service nor did he make any funding or policy decisions directly affecting

---

<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

<sup>2</sup> This application for advice was considered by Jonathan Baume; Isabel Doverty;

Saildrone. 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.

6. As Chief of the Defence Staff, the Committee noted that Gen Sir Nick would have had access to sensitive information on defence and security which could benefit a range of organisations. The Committee noted this appointment has limited overlap with his time in government and there are a number of mitigating factors that help to reduce the risks associated with Gen Sir Nick's access to information and the unfair insight he may be seen to offer Saildrone:
  - the MOD confirmed Gen Sir Nick withdrew completely from all defence matters from his last day in post - in November 2021;
  - it has been almost a year since General Sir Nick has had access to information and decisions within government/ and the MOD. This reduces the currency of this information;
  - Gen Sir Nick is prevented from drawing on privileged information and has an ongoing duty of confidentiality; and
  - Saildrone operates in the United States, not in the UK.
7. As Chief of the Defence Staff, Gen Sir Nick will have gained contacts within the UK and internationally - including within other governments, militaries and private companies. As such, there is a risk his network could be used to the unfair advantage of Saildrone.

#### The Committee's advice

8. The Committee noted the mitigating factors above that help to reduce the risks associated with Gen Sir Nick's access to information. There are standard conditions which prevent individuals from making improper use of privileged information and contacts gained in office, which are set out below and the Committee would draw his attention to these. The Committee agreed with the MOD that it would not be appropriate for Gen Sir Nick to advise on the UK defence market and has imposed a specific condition which limits the work he can undertake with Saildrone, to prevent him working in the UK defence market. The Committee noted this is entirely in keeping with his proposed role.
9. The Committee advises under the government's Business Appointment Rules that Gen Sir Nick's appointment with **Saildrone** 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 Saildrone (including parent companies, subsidiaries, partners and clients); nor should

---

Sarah de Gay; The Rt Hon Lord Pickles, Richard Thomas; Mike Weir and Lord Larry Whitty. Andrew Cumpsty was unavailable.

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 Sairdrone (including parent companies, subsidiaries, partners and clients);

- for two years from his last day in Crown service, he should not provide advice to Sairdrone (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 and its Arms' Length Bodies, including the Ministry of Defence or its trading funds;
  - 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 in external organisations (including other governments) for the purpose of securing business for Sairdrone (including parent companies, subsidiaries and partners); and
  - for two years from his last day in Crown service, he should not advise Sairdrone on the UK defence sector.
10. 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.
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 Civil Service 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.*"
13. Gen Sir Nick must inform us as soon as he takes up employment with this organisation. Similarly he 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.
14. Once the appointment(s) has been publicly announced or taken up, we will publish this letter on the Committee's website and where appropriate refer to in the annual report.

## **Annex - Material information**

### The role

1. Gen Sir Nick said Saildrone provides ocean data solutions with autonomous surface vehicles (drones). The website states Saildrone is a US business that provides comprehensive turnkey data solutions and actionable insights and intelligence for real-time ocean mapping and ocean data.
2. In his paid, part-time role as Advisory Board member, Gen Sir Nick said he would be determining the company's strategic objectives and policies; helping to strategize an actionable plan to utilise Saildrone technology in as effective a way as possible.
3. He said there is no contact with government in this role.

### Dealings in office

4. Gen Sir Nick advised the Committee he did not meet with Saildrone whilst in office. He said he did not have involvement in any policy development or decisions that would have been specific to the company, and held no commercial or contractual responsibilities relating to it. He said he did not meet with competitors of the company, nor did he have access to sensitive information regarding these competitors.

### Departmental assessment

5. The MOD confirmed the details Gen Sir Nick provided.
6. The MOD said Gen Sir Nick had no official contact with Saildrone whilst a serving officer, and confirmed it has no official relationship with the company.
7. The MOD said that as Chief of the Defence Staff, Gen Sir Nick had the '*...highest levels of influence across UK and international governments on all matters related to defence and security. However, given that his role with Saildrone does not involve any interaction with UK MOD, nor will he be calling on his network of UK MOD staff or military personnel, the risk of perception of undue advantage by access to his UK or overseas defence network, is low*'.
8. The MOD recommends Gen Sir Nick is prevented from advising on any specific policy for which he had responsibility as Chief of the Defence Staff at the MOD.