



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. Paid appointment with J&A Mentoring Partners Ltd.

1. General Sir Nick sought advice from the Advisory Committee on Business Appointments (the Committee) under the government's Business Appointments Rules for Former Crown Servants (the Rules) on his proposal to work with J&A Mentoring Partners Ltd (J&A Mentoring) as a Mentor.
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 General Sir Nick made during his time in office, alongside the information and influence he may offer J&A Mentoring. 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.

The Committee's consideration of the risk presented

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.

5. There is no known relationship between government or the MOD and J&A Mentoring, nor did General Sir Nick meet with the company whilst he was in government service. He did not make any policy or regulatory decisions specific to the company. Therefore, the Committee² considered the risk this role could be seen as a reward for decisions made or actions taken in office is low.
6. Given General Sir Nick's role within the MOD, he will have general access to sensitive information on defence and security that could benefit a range of organisations. There is no specific overlap between General Sir Nick's proposed role with J&A Mentoring and his time at the MOD; as such, the risks associated with his access to information are limited. In particular, the company is a mentoring and professional development company and General Sir Nick's role is narrow – providing mentorship to senior leaders. The MOD is not aware of any specific information that would provide an unfair advantage to J&A Mentoring and General Sir Nick left his role as Chief of the Defence Staff some time ago reducing the risk his access to information is up to date.
7. There is a risk associated with the influence within government that General Sir Nick will have as a result of his seniority, and the unfair advantage that this may provide any company. General Sir Nick said he will have no involvement with the UK government or the MOD in his role.

The Committee's advice

8. The Committee determined the risks identified in this application can be appropriately mitigated by the conditions below. These make it clear General Sir Nick cannot make use of his access to privileged information or influence gained from his time in Crown service to the unfair advantage of J&A Mentoring.
9. The Committee advises, under the Government's Business Appointment Rules, that General Sir Nick's role with **J&A Mentoring Partners Ltd** 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

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

personally involved in lobbying the UK government or any of its arm's length bodies on behalf of J&A Mentoring Partners Ltd (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 J&A Mentoring Partners Ltd (including parent companies, subsidiaries, partners and clients) and;

- for two years from his last day in Crown service, he should not provide advice to J&A Mentoring Partners Ltd (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, the Ministry of Defence or its trading funds.
10. 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' Interests.³ 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. You must inform us as soon as General Sir Nick takes up employment with this organisation, or if it is announced that he will do so, by emailing the office at the above address. Please also inform us if he proposes to extend or

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 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.

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 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. General Sir Nick wishes to take up a part time and paid role with J&A Mentoring as a Mentor. J&A comprises of a group of experienced chairs, current and former CEOs who mentor and provide professional development to senior leaders across a range of sectors and professional services.
2. General Sir Nick said that in his role as a mentor, he would provide mentoring to selected Chairs and CEOs. He said that his role will not have any contact with HMG.

Dealings in office

3. General Sir Nick advised the Committee he did not meet with J&A Mentoring 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

4. The MOD confirmed the details General Sir Nick provided.
5. The MOD confirmed General Sir Nick has not had access to information since he stepped away from the MOD and government in November 2021. There is no overlap between his time in office and this role.
6. The MOD recommended standard conditions.