



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

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Kevin White  
HR Director General  
Home Office  
2 Marsham Street  
LONDON, SW1P 4DF

24 May 2013

Dear Mr White,

**APPLICATION TO ACCEPT AN OUTSIDE APPOINTMENT: MR ANTHONY SMITH**

The Advisory Committee on Business Appointments has considered an application from Anthony Smith, the former Interim Director General for the UK Border Force, at the Home Office, who is seeking permission to set himself up as an independent consultant to provide advice on leadership, major operations and programme delivery. He has set up his own company for this purpose (Fortinus Ltd) and he hopes to start accepting commissions immediately.

The Committee took into account that Fortinus Ltd is a company that specialises in border security, leadership and programme sponsorship, and major events. Mr Smith will be working for the company full-time and will be paid.

The Committee noted that that the proposed work is unlikely to include contact/dealings with your Department/Government and that Mr Smith has no plans to lobby UK Ministers or officials. He says that he might be available for leadership and management work in the UK, which might involve the public and private sector. However, his main interests will be providing advice on border infrastructure and major event management abroad, including to Rio 2016 and other countries wishing to host major events.

Mr Smith confirms that he has had dealings with a number of companies whilst in Crown service but none of these would be competitors of his company. Furthermore, he has not had access to commercially sensitive information about any competitors of his company or been involved in the development or administration of any policy or decisions (including regulatory work or the award of grants) that could affect the company.

**Members:**

Mark Addison, Sir Colin Budd KCMG, Rt Hon Lord Dholakia OBE,  
Mary Jo Jacobi, Rt Hon Lord Lang of Monkton (Chairman), Rt Hon Lord Macdonald of Tradeston CBE  
Sir Hugh Stevenson, General the Lord Walker of Aldringham GCB CMG CBE

In reaching their conclusion on the appropriate conditions, the Committee took into account that Mr Smith has undertaken, for a period of two years, to avoid involvement with employers/companies bidding for or involved in contracts in which he was engaged whilst in public service. The Committee accepts that undertaking.

On that basis, the Prime Minister accepted the Committee's recommendation that Mr Smith's application be approved subject to the following conditions:

- for six months from his last day of service he should submit a fresh application for any commission he wishes to accept with individuals, companies or organisations in policy areas within his remit in the UK Border Force;
- for two years from his last day of service, he must seek confirmation from the Committee directly that each individual commission is permissible under the terms of his consultancy before taking it up. If, after enquiry, the Committee takes the view that a commission is, or may be, outside the terms of the consultancy he will be expected to submit a fresh application;
- he should not draw on privileged information available to him from his time in Crown service; and
- for two years from his last day of service, Mr Smith should not become personally involved in lobbying the UK Government on behalf of his new company or its employers/clients.

\*Lobbying in this context means that the former civil servant should not engage in communication with Government (including Ministers, special advisers and officials) with a view to influencing a Government decision or policy in relation to their own interests, or the interests of the organisation by which they are employed, or to whom they are contracted.

I should be grateful if you would ensure that we are informed as soon as Mr Smith commences work as an independent consultant. We shall otherwise not be able to deal with any enquiries, since we do not release information about consultancies that have not been taken up or announced, and this could lead to a false assumption being made about whether he had complied with the Rules. Similarly, I should be grateful if you would inform us if he proposes to extend or otherwise change the nature of his consultancy work as, depending on the circumstances, it may be necessary for him to make a fresh application.

Once the company has started operating, we will publish details of this letter on the Committee's website at <http://acoba.independent.gov.uk>, and include the main details of the consultancy, together with the Advisory Committee's advice on it and the date on which it was taken up, in both the regularly updated consolidated list on the website and in the next annual report.

**CLAIRE HANNA**  
**COMMITTEE SECRETARIAT**