



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

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You approached the Committee seeking advice on taking up an appointment with the John F. Kennedy School for Government (Harvard Kennedy School), Harvard University.

### The Committee's role and remit

As you will be aware, it is the Committee's role to advise on the conditions that should apply to appointments or employment under the Government's Business Appointments Rules for Former Ministers (the Rules), which apply to former Ministers for two years after they leave office. The Rules seek to counter suspicion that:

- the decisions and statements of a serving Minister might be influenced by the hope or expectation of future employment with a particular firm or organisation; or
- an employer could make improper use of official information to which a former Minister has had access; or
- there may be cause for concern about the appointment in some other particular respect.

When the Committee considers applications it must have in mind that Government has judged that it is in the public interest that former Ministers with experience in Government should be able to move into business or into other areas of public life, and to be able to start a new career or resume a former one. It is equally important that when a former Minister takes up a particular appointment or employment, there should be no cause for any suspicion of impropriety.

It is not the Committee's role to pass judgment on whether an appointment is appropriate or suitable in any other regard.

### The application

You seek to join Harvard Kennedy School, as a Senior Fellow which is unpaid, part-time and will involve 3-4 days of work a month.

The Harvard Kennedy school specialises in politics and policy and offers a number of different programmes including masters and doctoral. It also provides courses on a range of Government and politics related subjects such as economics and research. It is the public policy and public administration school of Harvard University, in Massachusetts. It also offers a range of courses for those currently in Government and politics related work.

## *From the Chair*

You stated that your role will be to contribute to understanding the rapidly evolving relationship between business and government; addressing issues at the interface of public and private sectors including in '*regulation, corporate governance and the role of government in the changing global economy*'. You noted Senior Fellows also undertake independent research projects that culminate in a working paper, a journal article or, in rare cases, a book and offer study groups for students. You told the Committee the role is unlikely to include dealings with the Government.

You informed the Committee you neither met, nor made any commercial or contractual decisions with or on the school/university while in post. Nor did you have any involvement in policy development or decisions that affected the school/university.

The Department for Education and Business, Energy and Industrial Strategy were contacted regarding your application. Both confirmed the details you gave in your application and stated that:

- you did not have official dealings with the Harvard University;
- you are unaware of any contractual or non-contractual dealings between the Government and Harvard University;
- You had no official dealings with competitors of Harvard University(US universities);
- were unaware of development of policy decisions, or involved in grants or regulatory work that could have affected their competitors; and
- had no access to commercially sensitive information on competitors

Neither department had any concerns about you taking up this role.

### The Committee's consideration

The Committee<sup>1</sup> considered that you and the departments confirmed you did not meet with, nor make any policy decisions or commercial decisions regarding the university while in office and as such considered the risk you were offered the role for decisions made in post as low.

When considering your application, the Committee noted that while you had no involvement in decisions regarding Harvard or other US universities, due to your time as a Minister there are inherent risks you would have developed contacts, and incurred wider general information of a privileged nature which may provide an unfair advantage. The Committee considers that the conditions below sufficiently mitigate the risks in this case.

Taking into account the specific facts in this case, in accordance with the Government's Business Appointment Rules, the Committee advises this appointment with the Harvard Kennedy School at Harvard University be subject to the following conditions:

- you should not draw on (disclose or use for the benefit of yourself or the persons or organisations to which this advice refers) any privileged information available to you from your time in Ministerial office;
- for two years from your last day in Ministerial office, you should not become personally involved in lobbying the UK Government on behalf of The Harvard Kennedy School/Harvard University (including parent companies, subsidiaries, partners and clients); nor should you make use, directly or indirectly, of your contacts

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<sup>1</sup> This application for advice was considered by Sir Alex Allan; Jonathan Baume; Baroness Angela Browning; Terence Jagger; Richard Thomas; Mike Weir; Lord Larry Whitty and John Wood. Dr Susan Liautaud was unavailable.

*From the Chair*

in the Government and/or Crown service to influence policy, secure business/funding or otherwise unfairly advantage The Harvard Kennedy School/Harvard University (including parent companies, subsidiaries, partners and clients); and

- for two years from your last day in Ministerial office you should not undertake any work with The Harvard Kennedy School/Harvard University 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.

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 or otherwise.

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.*"

I should be grateful if you would inform us as soon as you take up this appointment, or if it is announced that you 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 you had complied with the Ministerial Code. Similarly, I should be grateful if you would inform us if you propose to extend or otherwise change your role with the organisation as depending on the circumstances, it might be necessary for you to seek fresh advice.

Once this appointment has been publicly announced or taken up, we will publish this letter on the Committee's website and in the relevant next annual report.

The Baroness Browning

Rt Hon Jo Johnson