



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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You asked for the Committee's advice about taking up an appointment with the Campaign for Science and Engineering (CaSE).

The Committee's remit

As you will be aware, it is the Committee's role to advise on any 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:

- a) 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
- b) an employer could make improper use of official information to which a former Minister has had access; or
- c) 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.

Appointment details

You are seeking to take up a role as a part-time Board Member at CaSE.

CaSE is a not-for-profit organisation and describes itself as the UK's leading independent advocate for science and engineering, promoting a high-tech and knowledge-based

economy, highlighting the need for top-quality science and maths education at all levels, and scrutinising the mechanisms by which Government uses science and evidence.

Part of CaSE's role is to influence Government and political parties, and some of that activity is described on their website, as below;

- at the recent 2017 General Election, it wrote to all political party leaders, "making recommendations for parties to adopt (regarding investment commitments to science and technology, particularly as an EU negotiation priority) and analysing key commitments from the parties' manifestos;
- it attended party conferences, taking part in panel events and one-on-one meetings;
- it attended a meeting with Secretary of State at the Department for Business, Energy and Industrial Strategy (BEIS), the Rt Hon Greg Clark MP, in June 2017. Minister of State for Universities, Science, Research and Innovation, Jo Johnson MP, was also present.
- it arranged a roundtable discussion in October 2017 with Sir John Kingman, former Second Permanent Secretary at HM Treasury, and Chair of UK Research and Innovation (sponsored by BEIS), providing an opportunity for "*Government and Sir John to hear from a broad cross-section of the scientific community.*"

You told the Committee this will be an unpaid role and that, as CaSE is both a charity and a company limited by guarantee and therefore the CaSE Board are trustees of the charity and non-executive directors of the company, you will have legal responsibilities as a trustee and a director for the good governance and financial management of the organisation. You noted this appointment is unlikely to include any contact with Government.

You stated you had no official dealings with the organisation or its competitors as a Minister; and are not aware of a relationship between your former Department or CaSE. You also said you are not aware of any meetings with competitors.

You also explained to the Committee that you had contact with the organisation, from your time as an MP. You said that, as well as lobbying you as a local MP, CaSE was a regular contributor to inquiries during your time as Chair of the Science and Technology Select Committee between June 2015 and July 2016. This included CaSE submitting written evidence, appearing as an oral witness on more than one occasion and attending seminars. You noted that CaSE was considered a key stakeholder in the science and technology community and in addition to your public engagement with it, you met with CaSE privately, accompanied by your Clerks. You also confirmed that some contact via your role as a local MP, may have continued whilst you were a Minister. However, you noted you could not recall any specific dealings.

The Department for Health confirmed it has no formal relationship with CaSE; and that you did not meet with the organisation within a ministerial capacity. The Department also stated that there is no information you were privy to, during your time as Minister, that remains unannounced. The Department has no concerns about this appointment.

The Committee's consideration

The Committee took into account that CaSE is a not-for-profit organisation and that your role will be unpaid. It also noted the Department confirmed you had no official contact with CaSE in a ministerial capacity, and that there are no formal relationships between the Department

and CaSE. Whilst there is a chance that you had some contact with CaSE as a local MP during this time, this was not linked to your role as a Minister. As such, the Committee considered there is little risk you were offered this role as a reward for decisions made or actions taken whilst in office.

The Department confirmed there is no information you were privy to during your time in ministerial office that remains unannounced in the public domain. This lessens the risk that CaSE will gain an unfair advantage as a result of your time in office. However, given CaSE looks to influence Government, there is a risk it could gain an unfair advantage as a result of the contacts you will have gained across Government and Whitehall. The Committee took into account you do not expect to have contact with Government in this role. However, the lobbying ban imposed makes clear that any use of contacts made whilst in office, to the advantage of your employer, would be inappropriate. The Committee also noted that almost six months has passed since you left ministerial office.

Taking into account these factors, in accordance with the Government's Business Appointment Rules, the Committee advises this appointment 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 as a Minister; and
- for two years from your last day in Crown service, you should not become personally involved in lobbying the UK Government on behalf of the Campaign for Science and Engineering or its partners, nor should you make use, directly or indirectly, of your contacts in Government and/or Whitehall to influence policy or secure funding on behalf of Campaign for Science and Engineering or its partners.

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.

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 employment with this organisation, 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 Rules and the Ministerial Code.

Please also inform us if you propose to extend or otherwise change the nature of your role as, depending on the circumstances, it may be necessary for you to make a fresh application.

Once the appointment has been publicly announced or taken up, we will publish this letter on the Committee's website and include the main details of the application, together with the Advisory Committee's advice, in the regularly updated consolidated list on our website and in the next annual report.

The Baroness Browning

Mrs Nicola Blackwood-Bate