



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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January 2018

You asked for the Committee's advice about taking up an appointment with Oxford University Innovation (OUI).

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 paid role as a part-time Board Member at OUI.

According to its website, OUI "*helps staff and students to apply their expertise and research for wider social and economic benefit. [It supports] Oxford's researchers, staff and students, offering commercial skills and a range of specialist resources in order to maximise research impact. Income is shared with those involved according to the University's Regulations, and*

profits from commercialisation are returned to the University for the benefit of future generations."

You explained that OUI is a wholly-owned subsidiary company of the University of Oxford, overseen by a Board drawn from senior university staff and external members with board industry experience. You said your role will be to offer strategic advice as a former Chair of the Science and Technology Select Committee and politician, with experience of both the local and national innovation landscape. You do not expect to have contact with Government in this role.

You confirmed you had no official dealings with the organisation in a ministerial capacity; and are not aware of a relationship between your former department (Department of Health - DH) and OUI. You said you are not aware of any meetings you had with competitors, and confirmed you have no commercially sensitive information. However, you also confirmed you have had some previous contact, having previously met with representatives from OUI at public events and seminars about Oxford research and innovation. You said you do not recall any one-to-one meetings or specific lobbying from them.

DH confirmed it funds a range of National Institute of Health Research (NIHR) infrastructure in Oxford - NIHR have been involved with OUI research and events, the Department has not been involved. Further, it confirmed you had no meetings or communications with OUI in a ministerial capacity, and that you were not privy to any government policy or projects that have not yet been announced. DH has no concerns about this appointment.

The Committee's consideration

The Committee noted that DH confirmed it funds a range of NIHR infrastructure in Oxford, but is not involved with OUI. The Committee also took into account that DH confirmed you had no meetings or communications with OUI in a ministerial capacity; and has no concerns about you taking up this role. As such, the Committee considered there is little risk you took actions or made decisions in office in expectation of being offered a role with this organisation.

OUI's work is related to areas for which you had responsibility whilst in ministerial office. However, the Committee took into account that the Department confirmed you were not privy to any government policy or projects that have not yet been announced. The Committee also recognised that six months have now passed since you left ministerial office. This lessens the potential risk that OUI might gain an unfair advantage as a result of any specific knowledge gained from your time in office.

However, the Committee considered there may be a risk that OUI could gain an unfair advantage as a result of the contacts that you gained during your time as Minister, should it wish to work with Government, or seek to influence future government policy. The conditions imposed therefore make clear that any use of your contacts across Government/Whitehall on behalf of OUI, would be inappropriate.

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:

- that you should not draw on (disclose or use for the benefit of yourself or the organisations to which this advice refers) any privileged information available to you from your time in Crown service; 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 Oxford University Innovation or its partners or subsidiaries, nor should you make use, directly or indirectly, of your contacts in Government and/or Crown service to influence policy or secure funding or business on behalf of Oxford University Innovation or its partners or subsidiaries.

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

