



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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You asked for the Committee's advice about a new appointment as Chair of the Advisory Board at Sheffield University Management School (SUMS).

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 stated your role at SUMS is unpaid and part-time. Your role will be to chair a small group of academic experts. SUMS is a business school at the University of Sheffield, with a mission to use its research base to "*develop knowledgeable and employable students, promote socially responsible work practices and have a positive impact on organisations and society across the world.*"

You confirmed that you had no involvement in this sector previous to your ministerial role, but that during your last two years in office, you met with universities from across the country, particularly in the North; as the Northern Powerhouse (NPH) agenda was a major part of your role in Government. You also said that you may have some contact with Government going forward as you might be involved with presenting SUMS proposals to Government.

Permanent Secretary at HMT, Tom Scholar, was contacted about this application. HMT stated that you were aware of proposals to work with the N8 Research Partnership universities, (which includes Sheffield), on the commercialisation of research. HMT confirmed that you had frequent contact with universities, especially in the North and that this contact usually involved a representative of N8 or one of the member universities attending roundtable discussions with businesses and others. HMT also stated that you were not involved in any of the detailed spending design or resource allocation decisions for UK Research and Innovation (UKRI) and BEIS; nor were you privy to material on future infrastructure decisions such as HS2 (which links to Sheffield). HMT has no concerns about this appointment.

The Committee's consideration

Although you had previous contact with numerous universities, HMT confirmed the contact and involvement you had was with several universities in the North, and was broadly supportive in nature, rather than in relation to specific decisions. For example, HMT confirmed you were not involved in any of the detailed spending design or resource allocations. Further, the Committee noted that you have an interest in the NPH agenda and that this is an unpaid role. As such, the Committee does not consider that the role could reasonably be perceived as a reward for time in office.

As noted, HMT confirmed you were not involved in any of the detailed spending design or resource allocations, nor information on future infrastructure designs, that may have an impact on the NPH or the University of Sheffield. The Committee also noted you left office approximately 12 months ago and therefore you are not privy to the new Government's policies for higher education. As such HMT has no concerns about this appointment. These factors lessen any potential risk that SUMS or the University of Sheffield would gain an unfair advantage as a result of your time in office.

However, as the Government has ongoing relationships with universities across the country, and as you will possibly have contact with Government going forward, there is potential for SUMS or the University of Sheffield to gain an unfair advantage should it seek to influence policy, or secure funding from Government to support future research. As such, the Committee considers that applying the conditions below reduces the potential for risks in taking up this role, in particular that any contact with Government should be limited as described.

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;
- for two years from your last day in service, you should not become personally involved in lobbying the UK Government on behalf of Sheffield University Management Centre, the University of Sheffield or its students. This is not intended to prevent you from reporting to Government on the activities of Sheffield University Management Centre, or from advising the UK Government in relation to its research when the UK Government has asked for such advice. However, it would prevent you from making use, directly or indirectly, of your contacts in Government to influence policy or secure funding on behalf of Sheffield University Management Centre, the University of Sheffield or its students.

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 Sheffield University Management Centre, 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

The Right Honourable Lord O'Neill

