



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

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**BUSINESS APPOINTMENT APPLICATION: Gillian Aitken**

The Committee has been asked to consider an application from Gillian Aitken, the current General Counsel at HMRC. Her last day of Crown service will be 13 August 2018. Ms Aitken wishes to take up employment as Registrar of the University of Oxford.

Appointment details

Ms Aitken told the Committee she has been offered a full-time paid role as Registrar at the University of Oxford following an application for an advertised post. Ms Aitken described her role as being responsible for professional administration services; and providing strategic advice to Counsel and Vice Chancellor on governance of the University. She is not due to commence the role until 18 September 2018.

Ms Aitken said the role is likely to involve some contact with Government in relation to the laws and policies it is subject to; set by the Department for Education, UK Research and Innovation; and the Office for Students. However, she also confirmed she would not be involved in lobbying Ministers or officials nor would she represent the interests of the University other than by ensuring compliance.

Ms Aitken confirmed she had no involvement, contractual or otherwise with the University of Oxford or its competitors whilst she was in office; neither did she have access to any commercially sensitive information. This was confirmed by HMRC who have no reservations about this appointment. On the contrary, HMRC told the Committee this was a positive move with no conflict of interest.

The Committee's consideration

The Committee noted that the University of Oxford is unrelated to Ms Aitken's time in Crown service; that both HMRC and Ms Aitken confirmed she had no official dealings with her prospective employer; and HMRC confirmed it has no relationship with the University. As such, the Committee considered there is little risk this role would be perceived as a reward for her time in office.

HMRC and Ms Aitken confirmed she had no access to commercially sensitive, policy or departmental information that would provide the University with an unfair advantage over its competitors. The Committee noted the role is likely to involve contact with Government in order to ensure compliance with the appropriate regulations and assessed that any minimal risk that may flow from this can be mitigated by imposing the conditions below.

The Prime Minister accepted the Committee's advice that, in accordance with the Government's Business Appointment Rules, this appointment be subject to the following conditions:

- you should not draw on (disclose or use for the benefit of yourself or the organisation 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 the University of Oxford. Neither should you make use, directly or indirectly, of your contacts in Whitehall/Government to influence policy or secure business or funding on their behalf. This does not preclude routine contact in line with the duties of the Registrar of the University of Oxford.

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 ensure that we are informed as soon as Ms Aitken takes up this position, or if it is announced that she will do so (I enclose a form for this purpose). We shall otherwise not be able to deal with any enquiries, since we do not release information about appointments which 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.

I should also be grateful if you would ask that Ms Aitken informs us if she proposes to extend or otherwise change the nature of her role as, depending on the circumstances, it may be necessary for her to make a fresh application.

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

Yours sincerely

Catriona Marshall  
Committee Secretariat

