



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: PROFESSOR IAN BOYD FRSB FRSE

The Committee have been asked to consider an application from Professor Sir Ian, former Chief Scientific Adviser at the Department for Environment, Food & Rural Affairs (Defra), in relation to taking up an appointment with the National Oceanography Centre.

Professor Sir Ian is seeking the Committee's advice on taking up an appointment as a member of the board of trustees at the National Oceanography Centre (NOC). He described his role within the NOC as having oversight of business and strategy.

He informed the Committee this is a part-time, unpaid role, requiring a work commitment of 1 day per month; and that he obtained this role following an open competition. Whilst the board of trustees provides formal governance to the association, members of the board sit as individuals, not on behalf of any organisation.

According to its website, the NOC is a strategic platform that brings together the Natural Environment Research Council funded marine science community to enhance its influence on investors, policy makers and the impact that science has on society. The NOC provides a channel to seek input and share outputs and information with the wider marine science community and its stakeholders.

NOC describe its vision as to 'be one of the world's top three oceanographic research institutions. To understand and tackle the big scientific questions about the marine environment and its interactions with Earth systems through the use of scientific research, oceanographic observations, data modelling and development of new technologies; in order to predict how future changes to our oceans will impact human life'.

As evidenced on their website, the NOC has received £19 million in government investment, obtained via UK Research and Innovation.

Professor Sir Ian advised the Committee this appointment may include some contact with his former department or the Government more widely as he noted the NOC conducts marine research, which is of interest to Defra. In addition, he states the NOC may receive funding from Defra, but made clear he will have no involvement in this.

Professor Sir Ian informed the Committee in his last two years in post he had no contractual dealings with the NOC; and was not responsible for anyone who did. Further, he had no official contact with the NOC, neither did he have any official dealings with competitors or access to relevant sensitive information

The Permanent Secretary at Defra confirmed the details of Professor Sir Ian's application as accurate and the Department has no concerns about this appointment. Defra confirmed it has no relationship with the NOC; and has no funding relationship at present - though noted there is the possibility it may apply for or receive Defra funding in the future. In relation to possible future funding, the department noted Professor Sir Ian said he will not be involved in funding related issues.

The Department also confirmed Professor Sir Ian had no official dealings with the NOC; has not had access to policy or other information that could confer unfair advantage; and it has no concerns about this appointment

The Committee's consideration

The Committee¹ considered the risk of reward here is low. The Committee took into consideration this is an unpaid role Professor Sir Ian obtained following an open competition. It also took into consideration that he did not make any decisions while in office that could be seen to benefit the NOC while in post; although the NOC is in receipt of government funding, this was awarded through a process separate from Defra, who have no relationship with the NOC.

The Committee took into consideration the description of his role with the NOC which suggests he will be drawing on generic skills gained during his time in office rather than specific information to which he was privy. The Committee did consider there is a risk Professor Sir Ian may be seen to offer an unfair advantage to the NOC, should he become involved in future bids for funding from the Government. The Committee has therefore imposed a ban on Professor Sir Ian advising the NOC in relation to bids and contracts with the UK Government.

The Committee has also taken into account that this appointment may involve some contact with Defra or government more widely as the NOC conducts marine research which is of interest to Defra. As such, the Committee would draw his attention to the lobbying ban imposed below.

¹ This application for advice was considered by Sir Alex Allan; Jonathan Baume; Baroness Angela Browning; Lord Michael German; Terence Jagger; Dr Susan Liataud and John Wood. Baroness Helen Liddell and Richard Thomas were unavailable.

Taking into account these factors, in accordance with the Government's Business Appointment Rules, the Permanent Secretary has accepted the Committee's advice is that this appointment be subject to the following conditions:

- he should not draw on (disclose or use for the benefit of himself or the organisation to which this advice refers) any privileged information available to him from his time in Crown service;
- for two years from his last day in Crown service he should not become personally involved in lobbying the UK Government on behalf of the National Oceanography Centre (NOC) , its partners or clients, nor should he make use, directly or indirectly, of his contacts in Government and/or Crown service to influence policy or secure funding on the NOC's behalf; and
- for two years from his last day in Crown service, he should not provide advice on the terms, or with regard to the subject matter of, a bid or contract with, or 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, 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 let us know whether the Permanent Secretary is content with the Committee's recommendation and copy us into the final decision. I should also be grateful if you would ensure that we are informed as soon as Professor Sir Ian takes up this role, or if it is announced that he 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 that have not been taken up or announced. This could lead to a false assumption being made about whether Professor Sir Ian complied with the rules.

Please also ensure that the National Oceanography Centre are made aware of the Committee's advice in this case, in line with the Department's responsibilities under the Business Appointment Rules.

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

Yours sincerely

Tiffany Amusu
Committee Secretariat