

*From the Chair*



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

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You approached the Committee about taking up an appointment as a member of the Advisory Council at the Centre for Science and Policy, University of Cambridge.

The Committee's role and remit

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

It is not the Committee's role to pass judgment on whether an appointment is appropriate or suitable in any other regard.

## The Application

You sought the Committee's advice on taking up an unpaid and part time position as a member of the Advisory Council at the Centre for Science and Policy (CSaP), University of Cambridge. The CSaP's mission is to improve public policy through the more effective use of evidence and expertise - through creating opportunities for public policy professionals and academics to learn from each other.

You stated that this is unlikely to include contact or dealings with the Department of Health and Social Care or Government; and described your responsibilities below:

- review and advise on CSaP strategy and activities, paying particular regard to the views of external stakeholders and supporters;
- review the implementation of previously agreed strategies;
- evaluate any information gathered on how CSaP's programmes are perceived by its various stakeholders;
- help raise the profile of CSaP in the communities within which Advisory Council members operate;
- advise on the development of strategies for attracting more resources, including fundraising for CSaP's development; and
- meet twice a year, ideally in Cambridge and London

You advised the Committee that you had no official dealings with the CSaP whilst in office including at stakeholder events; you did not attend any meetings with or speeches delivered to the CSaP; and you were not involved in any policy or contractual decisions that would have affected the CSaP. You informed the Committee that the Department for Health and Social Care (DHSC), the wider NHS and arm's length bodies enlist a small number of their employees each year to become 'policy fellows' at the CSaP. However, you had no role in selecting candidates for fellowships.

Your former department (DHSC) was contacted about this application. DHSC confirmed you had no contact with the CSaP while in office and had no involvement in policy decisions regarding the CSaP. It noted the CSaP covers a diverse range of policies to discuss which does include health but as far as it is aware, any decisions you made in office would not have had any specific or direct impact on the CSaP. Your private office also confirmed that you did not have access to any material or knowledge that would provide unfair competitive advantage to the CSaP.

DHSC confirmed it holds contracts with the University of Cambridge for funding various miscellaneous events and pieces of work and its staff memberships for the CSaP. It confirmed its spend over the last few years has varied from around £4,500 and £76,280 between 2008-2009 and 2019-2020 (totally around £500,000.00 over 10 years).

## The Committee's consideration

## *From the Chair*

When considering your application, the Committee<sup>1</sup> considered whether this appointment could be perceived as a reward for decisions taken in office. You confirmed that in your previous role as Health Minister you had no official dealings with the CSaP, neither were you involved in policy or contractual decisions relating to them. Further, while both you and DHSC confirmed that a contractual relationship exists with Cambridge University with a small number of their employees becoming policy fellows at the CSaP; you had no involvement in this. The Committee therefore considered the risk that this appointment could be seen as a reward for decisions taken in office is low.

The Committee noted there is a possible risk of unfair advantage in relation to access to the contacts you gained while in ministerial office. The lobbying ban imposed below makes clear that it would be inappropriate for you to use your contacts across Government/Whitehall to the unfair advantage of the CSaP. The Committee would also like to draw your attention to the ban on providing advice on the terms, a bid or contract relating directly to the work of the UK Government, including with regard to funding.

The Committee also noted it could be perceived that you may confer unfair advantage to the CSaP given the closeness of this work to your former department. However, given the nature of this work and the close link the CSaP already has with DHSC via other means, the risk is low. In addition, your former department confirmed that they see no unfair advantage and 11 months have now passed since you were in office. The remaining risk is appropriately mitigated by the conditions below, which include a ban on using privileged information.

In accordance with the Government's Business Appointment Rules, the Committee advises this appointment as a Member of the Advisory Council at the Centre for Science and Policy, University of Cambridge 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 Ministerial office;
- for two years from your last day in Ministerial office, you should not become personally involved in lobbying the UK Government on behalf of any of your clients or those you advise, nor should you make use, directly or indirectly, of your government and/or Ministerial contacts to influence policy or secure funding on behalf of the Centre for Science and Policy, University of Cambridge or any other part of University of Cambridge; and
- for two years from your last day in office you should not advise the Centre for Science and Policy, University of Cambridge or any other part of University of Cambridge on the terms of a bid for funding or a contract relating directly to the UK Government.

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<sup>1</sup> This application for advice was considered by Sir Alex Allan; Jonathan Baume; Baroness Angela Browning; Lord Michael German; Terence Jagger; Dr Susan Liataud; Richard Thomas; ; Lord Larry Whitty; Mike Weir and John Wood.

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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.*"

The Committee also notes that in addition to the conditions imposed on this appointment, there are separate rules in place with regard to your role in the House of Lords.

I should be grateful if you would inform us as soon as you take up this appointment, 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 Ministerial Code. Similarly, I should be grateful if you would inform us if you propose to extend or otherwise change your role with the organisation as depending on the circumstances, it might be necessary for you to seek fresh advice.

Once this 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.

The Baroness Browning

The Lord O'Shaughnessy