



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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May 2021

1. You approached the Committee seeking advice on taking up an appointment as a member of the Higher Education Advisory Board with Oxford International Education Group.

The Committee's role and remit

2. 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:

- 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
- an employer could make improper use of official information to which a former minister has had access; or
- there may be cause for concern about the appointment in some other particular respect.

3. 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.

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

Application details

5. You sought the Committee's advice on taking up a paid and part time position as a member of the Higher Education Advisory Board with Oxford International Education Group (OIEG).

6. You said OIEG offers education teaching and online assessment organisation, specialising in course provision for international students, including English language testing. OIEG is an '*...accredited, private education provider that operates international pathway colleges in the UK and Europe, a Digital Institute and English language centers across the UK and North America to create life-enhancing experiences for students worldwide*'.

7. You informed the Committee OIEG wishes to expand its provision and networks into universities, creating new partnerships. They have created a new Higher Education Advisory Board composed of a broad cross section of members from the international education community including leaders, visionaries, and entrepreneurs who understand the international education field. The Board will provide the CEO and Executive Leadership Team with expertise, advice, insights, intelligence and connections relevant to the following:

- advise OIEG on the development of its global Higher Education Advisory Board strategy including the scale, scope, location and nature of partnerships consistent with the aims and objectives defined by OIEG corporate board;
- guide and connect OIEG's senior executive team to effectively lead and implement measures to realise the development of a unique and differentiated position in the global higher education sector.
- through its expertise, networks, insights and access to data to provide early and implementable information and advice about future developments including changes in government policies in key regions of current or potential future operation, changing approaches and behaviours on the part of all stakeholders in the supply chain.

8. You do not expect your role to involve contact with government.

9. You informed the Committee you had no official contact with OIEG whilst Minister for Universities, Science, Research and Innovation. You confirmed you hold no sensitive information related to OIEG and had no involvement in relevant policy decisions or development affecting OIEG. You also stated there is no relationship between your former departments, Department for Business, Energy and Industrial Strategy (BEIS) and the Department for Education (DfE) and OIEG.

10. BEIS and DfE were both consulted about this application. Both departments confirmed the information you provided and stated you have no access to privileged information that could provide an unfair advantage to OIEG. Neither department had

any concerns with you taking up this role and BEIS recommended this appointment be made subject to the standard lobbying ban.

The Committee's consideration

11. The Committee¹ took into account that you did not meet with OIEG while in office and you were not involved in any decisions affecting OIEG. It therefore assessed the risk that you may have been offered this role as a reward for actions taken in office as low.

12. As Minister for Universities, Science, Research and Innovation, the Committee noted that this proposed role does have some overlap with your time in office, especially as your role will be advising the organisation in its endeavours to expand into universities. As such there is a risk you will have access to sensitive information that could provide OIEG with an unfair advantage. However, both BEIS and DfE confirmed it has no concerns with you taking up this appointment and the Committee noted the amount of time that has already passed since you were in office (14 months). The Committee would draw your attention to the below restriction preventing you from drawing on privileged information from your time in office, which will help mitigate any remaining risk here.

13. The Committee noted there is an inherent risk that your network of contacts within government could unfairly benefit OIEG. The Committee would draw your attention to the lobbying restriction and the restriction on providing advice on the terms of a bid or contract relating directly to the work of the UK government imposed below. However, the Committee noted this was in keeping with your role as described.

14. The Committee also noted as the former Minister for Universities, there is a risk associated with your influence and contacts within UK universities. Given OIEG are looking to expand into universities there is a real risk your influence and contacts within this sector could unfairly benefit OIEG in this task. Therefore the Committee would draw your attention to the below restriction that makes it clear you should not use contacts you have developed in universities and other organisations for the purpose of securing business for OIEG.

15. Taking into account these factors, in accordance with the Government's Business Appointment Rules, the Committee advises this appointment with **Oxford International Education Group** be subject to the following conditions:

¹ This application for advice was considered by Jonathan Baume; Andrew Cumpsty; Sarah de Gay; Isabel Doverty; Dr Susan Liautaud; The Rt Hon Lord Pickles; Richard Thomas; Mike Weir; Lord Larry Whitty.

- 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 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 or any of its Arm's Length Bodies on behalf of Oxford International Education Group (including parent companies, subsidiaries, partners and clients); nor should you make use, directly or indirectly, of your contacts in the government and/or ministerial contacts to influence policy, secure business/funding or otherwise unfairly advantage Oxford International Education Group (including parent companies, subsidiaries, partners and clients);
- for two years from your last day in ministerial office, you should not become personally involved in lobbying contacts you have developed during your time in office and in other governments and organisations for the purpose of securing business for Oxford International Education Group (including parent companies, subsidiaries and partners); and
- for two years from your last day in office you should not advise Oxford International Education Group (including parent companies, subsidiaries, partners and clients) on the terms of, or with regard to the subject matter of, a bid or contract with, or relating directly to the work of the UK government or any of its Arm's Length Bodies.

16. 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 as a member of the House of Commons.

17. 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.

18. 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." This Rule is separate and not a replacement for the Rules in the House.

19. I should be grateful if you would inform us as soon as you take up this role, or if it is announced that you will do so. 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.

20. 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.

21. 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.

The Rt Hon Lord Pickles

The Rt Hon Chris Skidmore MP