



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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1. You approached the Advisory Committee on Business Appointments (the Committee) under the government's Business Appointments Rules for former ministers (the Rules) seeking advice on taking up an appointment as Chair of the Review into Research Methods being conducted by King's College London (KCL). The material information taken into consideration by the Committee is set out in the annex.

2. The purpose of the Rules is to protect the integrity of the government. Under the Rules, the Committee's remit is to consider the risks associated with the actions and decisions made during time in office, alongside the information and influence a former minister may offer KCL.

3. The Committee considered whether this appointment was unsuitable given your former role as Minister for Universities, Science, Research and Innovation for the Department for Education (DfE) and the department for Business, Energy and Industrial Strategy (BEIS), but the Committee must also consider the information provided by the department about your specific dealings with this employer and the sector. The Committee has advised that a number of conditions be imposed to mitigate the potential risks to the government associated with this appointment under the Rules; this does not imply the Committee has taken a view on the appropriateness of this appointment for a former Minister for Universities, Science, Research and Innovation in any other respect.

4. The Ministerial Code sets out that ministers must abide by the Committee's advice. It is an applicant's personal responsibility to manage the propriety of any appointment. Former ministers of the Crown, and Members of Parliament, are expected to uphold the highest standards of propriety and act in accordance with the 7 Principles of Public Life.

The Committee's advice

5. The Committee¹ took into account that you met with the University while in office due to your role as minister for both universities and science. However, you had similar meetings with other universities and were carried out in your capacity as minister. It further noted in your role you had responsibility for UK Research and Innovation (UKRI)² which provides funding to universities. However, the department confirmed the amount of funding awarded to UKRI was for it to decide how and where the money was spent. You had no involvement in which organisations received funding from UKRI. The Committee also noted you made decisions which would affect the universities sector as a whole, not KCL individually. It therefore assessed the risk that you may have been offered this role as a reward for actions taken in office as low.

6. Given your role in office the Committee noted there is a risk you could have access to relevant privileged information and insight which could unfairly benefit KCL. However, the Committee noted the departments had no concerns regarding your access to information and confirmed most of the policy you had involvement in was either in the public domain or no longer relevant. Further, 16 months have passed since you were in office; and the Committee noted your role with KCL is specific and limited to ewing KCL's research methods and how they can better research the activities of Parliament. 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.

7. The Committee noted there is an inherent risk that your network of contacts within government could unfairly benefit KCL. 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.

8. Taking into account these factors, in accordance with the government's Business Appointment Rules, the Committee advises this appointment with **King's College London** 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 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 its Arms' Length Bodies on behalf of King's College London (including parent companies, subsidiaries, partners and clients); nor should you make use, directly or indirectly, of your contacts in the government and/or Crown service to influence policy, secure business/funding or otherwise unfairly

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

² UK Research and Innovation is a non-departmental public body of the Government of the United Kingdom that directs research and innovation funding, funded through the science budget of the Department for Business, Energy and Industrial Strategy

advantage King's College London (including parent companies, subsidiaries, partners and clients); and

- for two years from your last day in ministerial King's College London (including parent companies, subsidiaries, partners and clients) that involves providing advice on the terms of, or with regard to the subject matter of a bid with, or contract relating directly to the work of, the UK government or its Arms' Length Bodies.

9. 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.

10. 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.

11. 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.

12. 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.

13. 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.

14. 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

Rt Hon Chris Skidmore MP

Annex A - Material information

The role

1. You said KCL is a higher education institute. You said you will Chair a four-month Review into King's College London research methods and how they can better research the activities of Parliament.
2. You said your role with KCL is a very specific limited role. You said *'In 2020, researchers at Kings College London conducted a 'mystery shopper' exercise on Members of Parliament, pretending to be constituents and emailing all MPs during the Coronavirus pandemic. When this became public, it caused a number of complaints to the College by MPs including the Speaker and Leader of the House. Kings College London wish to hold a Review into their research practices with Parliament, and have asked me to Chair the Review. It would begin on 1 May ideally and conclude by end of September. [He] would chair a panel of 4 members, and would produce a report of around 10-20,000 words, making future recommendations. This would be a report for Kings College's Senate, and would later be published. The work would involve contacting MPs affected, seeking their views, as well as investigating international comparisons and other parallels of 'mystery shopper' research'.*
3. You informed the Committee the key objectives of the review are to:
 - Examine the approval, conduct and reaction to the research project into MPs' responsiveness to constituents; and
 - To make recommendations for the conduct of research of this type in future, including possible enhancements to the ethical approval of research.
4. You said your role will be limited to this review group, the scope of which will focus on the research project into MPs' responsiveness to constituents. The processes and systems of the institution will be within scope for consideration, rather than the actions of individuals. The review will consider the principle of academic freedom and the social value of research into political institutions, while taking into account the need to sustain broader social trust in such research.
5. You do not expect your role to involve contact with government.

Dealings in office

6. You confirmed you chaired a student mental health roundtable at KCL and spoke at a KCL Roundtable on the publication of Visiting Professor David Willetts' 'Road to 2.4%' pamphlet in early 2020. You said you had numerous meetings with representatives from KCL in your dealings as both Universities and Science Minister.

7. In terms of your relations with other universities which might be comparable to KCL, and on this specific topic of research ethics, you said you spoke at London School of Economics and Political Science (LSE) on how '*...we needed better research culture in May 2019*'. He said he does not '*...believe that there is no competitive interest in this review however as it is to investigate a perceived fault in the research methodology at King's, and what lessons could be learnt for the future. The review is for King's only, and there is no financial gain for the institution attached to the publication of the report*'.

8. You confirmed you had involvement in policy decisions and development. You also confirmed there is a relationship between your former departments, DfE and BEIS, have a relationship with KCL but confirmed you were not involved in any specific contracts or grants that directly benefited KCL.

Department Assessment

9. BEIS and DfE were both consulted about this application. Both departments confirmed the information you provided.

10. BEIS said you were responsible for the oversight of UKRI, which funds university research, in your role as Minister of State for Universities, Science, Research and Innovation. However, it said he was very removed from the decision making. BEIS said funding is agreed at Spending Review in conjunction with HMT, rather than directly coming out of BEIS R&D spend. It confirmed UKRI decisions are made independently of government with oversight from a UKRI Board. Therefore, BEIS involvement with UKRI is limited and would not allow for regulatory or monetary decisions to be made surrounding individual universities. You would have made no direct contractual decisions regarding KCL.

11. DfE confirmed in your role you will have had access to sensitive information but stated the amount of time that has passed means policy is now in the public domain or no longer relevant. .