



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: Professor John Loughhead CB OBE, former Chief Scientific Adviser and Chair of the Mission Innovation Steering Committee at the Department for Business, Energy and Industrial Strategy, appointment with the University of Birmingham

1. Professor Loughhead, former former Chief Scientific Adviser and Chair of the Mission Innovation Steering Committee at the Department for Business, Energy and Industrial Strategy (BEIS), sought advice from the Advisory Committee on Business Appointments (the Committee) under the government's Business Appointments Rules for former Crown servants (the Rules) on taking up a role with the University of Birmingham (the University). The material information taken into consideration by the Committee is set out in the below 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 Professor Loughhead's time in office, alongside the information and influence a former Crown servant may offer the University.
3. 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 Crown servant in any other respect.
4. The Rules¹ set out that Crown servants must abide by the Committee's advice. It is an applicant's personal responsibility to manage the propriety of any appointment. Former Crown servants are expected to uphold the highest standards of propriety and act in accordance with the 7 Principles of Public Life.

The Committee's consideration of the risk presented

¹ Which apply by virtue of the Civil Service Management Code, The Code of Conduct for Special Advisers, The Queen's Regulations and the Diplomatic Service Code.

5. Professor Loughhead had no official business with the University whilst in office. BEIS confirmed he made no decisions specific to the University. The Committee² considered the risk of this work being offered as a reward for decisions made, or actions taken in office, as low.
6. This appointment has a general overlap with Professor Loughhead's time in office as a scientific adviser, and he would have had access to privileged information which may be seen to be of general use to any organisation. The risk associated with his access to information is limited; it has been 15 months since he left office and last had access to information; and he has an ongoing duty of confidentiality.
7. Inherent in all applications, is a risk associated with a former official's influence via contacts within government, which could be perceived to offer the University an unfair advantage. Professor Loughhead told the Committee that government may wish him to provide briefings on the University's research, given its relevance to its net zero ambitions. Any such request from government departments and officials would be consistent with the Committee's advice and the conditions below.

The Committee's advice

8. The risks above are limited given there is no direct overlap with Professor Loughhead's decision making in office. The conditions below prevent him from making improper use of his access to information and/or contacts gained in government service.
9. The Committee advises, under the government's Business Appointment Rules, that Professor Loughhead's appointment with the **University of Birmingham** be subject to the following conditions:
 - he should not draw on (disclose or use for the benefit of himself or the persons or organisations 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 University of Birmingham (including parent companies, subsidiaries, partners and clients); nor should he make use, directly or indirectly, of his contacts in the government and/or Crown service to influence policy, secure business/funding or otherwise unfairly advantage the University of Birmingham (including parent companies, subsidiaries, partners and clients); and
 - for two years from his last day in Crown service, he should not provide advice to the University of Birmingham (including parent companies, subsidiaries, partners and clients) on the terms of, or with regard to the

² This application for advice was considered by Jonathan Baume; Isabel Doverty; Dr Susan Liautaud; The Rt Hon Lord Pickles; Mike Weir; and Lord Larry Whitty. Andrew Cumpsty, Sarah de Gay and Richard Thomas were unavailable.

subject matter of, a bid with, or contract relating directly to the work of the UK government.

10. The advice and the conditions under the government's Business Appointment Rules relate to your previous role in government only; they are separate to rules administered by other bodies such as the Office of the Registrar of Consultant Lobbyists or the Parliamentary Commissioner for Standards. It is your personal responsibility to understand any other rules and regulations you may be subject to in parallel with this Committee's advice.
11. 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.
12. 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*'.
13. I should be grateful if you would inform us as soon as Professor Loughhead takes up employment with this organisation, or if it is announced that he will do so 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 Professor Loughhead has complied with the Rules.
14. Please also inform us if Professor Loughhead proposes to extend or otherwise change the nature of his role as, depending on the circumstances, it may be necessary for him to make a fresh application. 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,

William Young
Committee Secretariat

Annex - Material information

The role

1. Professor Loughhead said he has been offered a paid, part-time appointment with the University as a Industrial Chair in Clean Energy Conversion.
2. Professor Loughhead said the nature of the University's business is teaching and research. The university's website says it pursues and shares knowledge through outstanding teaching and world-leading research.
3. The Birmingham Energy Institute (BEI), part of the University, is focused on creating technology and guiding policy to influence energy solutions. The Birmingham Centre for Energy Storage (BCES), a research centre at the University, draws on expertise from academia, research institutes and industry to provide novel solutions to energy storage challenges, driving innovation from the laboratory to the market.
4. In this role Professor Loughhead said he would develop the activities of BEI and BCES to:
 - support national progression towards a net zero economy;
 - strengthen entrepreneurship in the academic community;
 - create and reinforce external engagement of the industry and other stakeholders;
 - mentor academics and students in knowledge transfer;
 - develop future research strategies and programmes; and
 - further develop international academic research collaborations.
5. Professor Loughhead said this field of activity is '*...directly related to government ambitions to develop a Net Zero economy in the UK and it is probable relevant departments will periodically wish to be briefed on research at the University and its outcomes*'. He said this may require him to provide descriptions of the overall programme structure and priorities, the development of which would be one of his primary responsibilities.

Dealings in office

6. As Chief Scientific Adviser, Professor Loughhead said he was invited to speak at two international research conferences organised by and held at the University around 2015 and 2018.

Department Assessment

7. BEIS confirmed the details Professor Loughhead provided and said the risk here is low. The department recommended that this appointment be subject to the standard conditions.
8. BEIS confirmed Professor Loughhead had official dealings with a number of universities, including the University of Birmingham, as he was invited to speak at research conferences and events as part of the normal course of business. The department confirmed this contact involved no awarding of grants or contracts and no access to privileged information, and said it is therefore unlikely this appointment could be perceived as a reward.

9. As the University is an academic institution, BEIS said its relationship may include collaborations on research and policy development.
10. BEIS said Professor Loughhead has had access to policy and other departmental information in his broad role as Chief Scientific Adviser which could be perceived to offer an unfair advantage. The department said his ongoing duty of confidentiality and the standard conditions should sufficiently mitigate this risk.
11. BEIS noted there are inherent risks given the broad scientific crossover, and Professor Loughhead may have had access to policy information. However, the department said this information is general rather than particular sensitive information. BEIS said Professor Loughhead was contacted about this opportunity because of his professional background and previous experience, predominantly outside of the Civil Service, when he led a large academic research consortium at Imperial College.