



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: The Rt Hon Gavin Williamson MP, former Minister without Portfolio. Paid application to join RTC Education Ltd.

1. You sought advice from the Advisory Committee on Business Appointments (the Committee) under the government's Business Appointments Rules for Former Ministers (the Rules) on re-joining RTC Education Ltd.
2. The purpose of the Rules is to protect the integrity of the government. The Committee has considered the risks associated with the actions and decisions made during your time in office, alongside the information and influence you may offer RTC Education Ltd. The material information taken into consideration by the Committee is set out in the annex.
3. The Committee's advice is not an endorsement of the appointment - it imposes a number of conditions to mitigate the potential risks to the government associated with the appointment under the Rules
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 consideration of the risks presented

5. The Committee¹ took into consideration that you previously received advice on advising RTC Education Ltd, which you are taking up again after having left office

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

more recently in October 2022². Having consulted your most recent former department, Cabinet Office, the risk remains low that this role was offered as a reward for decisions made in office given there is no overlap with your responsibilities at the Cabinet Office and you are returning to the same company.

6. The Committee noted there is limited overlap between your role as Minister without Portfolio, especially as you were in this role for a limited time, 2 weeks and 17 months have passed since you left your role at the Department for Education. There are inherent risks associated with your privileged access to information and contacts as a result of your time as a minister. Further, given your previous role in education there is a risk you could be seen to make use of contacts gained in organisations specific to educational affairs outside of government that you gained whilst at DfE.

The Committee's advice

7. The Committee considered it was relevant to its consideration that you have an interest and experience in this sector prior to joining government as a former board member of an education provider and you are returning to the company after a period away
8. The Committee determined the risks identified in this application can be appropriately mitigated by the conditions below. These make it clear you cannot make use of any privileged access to information, contacts or influence gained from your time in ministerial office to the unfair advantage of RTC Education Ltd.
9. The Committee advises, under the government's Business Appointment Rules, that your role with **RTC Education Ltd** should be subject to the following conditions:
 - you 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 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 RTC Education Ltd (including parent companies, subsidiaries, partners and clients); nor should you make use, directly or indirectly, of your contacts in government and/or Crown service to influence policy, secure business/funding or otherwise unfairly advantage RTC Education Ltd (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

² The Committee's advice is online here:
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1085987/Final_Advice_Letter_-_GW___RTC.pdf

securing business for RTC Education Ltd (including parent companies, subsidiaries and partners); and

- for two years from your last day in ministerial office, you should not provide advice to RTC Education Ltd 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.
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." This Rule is separate and not a replacement for the Rules in the House.
 13. You must inform us as soon as you take up this role, or if it is announced that you will do so. You must 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

Annex - Material Information

The role

1. You stated RTC Education Ltd is a provider of undergraduate and postgraduate education programs to UK and international students. In its most recently available strategic report, RTC Education Ltd states 'the principal activity of the company is provision of educational services in higher education, including GCSE, A levels, and

pre-sessional courses to access higher education. Higher education is said to take place under Regent College London (RCL) and the school of sixth form trades as the Regent Independent College. Digital provision is facilitated via Regent Digital, devised as a Covid-19 initiative but now an integral part of the provision³. It is also part of a wider group called the Regent Group which offers education and training, real estate investment management and community services.

2. You said you will take up a paid, part-time role as Chair of the Regent Advisory Panel, providing 'general strategic advice on international business expansion and chairing regular advisory board meetings'. You were previously Chair of the Regent Advisory Panel before you rejoined government as Minister Without Portfolio. You also stated that although you previously 'Board Member' and 'Chair' are interchangeable, and that the duties you will do as Chair of the Panel remain the same as before.
3. You also stated '*prior to my ministerial role, I sat on the governing board of a large education provider. I also have extensive operational and leadership experience in exporting to international markets, including running operating companies in the Far East responsible for export sales and the development of existing markets and the opening up of new trade markets. It is this international sales experience which I believe will be incredibly valuable to the business [RTC Education Ltd].*'

Dealings in office

4. You stated you neither had any dealings with, nor met with nor made any decisions specific to RTC Education Ltd while in office.
5. You previously told the Committee that as Secretary of State, you met with competitors of RTC Education Ltd as part of your role, though you did not make decisions specific to any competitors individually.

Departmental Assessment

6. The Cabinet Office confirmed the details you provided and had no concerns regarding the appointment.
7. The Department for Education previously advised it had no concerns with you taking up this role and that:
 - You did not meet with RTC whilst in office.
 - As SoS you made DfE policy decisions and guidance to the regulator Office for Students (OfS), though did not make any decisions on the organisation individually (nor any other education providers).
 - You will have no access to unannounced policy thinking and any information that you had will no longer be in date to be of any use to the organisation, adding: 'On the

³ <https://www.rcl.ac.uk/app/uploads/2022/12/annual-report-and-financial-statements-year-ended-31July-2021.pdf>

development of strategic policy, the cycle has moved on since [you were]...[Secretary of State], with the current SoS [being] responsible for resolution of Spending Review, announcements on student finance policy, publication of consultation documents on [Higher Education] and [Lifelong Loan Entitlement], publications of new guidance to the [Office for Students] and announcement of an [Higher Education] Bill. The former SoS would have no current knowledge of any unannounced policy thinking.'

- Although as a Higher Education provider the DfE has a stakeholder relationship with RTC, there is no direct relationship on higher education funding: 'Payments have been made by the Education & Skills Funding Agency and its predecessor. This was essentially low value funding paid to RTC Education to provide bursaries to students on eligible learning. The value and eligibility of payments will have been driven by established funding policy and its formulaic application to learner data submitted by RTC/collected by ESFA. These are not grants that are determined by assessment or where there would have been engagement with ministers with regard to the impact on specific providers.'
- You made no commercial or funding decisions on the organisation. Further education funding is paid by the Education and Skills Funding Agency and its predecessor, not the DfE