



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

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**BUSINESS APPOINTMENT APPLICATION: Liz Ditchburn, former Director General of Economy at the Scottish Government, appointment with the University of Glasgow**

1. Ms Ditchburn 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 two roles with the University of Glasgow. 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 Ms Ditchburn's time in office, alongside the information and influence a former Director General of the Scottish Government may offer the University of Glasgow.
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 Rules<sup>1</sup> 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

5. There is a relationship between the University of Glasgow and the Scottish Government - as it receives funding and is a stakeholder on numerous policy matters. There is no overlap with Ms Ditchburn's commercial or policy decisions in office and the funding relationship sits with Scottish Funding Council. The

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<sup>1</sup> Which apply by virtue of the Civil Service Management Code, The Code of Conduct for Special Advisers, The King's Regulations and the Diplomatic Service Code.

Committee<sup>2</sup> therefore it considered the risk this appointment could reasonably be perceived as a reward for decisions or actions taken in office is low.

6. Ms Ditchburn had responsibility for economic policy across Scotland which may have some overlap with the University of Glasgow and its work - particularly Scotland's overall National Strategy for Economic Transformation. This strategy is no longer privileged as it is now in the public domain. It is also relevant that over 11 months have now passed since she was in government.
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. Ms Ditchburn told the Committee that she may be present at events the Scottish Government also wish to attend. Any such interactions would be consistent with the Committee's advice and the conditions below.

### The Committee's advice

8. The Committee determined the risks identified in this application can be appropriately mitigated by the conditions below.
9. The Committee advises, under the government's Business Appointment Rules, that this appointment with the **University of Glasgow** be subject to the following conditions:
  - She should not draw on (disclose or use for the benefit of herself or the persons or organisations to which this advice refers) any privileged information available to her from her time in Crown service;
  - for two years from her last day in Crown service, she should not become personally involved in lobbying the Scottish Government or its Arms' Length Bodies on behalf of University of Glasgow (including parent companies, subsidiaries, partners and clients); nor should she make use, directly or indirectly, of her contacts in government and/or Crown service to influence policy, secure business/funding or otherwise unfairly advantage University of Glasgow (including parent companies, subsidiaries, partners and clients); and
  - for two years from her last day in Crown service she should not undertake any work with University of Glasgow (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 Scottish government or its Arms' Length Bodies.
10. The advice and the conditions under the government's Business Appointment Rules relate to an applicant's previous role in government only; they are separate to rules administered by other bodies such as the Office of the

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

Registrar of Consultant Lobbyists or the Parliamentary Commissioner for Standards. It is their personal responsibility to understand any other rules and regulations she 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. You must inform us as soon as Ms Ditchburn takes up employment with this organisation, or if it is announced that she 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 Ms Ditchburn has complied with the Rules. Please also inform us if she proposes to extend or otherwise change the nature of her role as, depending on the circumstances, it may be necessary for her 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.

Yours Sincerely,

Isabella Wynn  
**Committee Secretariat**

## **Annex - Material information**

### The role

1. Ms Ditchburn said the University of Glasgow is a higher education institution and research centre. She wishes to take up two roles with the University:
  - Honorary Professor in the Adam Smith Business School. This is an unpaid, part-time role for 3 years.

- A paid, part-time role for 1 year to support the University of Glasgow to develop executive education, research and services with respect to public policy and leadership.
2. Ms Ditchburn said neither role will involve any contact with government but noted she may find herself at events at which the Scottish Government was also independently present.

#### Dealings in office

3. Ms Ditchburn said individuals from the University of Glasgow engage with the Scottish Government on a variety of topics. She said as Director General of Economy she has not met specifically or separately with University of Glasgow staff while working for the Scottish Government. She said she has been in meetings where University of Glasgow staff have been present in the same meetings and gave the example individuals from the university were on boards such as the Council of Economic Advisers and the Enterprise and Skills Strategic Board. She confirmed she engaged with both of those groupings in her role. Ms Ditchburn also said individuals from other Scottish Universities engage on a regular basis with the Scottish Government, she said she has been in meetings where individuals from competitor universities were also present. But confirmed she was not involved in discussions or negotiations with universities about their commercial position or Scottish Government funding.
4. Ms Ditchburn said the University of Glasgow, as all universities in Scotland, receives funding from the Scottish Government through the Scottish Funding Council. She confirmed this was outside her Director General area and had no involvement in higher education funding decisions or access to financial information about the University of Glasgow or its competitors.

#### Department Assessment

5. The Scottish Government confirmed the details Ms Ditchburn provided. The department confirmed universities form part of Scotland's economic infrastructure, so as Director General for Economy she will have had broad engagement with the sector, including Glasgow University.
6. The Scottish Government stated *'through the sponsorship of the "Scottish Funding Council", Scottish Government fund both research and student places at all universities. All universities will also have complex engagements with Scottish Government across a huge range of policy areas. These relationships will be managed within the context of Civil Service rules by respective policy areas'*.
7. The Scottish Government also noted the public policy research role links with Scottish Government's overall National Strategy for Economic Transformation (NSET) skilled workforce ambitions. It confirmed that the document, which set out the actions proposed to transform the Scottish economy over the next 10 years, was published after Ms Ditchburn's departure.

8. The Scottish Government stated funding flows from a different portfolio, and decisions are made by the Scottish Funding Council (SFC), so she will have had no influence on decisions affecting this or other institutions.
9. The Scottish Government had no concerns with this appointment and recommended the standard conditions.