



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

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**BUSINESS APPOINTMENT APPLICATION: Michael Alexander Baker CBE, former Acting Chief Operating Officer at the Ministry of Defence, paid appointment with the University of York.**

1. Mr Baker 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 York. 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 Mr Baker's time in office, alongside the information and influence a former Crown servant may offer the University of York.
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 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 no overlap with Mr Baker's commercial or policy decisions in office and the University of York; nor is there a relationship between the University of York

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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.

and his former department. The 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. There is no direct overlap between Mr Baker's responsibilities in office at the MOD ce and this role with the university. It is also relevant that 18 months have now passed since he was in government. Therefore, the risk of his access to sensitive information is low.
7. Inherent in all applications, is a risk associated with a former official's influence within government, which could be perceived to offer the University an unfair advantage. Whilst this role is about development of an academic course, it would not be appropriate for Mr Baker to be involved in any plans to contact government, This is consistent with Mr Bake's application - his role with the university does not involve any dealings or contacts with the government.

### 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 Mr Baker's appointment with the **University of York** 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 or its Arms' Length Bodies on behalf of University of York (including parent companies, subsidiaries, partners and clients); nor should he make use, directly or indirectly, of his contacts in government and/or Crown service to influence policy, secure business/funding or otherwise unfairly advantage University of York (including parent companies, subsidiaries, partners and clients); and
  - for two years from his last day in Crown service he should not undertake any work with University of York (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.
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

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

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 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 Mr Baker takes up employment with this organisation, or if it is announced that he will do so. Please also inform us if Mr Baker 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.
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,

**Xante Chalwell**  
**Committee Secretariat**

## **Annex - Material information**

### The role

1. Mr Baker said his responsibilities as a Senior Advisor to the University of York will be:
  - Helping devise an internal training offer, in the form of an online course around policy engagement, by advising on the broad scope of the content, perhaps helping co-author some case studies and reviewing draft content with a view to suggesting changes that ensure it speaks to real world policy making and engagement skills.

- Advising on unfolding strategy, which they are drafting at the moment, particularly ensuring that we are making the right moves to ensure the Policy Engine speaks to the way policy is really made and influenced, i.e., helping ensure activities will help York research engage more directly with policy rather than being an expensive public relations exercise.
  - Helping build networks with key policy stakeholders, both advising how best to do this, who they might contact and ideas for topics and formats that will work well from bringing together policy makers and researchers
2. Mr Baker confirmed that this role is a temporary, for a 6 month period.
  3. Mr Baker confirmed that this role will not include any contact or dealings with government.

#### Dealings in office

4. Mr Baker confirmed he had had no official contact with the University of York. He said he:
  - did not have any involvement in any relevant policy development or decisions that would have affected the University of York;
  - does not have access to sensitive information that would provide an unfair advantage;
  - had no commercial or contractual responsibilities relating to the University of York; and
  - did not meet with competitors of the University of York nor have access to sensitive information regarding competitors.

#### Department Assessment

5. The Ministry of Defence had no concerns with this appointment and recommended the standard conditions.