



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

G/7 Ground Floor, 1 Horse Guards Road SW1A 2HQ

Telephone: 020 7271 0839

Email: acoba@acoba.gov.uk

Website: <http://www.gov.uk/acoba>

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**BUSINESS APPOINTMENT APPLICATION: Gaven Smith CB FReng, Director
General Technology. Paid appointment with the University of Manchester.**

1. Mr Smith 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 an appointment he wishes to take up with the University of Manchester as Chair in Cyber Security, Department of Computer Science.
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 he made during his time in office, alongside the information and influence he may offer the University of Manchester. 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 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.

¹ 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.

The Committee's consideration of the risks presented

5. GCHQ confirmed it has an academic partnership with the University of Manchester, alongside other universities, in respect of research and skills development. It also confirmed he made no decisions specific to the university. As such, the risk this appointment could reasonably be perceived as a reward for decisions made or actions taken in office is low.
6. Mr Smith undoubtedly has information, experience and insight of relevance from his time at GCHQ. The academic nature of this role and his ongoing duty of confidentiality limit the risks associated with his access to information.
7. There is a risk associated with his influence and network of contacts, particularly in relation to any future application for funding. This risk is limited given this is not part of his role with the university.

The Committee's advice

8. The Committee² did not consider this appointment raises any particular proprietary concerns under the government's Rules, subject to the conditions below. These make it clear Mr Smith cannot make use of his access to privileged information, contacts or influence gained from his time in Crown service to the unfair benefit of the University of Manchester.
9. The Committee advises, under the government's Business Appointment Rules, that his role with the **University of Manchester** should 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 arm's length bodies on behalf of the University of Manchester (including parent companies, subsidiaries, partners and clients); nor should he make use, directly or indirectly, of his contacts in the UK government and/or Crown service to influence policy, secure business/funding or otherwise unfairly advantage the University of Manchester (including parent companies, subsidiaries, partners and clients); and

² This application for advice was considered by Andrew Cumpsty; Isabel Doverty; Sarah de Gay; The Rt Hon Baroness Jones of Whitchurch; The Rt Hon Lord Eric Pickles; and Mike Weir.

- for two years from his last day in Crown service, he should not provide advice to the University of Manchester (including parent companies, subsidiaries, partners and clients) 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 from rules administered by other bodies such as the Office of the Registrar of Consultant Lobbyists, the Parliamentary Commissioner for Standards and the Registrar of Lords' Interests³. It is an applicant's personal responsibility to understand any other rules and regulations they 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. Mr Smith must inform us as soon as he takes up this role, or if it is announced that he will do so. He must also inform us if he 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

Cat Marshall

³ All Peers and Members of Parliament are prevented from paid lobbying under the House of Commons Code of Conduct and the Code of Conduct for Members of the House of Lords. Advice on your obligations under the Code can be sought from the Parliamentary Commissioners for Standards, in the case of MPs, or the Registrar of Lords' Interests, in the case of peers

Committee Secretariat

Annex - Material Information

The role

1. Mr Smith informed the Committee that he wishes to take up a part time, paid role as Chair in Cyber Security, Department of Computer Science. This will also include membership of relevant boards - for example the Digital Futures Board.
2. The University of Manchester's website states Digital Futures is a network across the range of the University's digital research. It aims to: present a coherent overview of digital research activity externally and bring together research partners.
3. He noted there may be limited contact with GCHQ via the academic and skills partnership which was set up in 2021 between GCHQ and several universities.

Dealings in office

4. Mr Smith said he had no involvement in regulation, policy or commercial policy or decisions in respect of the university.

Department Assessment

5. GCHQ confirmed the details Mr Smith provided.
6. It confirmed the partnership agreement with the University of Manchester and other universities which sets the framework for working with them, to secure and develop research and skills.
7. GCHQ recommended standard conditions be applied.