



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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**BUSINESS APPOINTMENT APPLICATION: Ken Thomson, former Director
General Strategy and External Affairs. Unpaid appointment with the University
of Glasgow.**

1. Mr Thomson 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 Glasgow as Honorary Visiting Professor.
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 Glasgow. The material information taken into consideration by the Committee is set out in the annex.
3. The Committee's¹ 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 Rules² 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 risks presented

¹ This application for advice was considered by: Sarah de Gay; The Rt Hon Lord Pickles; Mike Weir; The Baroness Jones of Whitchurch; Andrew Cumpsty; and Isabel Doverty.

² 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.

5. When considering this application, the Committee took into account that the role as a Honorary Visiting Professor with the University of Glasgow is unpaid. Generally, the Committee's experience is that the risks related to unpaid roles are limited. The purpose of the Rules is to protect the integrity of the government by considering the real and perceived risks associated with the former Crown servants joining outside organisations. Those risks include: using privileged access to contacts and information to the benefit of themselves or those they represent. The Rules also seek to mitigate the risks that individuals may make decisions or take action in office to in expectation of rewards, on leaving government. These risks are significantly limited in unpaid cases due to the lack of financial gain to the individual.
6. As former Director General of Strategy and External Affairs with the Scottish Government, this role has limited overlap with Mr Thomson's time in office. The Scottish Government confirmed that he had engagements with the University of Glasgow as a stakeholder, which provided academic input into some of the constitutional work done in his area. It confirmed he made no decisions specific to the University of Glasgow or education more widely.

The Committee's advice

7. The Committee 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 Thomson 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 Glasgow.
8. The Committee advises, under the government's Business Appointment Rules, that his role with the **University of Glasgow** 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 Scottish Government or its arm's length bodies on behalf of the University of Glasgow (including parent companies, subsidiaries, partners and clients); nor should he make use, directly or indirectly, of his contacts in the Scottish Government and/or Crown service to influence policy, secure business/funding or otherwise unfairly advantage the University of Glasgow (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 Glasgow (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 Scottish Government.
9. The advice and the conditions under the government's Business Appointment Rules relate to your previous role in government only; they are separate rules administered by other bodies, such as the lobbying register in Scotland. 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.
 10. 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.
 11. 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.
 12. He 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.
 13. 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 Thomson informed the Committee that he wishes to take up a part time, unpaid role as a Honorary Visiting Professor with the University of Glasgow. He said this will entail-
 - a. Contributing to the work of the Centre for Public Policy at the University of Glasgow from his knowledge and expertise in public policy gained in a 35–year career in the civil service;
 - b. Contributing to the understanding of the role and processes of government in forming policy, legislating and delivering outcomes;
 - c. Supporting and facilitating multidisciplinary contributions to understanding and developing responses to complex public policy challenges.

2. Mr Thomson plans to have contact with the Scottish Government and other administrations to facilitate discussions in the formulation of public policy. He also confirmed any contact will not be commercial, involve business dealings, or lobbying.

Dealings in office

3. Mr Thomson said he never held roles, nor been involved in the development of policy, nor decisions that would have directly affected the interests or operation of the University of Glasgow or others in the higher education sector.

4. Mr Thomson met with individuals from the University of Glasgow who provided academic contributions to constitutional policy work being carried out, including: the principal of the university who chaired the First Minister's Standing Council on Europe; and Professor McEwen.

Department Assessment

5. The Scottish Government confirmed the details Mr Thomson provided and said it regulates and funds all Scottish universities – though indirectly through the independent Scottish Funding Council and Student Awards Agency.

6. The Scottish Government recommended standard conditions be applied.