



House of Commons
Education Committee

Appointment of the Chair of the Office for Students

Fourth Report of Session 2019–21

*Report, together with formal minutes relating
to the report*

*Ordered by the House of Commons
to be printed 2 February 2021*

The Education Committee

The Education Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Department for Education and its associated public bodies.

Current membership

[Rt Hon Robert Halfon MP](#) (*Conservative, Harlow*) (Chair)

[Fleur Anderson MP](#) (*Labour, Putney*)

[Apsana Begum MP](#) (*Labour, Poplar and Limehouse*)

[Jonathan Gullis MP](#) (*Conservative, Stoke-on-Trent North*)

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[Ian Mearns MP](#) (*Labour, Gateshead*)

[David Simmonds MP](#) (*Conservative, Ruislip, Northwood and Pinner*)

[Christian Wakeford MP](#) (*Conservative, Bury South*)

The following were also Members of the Committee during this session.

[Dawn Butler MP](#) (*Labour, Brent Central*) and [Lucy Powell MP](#) (*Labour (Co-op), Manchester Central*).

Powers

The Committee is one of the departmental select committees, the powers of which are set out in House of Commons Standing Orders, principally in SO No 152. These are available on the Internet via www.parliament.uk.

Publications

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Committee staff

The current staff of the Committee are Kevin Candy (Second Clerk), Vanessa Donhowe (Committee Specialist), Dr Mike Everett (Clerk), Oliver Florence (Senior Media Officer), Rosemary Hill (Committee Specialist), Nelson Idama (Media Officer), Robert McQuade (Committee Operations Manager), Rebecca Owen-Evans (Committee Specialist), Steiner Teixido-Oroza (Committee Operations Assistant), Kandirose Payne-Messias (Committee Support Apprentice).

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You can follow the Committee on Twitter using [@CommonsEd](https://twitter.com/CommonsEd).

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1 Background to the hearing

The Office for Students

1. The Office for Students (OfS) was created under the Higher Education and Research Act 2017. It has five strategic objectives: participation, experience, outcomes, value for money and to act as an efficient and effective regulator.¹ The OfS's duties are set out in Part 1 and Schedule 1 of the Higher Education Research Act 2017. Its duties include: protecting the autonomy of English higher education providers, promoting quality, choice and opportunities for students, encouraging competition where this is in the interests of students and employers, promoting value for money, and promoting equality of opportunity in connection with access to and participation in higher education.
2. The functions and powers of the OfS under the Act include: regulating English higher education providers through registration conditions, assessing the quality and standards of higher education, improving access and participation, providing funding to eligible providers, powers to award or revoke degree awarding powers and powers to require information from providers. The OfS has a number of powers to impose sanctions on higher education providers that breach their conditions of registration, including the power to impose a monetary penalty.
3. The Chair of the Office for Students is one of five positions subject to a pre-appointment hearing by the Education Select Committee (see appendix 1).

Pre-appointment hearing request

4. As part of their wider role in scrutinising Government, select committees scrutinise some senior public appointments made by Ministers. This is to help ensure that the candidate is suitable for the post.
5. On 17 December 2020, the Secretary of State for Education, Rt Hon. Gavin Williamson CBE MP, wrote to us to say that Lord Wharton of Yarm had been chosen as the Government's preferred candidate to take up the post of Chair of the Office for Students. The Committee was invited to hold a pre-appointment hearing with the candidate. The Secretary of State's letter, the candidate's curriculum vitae and a memorandum provided by the Government, which sets out the requirements of the post, along with details of the recruitment process, are all appended to this Report.
6. We accordingly invited Lord Wharton to attend a pre-appointment hearing on Tuesday 2 February 2021.
7. We would like to put on record our thanks to the outgoing Chair of the Office for Students, Sir Michael Barber, for the important work that he has done over the last four years.

1 Office for Students, [Office for Students strategy 2018 to 2021](#), 30 April 2018

2 The recruitment process

8. The recruitment campaign was launched on 26 August 2020 and closed on 22 September. 22 applications were received in response. Six candidates were invited to interview as they were deemed to have met the bar, of which four were found appointable.²

Interviews were conducted by an Advisory Assessment Panel consisting of:

- **Susan Acland-Hood** (Permanent Secretary, Department for Education – Departmental Official)
- **Dame Patricia Hodgson** (Department for Education – Non-Executive Director)
- **Nick Timothy** – Other Panel Member
- **Eric Ollerenshaw OBE** – Other Panel Member
- **Baroness Laura Wyld** – Other Panel Member

9. The outcomes of the interview stage were presented to the Secretary of State who named Lord Wharton of Yarm as his preferred candidate to be the next Chair of the Office for Students.

10. In August 2020, we wrote to the Secretary of State for Education about the appointment of the new Chair of the Office for Students, recommending that the following be added as essential criteria to the job description:

[...] we believe the post-holder must be able to demonstrate a commitment and understanding of the culture shift needed in our universities where there has to be a greater joining up of higher and further education, to deliver the high-skilled, high-paid jobs that the country needs. The post-holder must have proven experience of delivering such a step change and a passion around the provision and take up of degree apprenticeships in all our universities, so that students are equipped to succeed at work and go on to have successful careers.³

We also urged the Department to advertise the post as widely as possible, to ensure that applicants were drawn from a diverse and high-calibre field. We asked the Department to outline what measures were being taken to encourage applicants of BAME backgrounds.

11. In his response to our letter, the Secretary of State outlined that the Department's approach to the person specification for the Chair's role:

has been to focus it on the ability and skills that someone would bring to the role, rather than requiring specific higher education experience which would significantly limit the number of suitable candidates.⁴

2 See appendix 3

3 Letter from the Education Committee to the Rt Hon Gavin Williamson CBE MP, Secretary of State for Education, [Recruitment of the Chair of the Office for Students: Pre-appointment process](#), 7 August 2020

4 Letter from the Rt Hon Gavin Williamson CBE MP, Secretary of State for Education, to the Chair of the Education Select Committee, [Appointment of the Chair of the Office for Students](#), 25 August 2020

12. The recruitment pack drawn up by the Department for Education set out four essential criteria that the successful candidate would need to be able to demonstrate. They were:

- Excellent strategic thinking capability, experience of setting a clear vision and demonstrating strategic leadership in a range of contexts and complex environments.
- A strong communicator with outstanding ability to influence and build effective relationships with stakeholders across the public, private or voluntary sectors, including the ability to communicate effectively with ministers.
- Experience and a sound understanding of board management and commitment to the principles of public life.
- Commitment to the principles of levelling up, championing opportunity for all, and representing or advocating for disadvantaged regions in the UK.

Candidates were also sought who were able to demonstrate the following desirable criterion:

Sound knowledge and understanding of the operation of regulatory activity, the strengths and limitations of regulators, and the implication of these matters to the higher education secretary. Ability and working understanding of financial management and the importance of securing value for money.

13. The appointment of Chair of Office for Students is for a period of four years. Remuneration for the post is £59,000 per annum, and the time commitment for the post was specified in the description as approximately 2 days per week.

3 The preferred candidate

Candidate's background

14. The Government's preferred candidate is Lord Wharton of Yarm. Lord Wharton was the Chairman of Hume Brophy UK Communications until November 2020. He served as the Parliamentary Under Secretary of State for International Development from July 2016 to June 2017 and served as Parliamentary Under Secretary of State at the Department for Communities and Local Government, with responsibility for Local Growth and the Northern Powerhouse from May 2015 until July 2016. Prior to that he worked as a solicitor. He was awarded a life peerage to the House of Lords in September 2020.

15. As part of the application form, he declared he had undertaken political activities in the past five years.⁵ Lord Wharton's CV has been included as an appendix.⁶

16. In the Secretary of State's view, Lord Wharton "[e]merged as the strongest candidate suitable for the role from a competitive field".⁷

Line of questioning

17. In line with the guidance drawn up by the Liaison Committee on the conduct of pre-appointment hearings, our questioning sought to test the professional competence and personal independence of the candidate. The Liaison Committee also observes that a candidate will need to be able to withstand parliamentary and public scrutiny should they take up the post, and that questioning may therefore be robust.⁸ We questioned Lord Wharton on the following areas:

- the role and powers of the Office for Students;
- the candidate's priorities, if appointed;
- how his previous experiences have prepared him for this role;
- the challenges facing the higher education sector today.

18. A transcript of the oral evidence is published on the Committee's website.

The Committee's views on the suitability of the candidate

19. The Committee held a pre-appointment hearing with the Government's preferred candidate for Chair of the Office for Students on 2 February 2021. The Committee endorses the appointment of Lord Wharton as Chair of the Office for Students.

5 Appendix 3

6 Appendix 4

7 Appendix 2

8 Liaison Committee, *Pre-appointment Hearings*, Third Report of Session 2017–19, HC 2307, 19 June 2019

Appendix 1: Posts which are subject to pre-appointment hearings by the Education Committee

HM Chief Inspector of Education, Children's Services and Skills

Children's Commissioner for England

Chief Regulator, Ofqual

Chair of the Social Mobility Commission

Chair of the Office for Students

Appendix 2: Correspondence with the Secretary of State

Letter to the Chair of the Committee: Recruitment Chair of the Office for Students – Pre-appointment process, 22 July 2020

Dear Robert

Recruitment of the Chair of the Office for Students – Pre-appointment process

You may be aware that Sir Michael Barber, current Chair of the Office for Students, has recently announced that when his term of office finishes on 31 March 2021 he does not wish to serve another term.

As this is such an important role, I would like to move swiftly to appoint a replacement for Sir Michael, ready to work with me and other ministers to set the strategy and vision the Office for Students and the Higher Education sector for the future.

I am writing to you to set out my plans for making that appointment and outline the type of person we are looking for to fill this role. I have therefore enclosed with this letter our draft advertisement for the role, as well as the role specification, advertising strategy and timeline. The membership of the advisory assessment panel for the appointment is still being confirmed.

I would like the post to be advertised over the summer period, starting on 18 August 2020 and would therefore be very grateful for any comments the Committee may have on the attached documents by 7 August 2020.

Due to the tight timeline for the appointment, we might, therefore, need to continue our correspondence on the role into the first week of recess, if you are content to do that. This is essential to ensure that an appointment is made in advance of Sir Michael's departure in March next year.

This is the first step in the appointment process and I understand that you may also choose to scrutinise the shortlist and undertake a pre-appointment hearing once I have chosen my preferred candidate. I will ask my officials to contact your clerk about the next steps and attached timeline, but I would hope any hearing could take place in early January 2021.

I look forward to the Committee's involvement in appointing the second Chair to this highly important role for the Higher Education sector.

Rt Hon Gavin Williamson CBE MP

Secretary of State for Education

Letter to the Secretary of State from the Committee: Recruitment of the Chair of the Office for Students: Pre-appointment process 7 August 2020

Recruitment of the Chair of the Office for Students: Pre-appointment process

Dear Gavin,

We are grateful to be involved at the start of the recruitment process for the new Chair of the Office for Students and welcome your suggestion that we are also consulted at the shortlist stage.

Given a key objective for the Office for Students is to ensure successful outcomes for all students, we believe the post-holder must be able to demonstrate a commitment and understanding of the culture shift needed in our universities where there has to be a greater joining up of higher and further education, to deliver the high-skilled, high-paid jobs that the country needs. The post-holder must have proven experience of delivering such a step change and a passion around the provision and take up of degree apprenticeships in all our universities, so that students are equipped to succeed at work and go on to have successful careers. In line with your plans for a further education white paper later this autumn, we recommend these are additional essential criteria for the post.

We believe a wider advertising of this position in the national press at the start of the campaign will guarantee a greater assurance of reaching a diverse field of high-calibre applicants for this role and ask that this happens in this case in addition to the dissemination through the networks suggested and via the Cabinet Office's public appointment's website. We also wish to see what measures are being taken in this recruitment to encourage applications from applicants of BAME backgrounds.

Separately, we understand that we are to be involved in the pre-appointment process for the new chair of the Social Mobility Commission. We would like to consider the draft job specification and criteria being set for this role too. We would be grateful if you could share both once they are ready in advance of that job being advertised.

Yours,

Robert Halfon MP

Chair of the Education Committee

Letter to the Chair of the Committee from the Secretary of State: Appointment of the Chair of the Office for Students, 25 August 2020

Dear Robert

Appointment of the Chair of the Office for Students

Thank you for your letter of 7 August 2020 and your recommendations in relation to the appointment of the next Chair of the Office for Students.

As you know, I am fully committed to a greater joining up of higher and further education to deliver the high-skilled, high-paid jobs that the country needs, as well as to degree

apprenticeships and ensuring students are equipped to succeed at work. These will be important priorities for the next Chair to drive forward.

However, our approach to the person specification for the Chair role has been to focus it on the ability and skills that someone would bring to the role, rather than requiring specific higher education experience which would significantly limit the number of suitable candidates.

To recognise the importance of these priorities, however, I will ask my advisory panel to incorporate, where possible, questions about how candidates would approach these issues if they were to be offered the role (together with the ones your clerk raised separately in an email on Prevent and racism). Since time at interview is limited, it may not be possible to examine all of these areas in detail, although of course there will be a further opportunity for the Committee to do so at any pre appointment scrutiny hearing.

In relation to your recommendation on advertising, we are content to advertise in the national press as you suggest. I will also write separately once recruitment has started about how we are encouraging applicants from BAME backgrounds.

I understand from a separate email sent by the Committee's clerk that, at the shortlist stage, the Committee would like to see information on any companies or organisations that short-listed candidates have shares or interests in or any other interests declared. I have asked that this information is collected for each applicant, to be shared confidentially with the Committee at shortlist stage.

I will write separately to you on the appointment of the new Chair of the Social Mobility Commission as you have requested and confirm that we will share the job specification and criteria in advance of that job being advertised.

Rt Hon Gavin Williamson CBE MP

Secretary of State for Education

Letter to the Chair of the Committee from the Secretary of State: Recruitment of the Chair of the Office for Students, 17 December 2020

Dear Rob

Recruitment of the Chair of the Office for Students

I wrote to you on 30 November 2020 to let you know that I had asked the Assessment Advisory Panel for the appointment of the next Chair of the Office for Students to interview six applicants. Those interviews have now concluded, and I have selected my preferred candidate from the list of appointable candidates provided to me by the Panel.

I am therefore writing to let you know that the Government's preferred candidate for this role will be Lord Wharton of Yarm and I will be announcing this later today.

I understand that officials are liaising with the Committee's clerk to arrange a suitable time for the pre-appointment scrutiny hearing at the end of January or beginning of February and that they will provide you with the required paperwork in good time before

the hearing.

Rt Hon Gavin Williamson CBE MP

Secretary of State for Education

Letter from the Secretary of State to the Committee: Appointment of the Chair of the Office for Students, 21 January 2020

Dear Robert

Appointment of the Chair of the Office for Students

I wrote to you on 17 December 2020 to advise you that I would shortly be announcing Lord Wharton of Yarm as my preferred candidate for the role of Chair of the Office for Students. I understand that the Committee has set 2 February 2021 as the date for the pre-appointment scrutiny hearing.

In accordance with the guidance on pre-appointment hearings, I attach a copy of information about the role, a description of the recruitment process and information on the preferred candidate. Separately under cover of the same email, I am also attaching Lord Wharton's CV. Following the sift and interview process by the Independent Advisory Assessment Panel, the Advisory Assessment Panel agreed their scores and found four candidates met the minimum standard for the role. Having carefully considered the panel's views and the strengths of the candidates, I chose Lord Wharton as my preferred candidate.

In my view Lord Wharton emerged as the strongest candidate for the role from a competitive field. Lord Wharton was the Chairman of Hume Brophy UK Communications until November 2020. He served as the Parliamentary Under Secretary of State for International Development from July 2016 to June 2017 and served as Parliamentary Under Secretary of State at the Department for Communities and Local Government, with responsibility for Local Growth and the Northern Powerhouse from May 2015 until July 2016. Prior to that he worked as a solicitor. He was awarded a life peerage to the House of Lords in September 2020.

I look forward to receiving the Committee's conclusions and advice on the appointment in due course.

Rt Hon Gavin Williamson MP

Secretary of State for Education

Appendix 3: Recruitment information provided by the Department

Chair of the Office for Students: recruitment information pack for the Education Select Committee

Hearing date: 2 February 2021

1. Preferred candidate: Lord Wharton of Yarm

Lord Wharton was the Chairman of Hume Brophy UK Communications until November 2020.

He served as the Parliamentary Under Secretary of State for International Development from July 2016 to June 2017 and served as Parliamentary Under Secretary of State at the Department for Communities and Local Government, with responsibility for Local Growth and the Northern Powerhouse from May 2015 until July 2016. Prior to that he worked as a solicitor.

He was awarded a life peerage to the House of Lords in September 2020.

Lord Wharton's CV has been attached as part of the covering email accompanying this document for your reference. His declaration of interests and political activity are set out in Annex B

2. Role description and person specification (set out in full in Annex A)

Role Remit

As the Committee will be aware, the Office for Students is the independent regulator of higher education in England, and) has a critical role to play in delivering government's vision for higher education. The OfS aims to ensure that every student, whatever their background, has a fulfilling experience of higher education that enriches their lives and careers.

The Office for Students will play a pivotal role in delivering government's manifesto commitment to tackle the problem of low-quality courses, to drive a stronger alignment of the courses delivered with the economic and societal needs of the nation, in a way that ensures all graduates benefit from their studies.

The Chair of the Office for Students brings leadership and influence to the OfS at board level, working with Ministers and the Chief Executive to provide clear strategic direction and priorities for OfS. The vacancy description sets of the role of the Chair of the OfS in more detail:

- Work closely with Ministers and government officials to set a new clear strategic direction for the OfS, taking it into the next phase of its critical work.
- Support and challenge the Chief Executive on the effectiveness and performance

of the OfS, monitoring progress against its objectives and ensuring it is discharging its statutory duties in line with government policy, and in a way which minimises bureaucracy wherever possible.

- Build effective relationships with partners in the provider, research and business community, to engage with them, share data, work together on areas of common interest and promote understanding of the OfS' role and its activities.
- Steer and manage the OfS board. Make recommendations to Ministers on the appointment of board members, ensuring that board membership reflects the diversity of the UK, and ensuring high standards of propriety and robust financial management across the OfS.

Legislative framework

As the Committee will be aware, the Office for Students was created by the Higher Education and Research Act 2017.

Schedule 1 of that Act sets out the requirements in relation to the appointment of the Board of the OfS, including the Chair, and the relevant provisions are as follows:

2(1) The OfS is to consist of the following members appointed by the Secretary of State—

- (a) a chair (“the chair”)

...

(2) The Secretary of State must, in appointing the chair and the ordinary members, have regard to the desirability of the OfS's members (between them) having experience of—

- (a) representing or promoting the interests of individual students, or students generally, on higher education courses provided by higher education providers,
- (b) providing higher education on behalf of an English higher education provider or being responsible for the provision of higher education by such a provider,
- (c) employing graduates of higher education courses provided by higher education providers covering a range of academic and practical disciplines,
- (d) promoting choice for consumers or other service users, and encouraging competition, in industry or another sector of society,
- (e) creating, reviewing, implementing or managing a regulatory system in industry or another sector of society,
- (f) managing or auditing the financial affairs of an organisation, and
- (g) a broad range of the different types of English higher education providers.

(3) But at least one of the ordinary members must have experience of representing or promoting the interests of individual students, or students generally, on higher education courses provided by higher education providers.

Person Specification

The person specification in the advertisement for this role set out the essential and desirable criteria which candidates were expected to demonstrate:

Essential criteria

- Excellent strategic thinking capability, experience of setting a clear vision and demonstrating strategic leadership in a range of contexts and complex environments.
- A strong communicator with outstanding ability to influence and build effective relationships with stakeholders across the public, private or voluntary sectors, including the ability to communicate effectively with ministers.
- Experience and a sound understanding of board management and commitment to the principles of public life.
- Commitment to the principles of levelling up, championing opportunity for all, and representing or advocating for disadvantaged regions in the UK.

Desirable criteria

- Sound knowledge and understanding of the operation of regulatory activity, the strengths and limitations of regulators, and the implication of these matters to the higher education secretary.

Terms Dates (length of tenure): 1 April 2021 to 31 March 2025

Remuneration: £59,000 per annum

Time Commitment: Approximately 2 days per week

3. Chair of the Office for Students recruitment process

Overview

Campaign launch date	26 August 2020
Campaign closing date	22 September 2020
Number of applicants	22
Number of candidates invited to interview	6
Number of candidates found appointable	4

Advertisement

The competition was launched on 26 August 2020 for a period of four weeks, closing on 22 September 2020. The job advertisement can be found [here](#).

The post was also advertised in the Times from 9 September to 22 September 2020 as well as being promoted through social media.

More specifically, as part of the advertisement process, the vacancy was shared and

highlighted with a range of BAME networks as well as being promoted via LinkedIn and Twitter to BAME networks and communities. We also approached a range of high-profile individuals from the BAME community who agreed to promote it within their own networks and contacts.

Advisory Assessment Panel

As outlined in the Governance Code for Public Appointments, the purpose of the Advisory Assessment Panel is to assist the Secretary of State in his decision-making for the role of the next Chair for the Office for Students.

The panel comprised of:

- **Susan Acland-Hood** (Permanent Secretary, Department for Education - Departmental Official)
- **Dame Patricia Hodgson** (Senior Independent Panel Member)
- **Nick Timothy** (Department for Education - Non-Executive Director)
- **Eric Ollerenshaw OBE** – Other Panel Member
- **Baroness Laura Wyld** – Other Panel Member

Sifting of Applications

A total of 22 applications were received when the competition closed.

The panel met to sift the applications and assessed six candidates to have met the standard set by the panel and demonstrated evidence of the essential criteria. The panel recommended to the Secretary of State that all six candidates who met the standard should be invited to interview.

The Secretary of State confirmed that he wished the panel to interview all six candidates.

Interview stage

As part of the interview, candidates were asked to give a short 5-minute presentation on the topic of “What they see as the challenges facing the Office for Students and what their priorities would be for taking the organisation forward”. No slides were required, given the virtual nature of the interview.

The remainder of the interview related to questions of the candidates experience and strengths, based on essential and desirable criteria. Each candidate was assessed against each criterion. The panel then agreed the final scores for each candidate and four candidates were determined to have met the standard required to be appointable.

The outcomes of the interview stage were presented to the Secretary of State who named Lord Wharton of Yarm as his preferred candidate to be the next Chair of the Office for Students. This has been approved by the Prime Minister and the Education Select Committee have been invited to hold a pre-appointment hearing with Lord Wharton and to report on their conclusions.

Note on diversity data: No diversity data is provided on applicants, as we have followed ONS guidance on statistical disclosure control. The ONS advise that, if there are fewer than 5 candidates in any given diversity data category (for example if you have six women and four men on a shortlist) you should not share any diversity data for that category.

Annex A

The full candidate pack was sent to you with the covering email to this pack but for ease of reference the vacancy description and person specification are set out below:

Vacancy Description

- Work closely with Ministers and government officials to set a new clear strategic direction for the OfS, taking it into the next phase of its critical work.
- Support and challenge the Chief Executive on the effectiveness and performance of the OfS, monitoring progress against its objectives and ensuring it is discharging its statutory duties in line with government policy, and in a way which minimises bureaucracy wherever possible.
- Build effective relationships with partners in the provider, research and business community, to engage with them, share data, work together on areas of common interest and promote understanding of the OfS' role and its activities.
- Steer and manage the OfS board. Make recommendations to Ministers on the appointment of board members, ensuring that board membership reflects the diversity of the UK, and ensuring high standards of propriety and robust financial management across the OfS.

Person Specification

The successful candidate must be able to demonstrate the following essential criteria:

Essential Criteria

- (1) Excellent strategic thinking capability, experience of setting a clear vision and demonstrating strategic leadership in a range of contexts and complex environments.
- (2) A strong communicator with outstanding ability to influence and build effective relationships with stakeholders across the public, private or voluntary sectors, including the ability to communicate effectively with ministers.
- (3) Experience and a sound understanding of board management and commitment to the principles of public life.
- (4) Commitment to the principles of levelling up, championing opportunity for all, and representing or advocating for disadvantaged regions in the UK.

Desirable Criteria

- (1) Sound knowledge and understanding of the operation of regulatory activity, the strengths and limitations of regulators, and the implication of these matters to the higher education secretary.

Annex B – Lord Wharton’s declared interests, conflicts and political activity**Lord Wharton of Yarm**

- (1) **No Declared Conflict of Interest on his application form**
- (2) **Political Activity: Lord Wharton made the following declaration as part of his application:**

Have you undertaken any political activity for a political party in the past five years?
Please tick:

No Yes (please state for what party and specific what activity)

Party name: Conservative Party

Held office

Public speaking

Stood for election

Made donations to a party

Any other political activity:

“I was a Conservative MP until 2017, have remained a party member since then and have recently been appointed a Conservative member of the House of Lords.”

- (3) **Other declared interests as a member of the House of Lords:**

Directorships:

Director, GBMW Ltd (member’s company providing strategic and management advice, and running his private office) (member draws ad hoc dividends); current clients are Aquind Ltd (electricity transmission), Squire Patton Boggs LLP (law firm), Policy Exchange Ltd (think tank), Hume Brophy (communications), Inmarsat (telecommunications) and IX Wireless Limited (telecommunications infrastructure provider)

Person with significant control of a company (PSC):

- GBMW Ltd
- JRF Housing Ltd

Shareholdings (a):

- GBMW Ltd

Non-financial interests (a):

- Director, JRF Housing Ltd (owns rental properties)

Appendix 4: Candidate's CV

James Wharton (Lord Wharton of Yarm)

Consultant

Summary

I have considerable experience in legal and government work. I was a Minister in two UK Government departments, and a Member of Parliament for 7 years. I now sit in the house of Lords. I have a comprehensive understanding of government affairs.

I chaired the UK office of global communications firm Hume Brophy and have a number of senior advisory/board advisory roles.

Experience

Hume Brophy Communications

Senior Adviser and Chairman UK, August 2017–September 2020

I led a team of consultants providing communications, corporate and government relations support to a wide range of clients across the private sector.

Parliamentary Under Secretary of State

Minister for Africa, July 2016–June 2017

I oversaw all DFID programmes in Sub-Saharan Africa, global funds contributions and related policy decisions. This included setting direction, assessment and signoff of business cases and managing relationships with other donor and donee countries.

Parliamentary Under Secretary of State

Minister for the Northern Powerhouse, May 2015–July 2016

I took the Cities and Local Government Act through Parliament and negotiated devolution deals with major cities and urban areas. I also oversaw European Regional Development Funding, Local Enterprise Partnerships and had responsibility for onshore minerals and renewables planning policy and decisions.

Member of Parliament

Conservative MP for Stockton South, May 2010–June 2017

Solicitor

Company Law Team at BHP Law, September 2006–May 2010

As a solicitor in the Company Law team I managed clients and set up, bought and sold companies on their behalf. I also worked on high value contract negotiations including with government departments.

Education

College of Law (York) Legal Practice Course, 2005–2006

Durham University, Bachelor of Laws (LL.B.), Law, 2002–2005

Appendix 5: Correspondence from the Commissioner for Public Appointments

Letter to the Chair of the Committee from the Rt Hon Peter Riddell CBE, the Commissioner for Public Appointments, 28 January 2021

Dear Robert,

As you know, I have a role to provide assurance over the process by which ministers make public appointments in line with the Government's Governance Code, particularly those which are subject to pre-appointment scrutiny by Select Committees of the Commons. This role has been endorsed by the Government in its response to an inquiry by the Public Administration and Constitutional Affairs Committee in the last Parliament.

I noted in late December that the Government had announced its choice of preferred candidate for the role of Chair of the Office for Students.

Last summer, I raised concerns with the Department for Education's then Permanent Secretary about the possible options for the choice of Senior Independent Panel Member for that competition. I was pleased to see that ministers then reviewed the position and proposed a SIPM who met the requirements of the Governance Code. The Government has recently issued new advice to departments on Senior Independent Panel Members which are in line with my views, and which should prevent any weakening of the Code's clear provisions on this matter.

After the competition was launched, and the membership of the full Panel was announced, I expressed concern about the composition of what had become a five member Panel. My concern was not about the merits of the individuals, each of whom on their own could be an acceptable member of an interview Panel, but, rather, with the overall balance in terms of experience and political activity. This concern was in terms of the broader perception of the fairness of the process of the competition under the Code.

I have followed up on my monitoring of this competition by requesting a copy of the Panel report about the interviews for the role. I am grateful to officials from the Department for Education who fulfilled this request. I have made clear to Select Committees my willingness to provide my views on any public appointment recruitment process in order for them to fulfil their scrutiny role, as I recently did for the DCMS Select Committee on the appointment of the new Chair of the BBC. I have read the Panel report in order to provide you with my views, ahead of your Committee's pre-appointment hearing with the Government's preferred candidate, Lord Wharton.

I note that Lord Wharton was assessed as appointable by the Panel, along with three other candidates. The choice between these appointable candidates is entirely a matter for ministers. I am satisfied that the Panel questioned the candidates at interview consistently and with reference to the published criteria for the role which are very specific on what ministers believe is required in relation to the Government's policy objectives. The Panel considered matters of due diligence and any conflicts of interest of each candidate. Each of the candidate's relative strengths and weaknesses were clearly identified by the Panel in its report provided to ministers. I am satisfied that the panellists declared and managed

their own conflicts of interests, and commend the Senior Independent Panel Member for her sensible advice on the handling of these. She, in accordance with her role, has provided her assurance that the appointment process was conducted in accordance with due principles and process. This once again underlines my comments in the summer on the importance of a strong independent voice on panels.

I understand your committee will be holding a pre-appointment scrutiny hearing with Lord Wharton shortly. I would be happy to deal with any other questions which your committee might want to raise about the appointment process. I have copied this letter to the DfE public appointments team.

With best wishes,

Peter Riddell

Commissioner for Public Appointments

Formal minutes

Tuesday 2 February 2021

Members present:

Robert Halfon, in the Chair

Fleur Anderson	Kim Johnson
Apsana Begum	David Johnston
Jonathan Gullis	Ian Mearns
Tom Hunt	David Simmonds
Dr Caroline Johnson	Christian Wakeford

Draft Report (*Appointment of the Chair of the Office for Students*) proposed by the Chair, brought up and read.

Ordered, That the Chair's draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 18 read and agreed to.

Paragraph 19 read.

Motion made, and Question put, That Paragraph 19 stand part of the Report.

The Committee divided:

Ayes, 6	Noes, 4
Jonathan Gullis	Fleur Anderson
Tom Hunt	Apsana Begum
Dr Caroline Johnson	Kim Johnson
David Johnston	Ian Mearns
David Simmonds	
Christian Wakeford	

Paragraph 19 accordingly agreed to.

Five papers were appended to the report.

Resolved, That the Report be the Fourth Report of the Committee to the House.

Ordered, That the Chair make the Report to the House.

Ordered, That embargoed copies of the Report be made available (Standing Order No. 134).

[Adjourned till 9 February 2021 at 9.30 am

Witnesses

The following witnesses gave evidence. Transcripts can be viewed on the [inquiry publications page](#) of the Committee's website.

Tuesday 02 February 2021

The Lord Wharton of Yarm

[Q1-57](#)

List of Reports from the Committee during the current Parliament

All publications from the Committee are available on the [publications page](#) of the Committee's website.

Session 2019–21

Number	Title	Reference
1st	Getting the grades they've earned Covid-19: the cancellation of exams and 'calculated' grades	HC 617
2nd	Appointment of the Children's Commissioner for England	HC 1030
3rd	A plan for an adult skills and lifelong learning revolution	HC 278
1st Special Report	Special Educational Needs and Disabilities: Government Response to the Committee's First Report of Session 2019	HC 668
2nd Special Report	Getting the grades they've earned Covid-19: the cancellation of exams and 'calculated' grades: Government Response to the Committee's First Report of Session 2019–21	HC 812