



MINUTES of the Two Hundred and Thirty First Meeting of the Board

**Held at the Coal Authority, 200 Lichfield Lane, Mansfield,
Nottinghamshire on Tuesday 15 March 2016**

Present:

Stephen Dingle, Chair
Paul Frammingham
Tricia Henton
Philip Lawrence
Simon Reed
Stephen Redmond
Bob Spedding

In Attendance:

Jeremy Cousins, DECC Sponsor Team
John Delaney
Gemma Pearce
Richard Hughes
Lisa Lax

2331 Welcome

Stephen Dingle welcomed Jeremy Cousins to the meeting.

2332 Minutes of the Two Hundred and Twenty Fifth Meeting of the Board held on 19 May 2015

The minutes of the Two Hundred and Twenty Fifth meeting of the Board held on 19 May 2015 were signed as a true record.

2333 Corporate Governance - Review of Standing Documents and Interests (AP/OM/1724)

Paul Frammingham introduced the paper which had been produced to provide the Board the opportunity to review standing documents to confirm that they are still fit for purpose. The paper also gave the opportunity to review Board Members' interests to ensure appropriate transparency is maintained.



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The Board focussed on the standing documents attached as appendices to the paper:

(i) Coal Authority Framework Document

Reference was made to identifying that the Authority Chair should have responsibility for appointing the Chief Executive and should be involved in the process of appointing non-executive directors. It was agreed that the Chair was responsible for appointing the Chief Executive and that this document would be amended to reflect this.

Action – Jeremy Cousins/Stephen Dingle/Philip Lawrence

The Chair's involvement in the appointment of Authority non-executive directors is not as clear. Stephen Dingle referred to the "Better Public Appointments – A Review of the Public Appointments Process" report produced by Sir Gerry Grimstone and published on 11 March 2016. The report recommends that Chairs have a clearer role in the appointment process for non-executive directors.

Jeremy Cousins added that DECC would expect that under normal circumstances the Chair would be involved in all non-executive director appointments.

It was agreed that the document would be amended to be gender neutral throughout.

Action – Paul Frammingham

(ii) Audit Committee Terms of Reference

It was agreed that paragraph 4.3 should be amended to read "The internal and external auditors shall normally attend meetings of the Audit Committee".

Action – Paul Frammingham

(iii) Standing Orders

The second heading to be amended to read "Chair of Meeting".

Action – Paul Frammingham



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(iv) Board Members' Interests

Board members confirmed that their interests as set out in Appendix 4 were correct with the exception of Stephen Dingle who stated that he would provide revised details after the meeting.

Action – Stephen Dingle

(v) Framework of Strategic Control

The Executive confirmed that they are empowered and that issues can be raised with Non-Executive members in real time.

Reference to be made in the document to Non-Executive members providing assistance to the Authority at the invitation of the Chief Executive, whilst retaining their Non-Executive roles. Consideration to be given to the deletion of items (c)(i) to (c)(v) on page 1. Amended pages to be circulated to the Board for review.

It was agreed that the last sentence on page 1 be deleted.

Action – Paul Frammingham

(vi) It was confirmed that the contents contained within the framework remain appropriate, however the document required to be rebranded for review next year.

Action – Paul Frammingham

The Board, subject to the amendments above, approved the:

- (a) Framework Agreement between the Department of Energy and Climate Change (DECC) and the Authority;
- (b) Terms of Reference for the Audit, HR and Remuneration and Safety, Health and Environment Committee; and
- (c) Standing Orders

The Board, subject to the amendments above, also confirmed:

- (a) compliance with the Register of Interests and Hospitality Register and noted Board Members' interests which following inclusion of Stephen Dingle's changes will be published on the GOV.UK/coalauthority website; and
- (b) that the framework of strategic control summarises those items reserved by the Board and outlines those powers delegated to the Executive Directors remain appropriate and that the framework is fit for purpose.



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2334 Freedom of Information Act 2000, Environmental Information Regulations 2004 Requests, Correspondence with Members of the Scottish Parliament, Members of Parliament and Welsh Assembly Members and Complaints Process Review (AP/OM/1725)

John Delaney introduced the paper which provided an update on the impact on the Authority of the Freedom of Information Act 2000 (FoI), Environmental Information Regulations 2004 (EIR), correspondence with politicians and the operation of the complaints process.

The Authority continues to receive a modest but increasing number of FoI and EIR requests. The First Tier Tribunal (Information Rights) rejected the appeal against the Information Commissioner's Office decision that the Authority should release full addresses associated with coal mining subsidence claims, but ruled that the Authority should release post code information. The Authority has complied with the Tribunal decision.

During 2015-16 the Authority received 71 complaints about its work. The majority of complaints have been resolved by front line staff.

The Authority received correspondence from 40 politicians on behalf of constituents during the year. The Parliamentary and Health Service Ombudsman's office confirmed in February 2016 that it would be undertaking an investigation into the handling of a complaint about the reporting of a mineshaft. The Authority has responded setting out its position in this matter.

The Board:

- (i) acknowledged that the obligations on the Authority under the Freedom of Information Act 2000 and the Environmental Information Regulations 2004 continue to be met;
- (ii) noted that the handling of correspondence from politicians on behalf of their constituents continues to be dealt with in line with the procedures in place and that complaints being received are dealt with in line with the Complaints Handling Procedure; and
- (iii) noted that further periodic updates will be made to inform it about the management of requests.

2335 Date and Time of Next Meeting

It was noted that the next Board Meeting is scheduled to take place on 17 May 2016.