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# Standing Orders

## Reviewed by the board on 24th March 2023

## (Previously approved on 17th March 2022)

## These Standing Orders are in accordance with the provisions of:

## [Schedule 1 of the Coal Industry Act (1994)](http://www.legislation.gov.uk/ukpga/1994/21/schedule/1)

## [Coal Authority Framework Document 2022](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/844421/Coal_Authority_and_BEIS_framework_agreement_2019.pdf), an agreement with the Department of Business Energy and Industrial Strategy (now the Department for Energy Security and Net Zero) which codifies the core elements of the relationship between the Department and the Authority.

## [Cabinet Office Code of Conduct for Board Members of Public Bodies June 2019](https://www.gov.uk/government/publications/code-of-conduct-for-board-members-of-public-bodies)

## [Coal Authority Staff Code of Conduct and Declarations of Interest Policy (November 2019)](http://wisdom/Wisdom/DocumentLauncher.aspx?a=1c33cdcf-4da8-11ea-b80c-0050569fb2a6)

## Meetings of the members of the authority (‘the board’)

## Convening

1. The board shall meet not less frequently than at threemonthly intervals. Other meetings will be convened as may be necessary to deal with any special or urgent matters of business.
2. The Chair may call a meeting of the board at any time.
3. Notice of a meeting shall be given to each board member, the notice period shall vary depending on the urgency and content of the meeting, and a meeting shall not be invalidated should notice not be received.
4. Meetings are valid if members are able to clearly communicate with each other, whether or not they are co-located.

## Chair of meeting

1. At a meeting of the board the Chair shall preside. If the Chair is absent the senior independent director shall preside. If the Chair and senior independent director are absent, the board members present shall choose a non-executive board member to preside.

## Quorum

1. No business shall be transacted at a meeting of the board unless at least three board members are present and one of those is a non-executive.

## Voting

1. All questions (including the amendment of these orders) shall be decided by a majority of votes of those board members present at a meeting of the board.
2. Whilst only members of the board may formally vote on matters, regular attendees to the board (the executive directors for people and resources, community and emergency response, innovation and engagement and the head of legal) will be invited to contribute to the board’s deliberations and, if relevant, offer advice relating to the matter being discussed.
3. In the case of an equality of votes the Chair of the meeting shall have a second or casting vote.
4. A member’s vote shall be clearly communicated to all other voting members in attendance.

## Resolution

1. A resolution in writing signed by all the board members, or in respect of any committee appointed under Order 14, by all of the members of such committee, shall be as valid and effectual as if it had been passed at a meeting of the board, or of such committee, duly convened and held.

The terms ‘in writing’ and ‘signed’ shall include any mode of reproducing words in a legible and non-transitory form.

## Minutes

1. The names of the board members and other attendees present at a meeting of the board shall be recorded in the minutes.
2. Minutes of the meetings of the board and of any committee appointed under order 14 shall be submitted for approval as to their accuracy to the next appropriate meeting. The minutes as approved shall be signed by the person in the chair at the meeting to which they are submitted and if so signed shall be received as conclusive evidence of the facts therein stated.
3. Copies of the minutes of each meeting of the board shall be sent to each board member before the next meeting(except where the second of the meetings referred to is called in a case of urgency, when the minutes shall be sent to each board member before the next scheduled ordinary meeting).

## Committees

## Appointment

1. The board may appoint committees with or without plenary powers and may include such board members and/or members of the executive, as it may decide and with power to co-opt any board member and/or members of the executive to deal with any particular matter under direction of the board.
2. The Coal Authority’s framework document requires the Authority to establish an Audit Committee to be chaired by a non-executive director.
3. The board has chosen to appoint a people & remuneration committee, a health, safety and wellbeing committee and an environment and sustainability committee under standing order 15.
4. Questions arising at a meeting of a committee shall be decided by a majority of votes of the appointed members present. The quorum for meetings of any committee shall be determined by the board.
5. The board shall review the committees’ Terms of Reference and confirm their membership at least annually to ensure that they remain current.

## Regulations

1. Any committee appointed under order 15 hereof shall be governed by any regulations (including these orders, which shall apply mutatis mutandis[[1]](#footnote-1)) made by the board at the date of such appointment or from time to time thereafter.

## Seals of the authority

1. There shall be one seal which shall be the seal of the Authority.
	1. The seal of the Authority shall be held in the custody of any member of staff as shall, from time to time, be soauthorised by the chief executive.
	2. The application of each seal of the Authority shall be authenticated by the signature of any statutory executive board member or in their absence any board member who has been authorised for that purpose as set out in the framework of strategic control.
	3. The chief executive may direct that the seal may be used for attesting only such class or classes of instrument as he/she shall specify.
	4. A seal register shall be maintained in which the use of the seal shall be recorded and initialled by the signatories to every instrument sealed.

## Declarations of members' interests

1. A board member who is in any way directly or indirectly interested in any matter that is brought up for consideration at a meeting of the board shall disclose the nature of his/her interest to the meeting.
2. Where such a disclosure is made, the disclosure shall be recorded in the minutes of the meeting and the board member shall not take part in any deliberation or decision with respect to that matter if either:-
3. it relates to any application made to the Authority or to any licence or contract which the Authority has granted or entered into or is considering granting or entering into; or
4. the other board members determine that the nature of the matter, the extent of the Board Member's interest and any prejudicial effect of his/her joining in the consideration of that matter are such that the board member should not take part.
5. For the purpose of standing order 22, a general notification given at a meeting of the board by any board member to the effect that:-
6. he/she is a member of a specified body, corporate or firm;
7. he/she is to be regarded as interested in any matter involving that body or firm which falls to be considered after the giving of the notification, and;
8. the disclosure is recorded in the members’ register of interests,

shall be regarded as a sufficient disclosure of his/her interest in relation to any such matter.

1. A board member who is required under standing order 22 to make a disclosure at any meeting need not attend in person at the meeting in order to make the disclosure if he/she takes reasonable steps to secure that the disclosure is made by a notice which is taken into consideration and read at the meeting and that the disclosure is recorded in the members’ register of interests.
2. The minutes shall record any disclosures made under this order.
3. At least annually, in March of each year, members shall confirm their interests for inclusion on the register of interests. Nevertheless, members should ensure that any changes in their interests are recorded in the register as they occur and, if necessary, are reported to the board.

## Variation and revocation of standing orders

1. These orders shall be reviewed by the Board on a regular basis, and at the request of any board member and the board may confirm or vary these orders as they see fit.
1. Meaning that matters or things are generally the same, but to be altered, when necessary, as to names, offices, and the like. [↑](#footnote-ref-1)