

**PRESS RECOGNITION PANEL**  
**Minutes of the 27<sup>th</sup> meeting of the Press Recognition Panel Board**  
**held on 26 January 2017 at Mappin House, 4 Winsley Street, London W1W 8HF**

**Present:** Dr David Wolfe QC (Chair), Harry Cayton, Emma Gilpin-Jacobs, Carolyn Regan, Harry Rich and Tim Suter.

**In attendance:** Susie Uppal (Chief Executive), Paul Nezandonyi (Head of Communications and Stakeholder Management), Caroline Roberts (Head of Regulatory Affairs) and Simon Edwards (Regulatory Affairs Manager), Saima Ansari (Executive Administration Manager), Adam Gibbs and John Speed (JS2 Ltd)

**BOARD MEETING – PUBLIC SESSION**

**Welcome**

1. The Chair **welcomed** Members and attendees to the twenty seventh meeting of the Press Recognition Panel Board.
2. The Chair also **welcomed** James Connal (Capital PR) as the member of the public who was in attendance and content to be named as having been present.

**Declaration of members' interests**

3. There were no new interests to declare as of today's date. The Chair mentioned he had been at two social gatherings and the attendees included Paul Farrelly (MP for Newcastle-under-Lyme) and Sashy Nathan (Director of Advocacy - 89up) separately. No interaction took place. The Chair had also turned down an invitation to attend the Queen's Garden Party later this year to avoid any misunderstandings about the PRP's independence.

**Minutes of the meeting held on 20 December 2016, outstanding actions and matters arising**

4. The minutes of the meeting held on 20 December had been circulated earlier to the Board and these were recorded as factually correct. The Chair would sign a copy for the records.
5. The Chief Executive explained that in relation to Action 5 of the log of outstanding actions, the FAQs had now been updated on the website. Board members' appraisals are due to be arranged on behalf of the Chair shortly (Action 6 refers). The log of outstanding Board actions was **noted** and **agreed**.
6. The Board **noted** that there were no other matters arising that were not covered elsewhere on the Agenda.

#### **Chief Executive's Report – January 2017 – Paper PRP01(17)**

7. The Board received a paper which provided an update on Executive activity since the last Board meeting on 20 December 2016.
8. The Chief Executive updated the Board on matters since her report was drafted:
  - The first post recognition meeting with IMPRESS was held on 18 January 17. Impress has consulted on and ratified a new Standards Code which would need to be assessed against the criteria. They have also confirmed that they had provided details of the PRP's whistleblowing service to IMPRESS' members.
  - The PPA and the solicitors acting for the NMA have sent in information which they say relates to IMPRESS' compliance with the Charter. This, as is the case of any information gathered or received, is being considered in accordance with the PRP's process on reviews. The Board agreed that this was the correct process.
  - We will be serving the Acknowledgement of Service and Summary Grounds of Resistance to the JR bought by the NMA against the PRP today or tomorrow.
  - The Chief Executive thanked the Board for their input into the framing of the PRP's response to the Government consultation on section 40 of the Crime and Courts Act 2013.
  - The Chief Executive thanked the Board for their input to the factsheet on myths and facts which had received positive feedback from several sources.
  - A minor typographical error was corrected in para 12 (the date should be January 17 and not 16). The meeting with Natalie Davis, Head of Policy from the Department of Culture, Media and Sport, had been arranged at her behest to go over the specific areas that had been covered in the meeting with SofS on 19 December 2016. The note of

the meeting on 19 December 2016 was still with Secretary of State and will be published on our website as soon as it is agreed. Harry Cayton observed that Secretary of State had not expressed any opinion at that meeting.

- The Secretary of State had said, in statements made by her officials and elsewhere, that no action will be taken in response to the consultation pending the outcome of the judicial review of the consultation (R on the application of Hames and others). Given this would cause delay to the determination of the issue, the Executive would be proceeding with the consultation on charging and the Board would have a draft to consider at its February meeting.
- The meeting with Lord Fairfax (as an interested peer) had been arranged at his request and was part of our approach of engagement with all and any interested parties.
- Meetings were being held with JS2 and Comis to review the service they had provided over the last year and also to consider our requirements post April.

9. The Board **noted** with thanks the contents of the Chief Executive's report.

#### **Finance Report December 2016 – Paper PRP02(16)**

10. The Board received a paper which provided an update on the financial position as at 31 December 2016.

11. The following points were raised in discussion:

- The Board **noted** the latest financial position as at 31 December 16 and noted that the Management Accounts covered 9 months to December 2016 and not 10 months as stated.
- The actual figures in December as expected correlate closely following the reforecast in November 2016.
- Megan Archer has retired from JS2 and the Chair planned to write formally to thank her for her work with the PRP.
- The upper payment limit of £150,000 for the Chair and Harry Rich on Handlesbanken online banking were noted.
- The Board were satisfied that we continue to meet the guidance in the Treasury handbook 'Managing Public Money'. It was observed that this handbook did state that 'nothing in this guidance should discourage the application of sheer common sense'. The PRP continues to apply shared best practise and common sense to its approach.

Post Meeting Note: The Chair wrote to thank Megan Archer on 7 February 2017.

#### **Plans for Annual Governance Framework Review – Paper PRP03(17)**

12. The Board considered the first tranche of policies that included all those that broadly relate either to information and communications or to conduct and employment terms and conditions. The Chief Executive explained that the review availed an opportunity to stream line and consolidate the policies whilst ensuring that they remained fit for purpose.
13. The proposals were not designed to downgrade our commitment and the revisions would be carefully assessed to ensure that the policies were not weakened.
14. The following points were discussed and agreed in respect of each policy:
  - The content of the policy on Openness, Transparency and Consultation would be updated to reflect agreed working practices and incorporated as appropriate to the revised Mission and Approach, Board Rules of Procedure and our Communications Strategy;
  - Terms and Conditions would be drafted for the Board as anticipated in the letters of appointment;
  - the Terms and Conditions would incorporate the content of the policies on Confidentiality, Political Activity (expanded to incorporate other activities restricted by the Charter); and Indemnity for Civil Liability;
  - the Publication Scheme would be retained, as would the policies on Equality, Diversity and Inclusion; Gifts and Hospitality; and Expenses, with the recommended amendments for each;
  - the content of the policy on Declarations of Interest would be incorporated in our Board Rules of Procedure when these are revised and reflected in the Terms and Condition as appropriate;
  - the content of the policy on Expressions of Views would be incorporated in the Communications Strategy, when this is revised;
  - the contents of the Welsh Language policy would be incorporated in our Communications Strategy when this is revised, and the principles of the PRP's inclusive and accessible approach to stakeholder engagement incorporated in our Mission and Approach and Equality, Diversity and Inclusion;
  - the Anti-bribery policy for the PRP would be simplified as recommended; and
  - the Gifts and Hospitality policy would be simplified significantly to be proportionate and combined with the expenses policy, with minor amendments to the latter.
15. The Executive will consider how the principles in the policies concerning political activity and indemnity for civil liability will be drafted to continue to apply to staff and implement accordingly.
16. The policies that were being absorbed into other policies or combined would be brought back to the Board for endorsement as part of the future

tranches for review.

### **Proposed Process for Variations Submitted by Approved Regulators**

– Paper PRP(04)17

17. The Chief Executive explained that the PRP needed to ensure that we had a process by which we could consider amendments made by an approved regulator to the way it met the criteria. When designing the application process the PRP agreed that it would be useful to have a process which incorporated third part feedback before the matter was considered by the Board. What was being proposed in the paper was something very similar to that – that we add a mechanism under which 3<sup>rd</sup> parties could provide relevant information, to assist the assessment and the Boards decision making.
18. Turning to the process of ad hoc reviews, the Chief Executive explained that the process currently in place was that the Board would have to make a decision to commence an ad hoc review before the Executive could put out a call for information seeking 3<sup>rd</sup> party information. This new variation process would allow us to seek 3<sup>rd</sup> party information at the point of initial assessment which would inform the Executive analysis before a decision was made by the Board.
19. The Board discussed the possible risks. Putting out a call for information may give the impression that the Board had made a decision to undertake an ad hoc review when this would not be the case. It was agreed that the Charter did not specifically set out how changes to the way an approved regulator met the criteria should be dealt with. It seemed therefore that the process would have to flow out of the PRP's ad hoc review process. The bar for commencing an ad hoc review was a high one so the best option seemed to be to link it to the preliminary assessment process.
20. The Board **agreed** that a consultation on the proposed changes should be held for a period of 6 weeks. The Board **agreed** to delegate the approval of the consultation wording to the Chair and the Chief Executive.

### **Any other business and close of public session**

21. James Connal questioned whether the Minutes would have more detail concerning the confidential items as agreed at the last Board meeting in December 2016.
22. The Chair commented the Minutes would be more fulsome than they had been in the past.

## **BOARD MEETING – CONFIDENTIAL SESSION**

### **Minutes of the meeting held on 20 December 2016, outstanding actions and matters arising**

23. The confidential section of the Minutes was recorded as factually correct and it was noted that the confidential items of the Actions Log were up to date.
24. Tim Suter advised that, through his company Communications Chambers, he had been commissioned by the Broadcasting Authority of Ireland to carry out the statutory investigation into the impact on plurality of news in Ireland of the purchase of a number of titles by Independent News and Media. The role had not been publicly announced by the Broadcasting Authority of Ireland but would be by the beginning of February at which stage this information will be publicly declared at the next Board meeting and the declaration of members' interests updated accordingly.

### **Chief Executive's Report – January 2017 – Paper PRP01(17)**

25. The Chief Executive explained the current state of progress in relation to the Executive's independent assessment of the dossier of allegations from the RPC and PPA. In parallel, IMPRESS has been asked to consider the allegations and provide their response. The Executive's complete analysis will come to the Board for decision on whether to go forward with an ad hoc review in due course.

### **Quarterly Risk Register Review – Paper PRP05(17)**

26. The risks and the scores were discussed by the Board and the following points were raised:
- Risk 4(i) – this risk should be updated to reflect the pre-January position and should relate to possible future JR applications.
  - Risks 5 and 17 will be updated to reflect that we will now be consulting on fees as a result of the postponement of an imminent decision by the SofS on the Government's consultation on section 40.
  - There may be a need to capture the impact on the PRP of the Government's decision on section 40. The Board will contemplate this risk and the mitigation further at the next quarterly review of the register.
  - Risk 17 – the likelihood score should be increased from 3 to 4.
27. The risk register is to be updated in line with these amendments. Post meeting note: the risk register has been updated and will be provided for consideration at the Board meeting in April 17.

### **Any other business and close of confidential session**

28. Emma Gilpin-Jacobs asked about the Executive's proposal to continue to move to a fixed and variable model at a stage when the work load seemed to be increasing significantly. The Chief Executive explained that in line with the paper submitted to the Board in September 2016, the staff had expectations and had made personal arrangements accordingly. The intention was to proceed on a trial basis post April 2017 and a further update will be provided in February as the Executive move towards new ways of working. The Board agreed that they had given the Chief Executive the flexibility and authority to set in place the construct that she thought best met the organisation's needs, noting that there is limited flexibility due to our size.

### **Date and time of next meeting**

29. The next scheduled meeting of the Board will take place at 09:00 on Tuesday 28 February 2017 at Mappin House, 4 Winsley Street, London W1W 8HF.

Drafted: Saima Ansari  
Executive Administration Manager

Signed: Dr David Wolfe QC  
Chair

Dated: 20 February 2017