

PRESS RECOGNITIONAL PANEL
Minutes of the 4th meeting of the Press Recognition Panel Board
held on 27 February 2015 at 107-111 Fleet Street, London EC4A 2AB

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

In attendance: Susie Uppal (Executive Director), Holly Perry (Interim Governance Manager) and John Price Williams (Interim Communications Advisor)

Apologies: Gavin Sturge (Interim Finance Director)

BOARD MEETING – PUBLIC SESSION

Welcome and Apologies

18. The Chair **welcomed** Members and attendees to the fourth meeting of the Press Recognition Panel Board, and extended a particular welcome to Susie Uppal, who had joined the Panel as Executive Director on 26 January 2015.
19. The Chair also **welcomed** the members of the public who were in attendance, all of whom confirmed that they were happy to be named as having been present:
- Alistair Brett, Early Resolution CIC
 - Alex Cisneros, the IMPRESS project
 - James Connal, Capital PR
 - Dr Evan Harris, Associate Director, Hacked Off Campaign

Declaration of members' interests

20. The Board noted that in the context of discussions held during the confidential session relating to the Panel's future premises needs, Emma Gilpin-Jacobs would take up the role of Communications Director for the Regus Group on 20 April 2015. The register of Board Members' interests would be updated and published on the Panel's website.

Minutes of the meeting held on 13 January 2015, outstanding actions and matters arising

21. The minutes of the meeting held on 13 January 2015 were **approved**. The Chair would sign a copy of the minutes as a correct record.

22. The log of outstanding Board actions was **noted** and **agreed**.
23. In relation to matters arising, the Board **noted** that:
- Gavin Sturge was finalising the arrangements for Board insurance; and
 - the Panel had now registered with HMRC and could expect a note to file a return within the next two months.

Stakeholder meetings: update on current position – paper PRP08(15)

24. The Board **considered** a short update paper prepared by Holly Perry which updated the Board on the forward plan of meetings with those with an interest in the Panel's work, following discussion at the Board's 13 January 2015 meeting.
25. The following points were **noted** in discussion:
- that observers had requested permission to attend the stakeholder meetings – these requests had been declined on the basis that the meetings were confidential, and that an agreed note of the meetings would be published on the Panel's website afterwards; and
 - a meeting with IMPRESS was taking place on 9 March 2015;
 - nothing further had been heard from ISPO and the Executive Director would therefore follow up with her equivalent at IPSO regarding a arranging a meeting for a mutually convenient date.
26. The Board:
- **noted** the current position on meetings including re-scheduled dates;
 - **noted** that the Panel had received requests to meet from individuals beyond those specifically invited, which had been accepted; and
 - **noted** the exchange of correspondence between the Panel and IMPRESS, and the Panel and IPSO.

Governance Framework: update on first phase of consultation – paper PRP09(15)

27. The Board considered a paper which presented a copy of the consultation response received from IMPRESS in relation to the interim governance policies published for public consultation on 19 December 2014, and requested the Board's approval to proposed amendments to some of the documents to reflect the comments received.
28. The following points were **considered** and the Board **agreed** amendments to the following specific policies, along the lines proposed by IMPRESS: openness and transparency; public consultation; register of interests; and principles of consultation.

29. In summary, the Board:
- extended its **thanks** to IMPRESS for responding to the consultation in a constructive way;
 - **approved** the amendments proposed to the following policies and position statements as discussed: openness and transparency; public consultation; register of interests; and principles of consultation;
 - **noted** the Chair's letter to the Ministry of Justice dated 26 January 2015, to which a response had not yet been received;
 - **agreed** the remaining policies and position statements as final versions:
 - the Panel's statement of mission and approach;
 - working procedures for the Board;
 - the Panel's role in Scotland and Northern Ireland;
 - delegations and matters reserved to the Board;
 - indemnities;
 - expenses;
 - disciplinary procedures for the Chair and Members of the Board
 - declarations of interest;
 - confidentiality;
 - expression of views;
 - data protection;
 - Board Member remuneration; and
 - equality, diversity and inclusion.
30. The Board **delegated authority** to the Chair and Interim Governance Manager to finalise the documents and publish them on the Panel's website as final, agreed elements of the governance framework.

Governance Framework update – paper PRP10(15)

31. The Board **considered** a paper which presented draft interim policies on anti-bribery, money laundering, fraud, theft and corruption; whistleblowing (by staff); and finance.
32. In relation to the specific policies and position statements, the following points were raised in discussion:
- Anti-bribery, money laundering, fraud, theft and corruption policy*
- the references to the Senior Independent Director needed to be repeated where they appeared a second time (top of page 5 of the draft policy); and
 - Under section 9 of the draft policy, the following wording would be added to the sentence regarding allegations of non-suppliers being investigated by the Finance Director:

'unless it would not be appropriate to do this, in which case the investigation will be by the Executive Director'

Whistleblowing (by staff) policy

- it was clarified that the policy applied to whistleblowing internally, and did not apply in the context of regulatory activity; and
- references to staff would be defined as '*employees and all those working with and for the Panel*'.

Finance policy

- section 13 on external audit needed to be regarded as very early drafting on the basis that discussions with the National Audit Office (NAO) needed to be held before the arrangements could be formalised – if the NAO's confirmation had not been secured by the time the Panel issued the policy on the website as a consultation version, the section would be deleted;
- in relation to the Scheme of financial delegation, appropriate limits needed to be set to allow the Executive Director to deliver the work programme, with the appropriate level of challenge and caution. Figures needed to be slightly lower than might otherwise be the case owing to the enhanced scrutiny that the Panel's finances and funding attracted;
- a key principle was for limits to apply at the point the liability was initially incurred, rather than being centred on payments;
- a further important principle was to ensure a separation between the individual incurring the expenditure and the individual signing off the payment;
- it was agreed that the Finance Director should not authorise the incurring of expenditure, only the authorising of payments (payment limits were covered by separate limits set out in the banking mandate);
- the following limits of financial delegation were agreed, subject to public consultation, and subject to keeping the limits under review and reconsidering them in light of practical application:
 - authority to incur budgeted resource or capital per transaction - £25,000;
 - authority to incur unbudgeted resource or capital per transaction - £5,000;
 - transfers between accounts - £50,000

33. In summary, the Board **approved** the following policies as interim positions, subject to reflection of the points raised in discussion, to be adopted pending further consideration in light of public consultation:
- Anti-bribery, money laundering, fraud, theft and corruption policy;

- Whistle-blowing (by staff) policy; and
 - Finance policy.
34. The Board **delegated authority** to the Chair and Interim Governance Manager to finalise the documents and publish on the Panel's website as part of the a consultation process for the governance framework, in line with the approach to consultation agreed at the 5 December 2014 meeting and with a view to the Board considering final policies in the light of any public comment at the Board's 26 May 2015 meeting (allowing eight weeks for public consultation).

Finance Report February 2015 – paper PRP11(15)

35. The Board received a paper which set out a bank-reconciled set of accounts as at 31 January 2015 for the Board's consideration.
36. The Board:
- **noted** the position regarding the Panel's income and expenditure as at 31 January 2015, including the net surplus of £747,206 currently predicted for the end of the financial year;
 - **noted** that the cost of the staff expected to be in post by the end of March 2015 was reflected in the figures for March 2015;
 - **requested** that the line for salaries was reconfigured in order to anonymise details of the payments to individuals;
 - **noted** that a paper on the indicative budget for 2015/16 would be submitted to the Board's 25 March 2015 meeting; and
 - **noted** that a further sum of money would be transferred from the Exchequer via the Ministry of Justice ahead of the new financial year.

Closing discussion

37. The Chair invited the members of the public who were in attendance to make any observations and to raise any questions. In advance of this, the Chair confirmed that at the confidential session held in the morning of 27 February. The Board had agreed the outline framework and timetable for developing recognition criteria, including the plan to issue the draft framework for formal public consultation in May, with public engagement events taking place between May and July 2015. A concluded position on the framework would be agreed by late summer, following which the Panel would be 'open for business' and in a position to accept applications. The following points were made by the visitors:

Alistair Brett, Early Resolution CIC:

- reported on his company's intended development of an arbitration scheme, which it was hoped that the Panel would consider carefully with a view to determining whether or not the offering was likely to support the Royal Charter criterion which referred;
- the Chair responded that the Panel would be working hard from the end of February to establish and draft a recognition framework, ready to issue it publicly at the end of May 2015, and that the Panel would welcome dialogue on any of the criteria to help inform its thinking. The Panel would not, however, base its approach around a commercial offering; Harry Cayton added that in relation to arbitration, the Board would expect to see a proportionate approach that did not advantage or disadvantage any particular (size of) regulator;
- Early Resolution CIC undertook to send the draft scheme and rules, and the Panel agreed to a meeting to discuss the matter in due course.

Evan Harris, Hacked Off

- raised an issue in relation to the Data Protection Act 1999 and publication of personal information on the Panel's website - the Chair responded that the reason why certain data had been redacted related to the fact that its publication on the website pre-dated the Board's decision to publish correspondence in full;
- raised a point in relation to incentives for recognition, the award of exemplary damages, and a correction of the reference in the Board's 13 January 2015 minutes to the sections of the Crime and Courts Bill 2013 (Dr Harris felt the appropriate sections that should have been referred to were 34 to 39 rather than 37 to 39);
- requested clarification regarding whether the Panel could put itself in a position to accept applications before the final recognition framework was published. The Chair responded that the Panel would give this matter further consideration as part of considerations relating to the timetable for the work and whether any regulator was likely to be in a position imminently to submit an application for recognition.

Any other business

38. The Chair reported that he would shortly be in touch with individual Board Members to arrange one-to-one meetings, to be completed in the next month to six weeks.

Date and time of next meeting

39. The Board **noted** that the next scheduled meeting of the Board would be held on Wednesday 25 March 2015, starting at 10.00am.