



Department for
Business, Energy
& Industrial Strategy

Coal Authority, Chair

Applicant Pack

September 2020

The closing date for the receipt of applications for
this role is: **25 October 2020**



The Commissioner for
Public Appointments



Contents

Message to Applicants.....	3
Mission Statement.....	5
About the Company.....	6
About the Board.....	6
The Role and People Specification.....	9
Terms of Appointment.....	10
How to Apply.....	11
Commissioner for Public Appointments.....	12
Diversity and Equal Opportunities.....	12
Making a Complaint.....	12
Conflicts of Interest.....	13
Public Appointments Privacy Notice.....	15

Welcome Message from Kwasi Kwarteng, Minister of State for Business, Energy and Clean Growth

Dear Applicant,

Thank you for your interest in the role of Chair of the Coal Authority.

You may already have some idea about the important work of the Authority and the following pages will tell you more about the purpose and the nature of the Chair's role.

The Authority works across Great Britain to protect the public, drinking water and the environment in coal mining areas and to seek opportunity from our coal mining legacy as well as manage the liabilities. Their mission is to make a better future for people and the environment in mining areas.

They are an operational delivery body and operate 24/7 incident response. Recent examples have included evacuating families at risk from mine gas, supporting homeowners and landowners affected by subsidence or shaft collapses, working as part of the major incident flood response team in Yorkshire during last winter and supporting the UK and Welsh Governments following a local authority colliery tip collapse in Wales in February. As well as managing the effects of past coal mining the Authority uses its information and expertise to help people make informed decisions, support the housing market, and provide skilled services to other parts of government and on a commercial basis. The organisation is working to make a significant contribution to delivering government policy on net-zero carbon. Their innovative approach to decarbonising heat using mine water and mine assets is one example of this.

As with all organisations the Covid-19 pandemic has impacted on some of the Authority's activities, but they have remained operational and continued to respond to incidents and keep people, drinking water and the environment safe. They managed the transition to home working well and have continued to deliver a wide range of activities. As lockdown has eased and the supply chain come back online, they have pushed ahead with their capital programmes which help with levelling up, green recovery and infrastructure delivery.

As Chair, you will provide guidance for the Authority, as it continues to provide safe and responsible management of our coal legacy but also be a leader who can help the organisation continue to innovate and deliver value across Great Britain for future generations.

If you believe you have the experience and qualities to lead the Coal Authority at this time, then we very much look forward to hearing from you.



Rt Hon Kwasi Kwarteng MP
Minister of State for Business, Energy and Clean Growth
Department for Business, Energy, and Industrial Strategy

Mission Statement

Do you want to make a better future for people and the environment in mining areas across England, Scotland and Wales?

If this interests you, we would like to hear from you about an exciting opportunity to lead the Coal Authority as it continues to protect people, drinking water and the environment from our mining legacy and works across government and commercially to provide services, expertise and opportunity from mine assets to help deliver on net zero carbon policies and support the economy.

The Coal Authority: Our Mission, Purpose and Values

Our Mission:

Making a better future for people and the environment in mining areas

Our Purpose:

- We keep people safe and provide piece of mind
- We protect and enhance the environment
- We use our information and expertise to help people make informed decisions
- We create value and minimise cost to the taxpayer

Our Values:

Trusted

- We act with integrity
- We're open and honest
- We deliver on our commitments

Inclusive

- We promote a culture of mutual respect
- We recognise that our differences make us stronger
- We work with others to achieve our mission

Progressive

- We're open minded and innovative
- We recognise that the past can help us shape the future
- We listen and learn

Our Governance

The Coal Authority is an Executive Non-Departmental Public Body that has its own independent Chair and Board but is responsible to the Department for Business Energy and Industrial Strategy (BEIS).

The Coal Authority is part of the public sector and the post holder will need to deliver within the appropriate governance framework. Approximately 20 staff are currently employed to deliver our key statutory functions, provide services and develop new and innovative approaches to support the low carbon agenda and deliver value from our mine assets.

The organisation continues to change, evolve and grow as it provides more services across government on a commercial basis and delivers an increasingly ambitious programme of environmental remediation and innovation.

We continue to focus on improving our efficiency as well as identifying new ways of generating income from our assets, knowledge and expertise. An important role of the Chair and Board is to ensure that these challenges do not compromise our statutory duties or our responsibilities under public sector accounting.

Our Board



Stephen Dingle (*Chair*)

Stephen became Chair of the Board in April 2013, having been appointed a non-executive director in 2008. His tenure will end on the 31 March 2021.

Stephen's background is in banking and finance with property, mining and higher education specialisations. He was formerly a partner with Ernst & Young LLP and an executive director at N M Rothschild & Sons Ltd.

Stephen embarked on a portfolio career in 2007. He was a non-executive director and chair of the audit committee at Registers of Scotland until December 2015 and a non-executive director and member of the audit committee at Disclosure Scotland until December 2015.



Lisa Pinney MBE (*Chief Executive*)

Lisa joined the Coal Authority as Chief Executive on 1 June 2018.

Previously at the Environment Agency, most recently as the Director of the West Midlands Area, Lisa was involved in the management and media handling of many national incidents such as the 2016/17 winter floods and the 2017 East Coast surge.

During her 21 year career at the Environment Agency she led the organisation's sponsor relationship with Department for Environment, Food & Rural Affairs, and other government departments including their 2013 Triennial Review. She is passionate about diversity and inclusion and was awarded an MBE in 2014.



Paul Frammingham (*Chief Finance and Information Officer*)

Paul joined the Coal Authority in 2008 as Finance Director and was appointed as a Board member in April 2011. He became Chief Finance and Information Officer in 2014.

Paul's previous role was as Financial Controller of Babcock Networks, a subsidiary company of Babcock International Group. Before this Paul held various finance and accounting roles at Rolls-Royce Plc and Balfour Beatty Railway Engineering.



Steve Wilson (*Non-Executive Director*)

Steve Wilson was appointed as a Non-Executive Director from April 2017 and was reappointed in April 2020. Steve is Chair of our Safety, Health and Environment Committee.

Steve is the Managing Director of Wastewater Service at Dwr Cymru Welsh Water and is responsible for the operational management and strategic development of the Wastewater Service including 840 sewage works, around 2,000 pumping stations and 35,000 kilometres of sewers. He leads for the company on maintenance, transport, energy and environmental regulation.



Gemma Pearce (*Non-Executive Director*)

Gemma Pearce joined the Coal Authority as a Non-Executive Director on 1 April 2016 and was reappointed in April 2019. Gemma is Chair of our HR and Remuneration Committee.

Gemma has 18 years' experience in the public sector, including as Chief Executive of the Mental Health Act Commission. She is currently Director of Jelly Products Ltd; a manufacturing SME with an international customer base.



Jayne Scott (*Non-Executive Director*)

Jayne Scott joined the Coal Authority as a non-executive on 1 April 2019. Jayne is Chair of our Audit and Risk Committee

Jayne is a partner in Scott Ross Partnership. Currently she is a Member of the Consumer Challenge Board for Heathrow Airport's Price Review, a Board Member and Chair of Audit Committee with Registers of Scotland, Deputy Chairman and Chair of Audit Committee of The Private Healthcare Information Network, Board Member and Audit and Risk Committee Chairman of the NHS Counter Fraud Authority and Audit Committee Member of Scotland Office and Office of the Advocate General.

The Role and Person Specification

The Secretary of State is recruiting a new Chair for the organisation.

The Chair has the following leadership responsibilities:

- Effective, cooperative and inclusive leadership of the Board that will provide sound strategic direction. This includes enabling a high standard of discussion; helping to steer the Coal Authority by collaborative working across Government; and ensuring that systems are in place to provide Board members and the Executive team with the support they need to carry out their roles;
- Working with the Board to ensure that they and the Executive team have an appropriate and diverse range of skills, experience, and outlook;
- Offering support and counsel to the Executive team while holding them to account and providing constructive challenge on the delivery of the Coal Authority Business Plan; and,
- Maintaining clear and effective channels of communication with internal and external stakeholders and acting as an ambassador for the Coal Authority.

Essential Criteria

We wish to attract high calibre applicants from diverse backgrounds who have the ability to provide strong leadership and direction to the Board.

Your application should demonstrate **all** the following:

- How you would develop a Board and provide strategic and innovative leadership through a complex economic, commercial and political environment;
- Your ability to manage Board members as a team to meet common goals, scrutinise governance and delivery, and ensure best outcomes for the organisation;
- A willingness to learn financial and commercial accountability;
- Effective communication and influencing skills including an ability to maintain a sense of perspective and to pick out critical issues, listen sensitively, debate constructively, decide independently, and persuade others of their view;
- Familiarity of public sector corporate governance;
- Understanding of community and customer focused delivery or the willingness to learn; and,
- An energy background.

Timeline:

Advert closes: 25/10/2020

Shortlisting meeting: w/c 09/11 – Please note these dates are subject to change

Interviews (likely to take place remotely via Microsoft Teams): w/c 07/12 – Please note these dates are subject to change

We will be holding an open webinar for interested potential applicants. As it stands, we are likely to proceed with the open webinar on Tuesday 6th October 2020 at 16:00. Please note that this date/time is subject to change.

If you are interested, please register by contacting tonifavill@coal.gov.uk where you will be sent the link. This will be done in confidence.

We will then also offer 1:1 discussions for shortlisted candidates with the Coal Authority CEO, Lisa Pinney and / or Stephen Dingle, the current Chair of the Coal Authority, ahead of interview. Further details will be provided to candidates who are shortlisted.

Recruitment Panel:

The Recruitment Panel will comprise:

- Emily Bourne, Director, Energy Development and Resilience Directorate - Panel Chair and BEIS Representative
- Rob Woodward, Chair of the Met Office
- Sally Randall, Director for Floods and Water, Department for Environment, Food and Rural Affairs – Independent Panel Member

Terms of appointment:

Time Commitment

The successful candidate will be expected to make a time commitment of 5 days per month. Any additional days worked will be on a voluntary basis.

Remuneration and Expenses

The post-holder will be paid £27,050 per year for this part time role. Reasonable travel and subsistence expenses will be reimbursed.

Period of appointment

The successful candidate will be offered a 3-year term with the possibility of up to a further three years at the discretion of the Secretary of State.

Annual Appraisal

The Chair's performance will be evaluated annually. The process will be led by BEIS.

Location

The Coal Authority's Headquarters is in Mansfield, Nottinghamshire, England but they deliver services across England, Scotland and Wales. The Chair could be based anywhere in Great Britain as long as they are willing to travel for site and stakeholder visits as needed.

The majority of Board and Committee meetings can be held flexibly using video conferencing technology.

Standards in Public Life

Candidates must confirm that they understand the standards of probity required of public appointees outlined in the 'Seven Principles of Public Life' drawn up by the Committee of Standards in Public Life (attached at [Annex A](#)).

How to Apply

To apply for this post please:

- Complete the Application Form by clicking [here](#).
- Submit your cover letter and CV to publicappointments@beis.gov.uk

Please ensure that you include "Coal Authority, Chair" in the subject box.

It is important that your statement of suitability gives full and concise information relevant to the appointment, clearly demonstrating how you meet each of the essential criteria.

The closing date for applications is at 23:00 on 25/10/2020.

Late applications will not be accepted.

If you have any queries regarding the application process, please contact Nadia Toma at publicappointments@beis.gov.uk

The Commissioner for Public Appointments

This appointment is regulated by the Commissioner for Public Appointments to ensure that it is made on merit after fair and open competition.

More information about the role of the Commissioner and the Governance Code on Public Appointments can be seen at:

<http://publicappointmentscommissioner.independent.gov.uk/>

Diversity and Equal Opportunities

The Department for Business, Energy and Industrial Strategy is committed to the principle of public appointments on merit with independent assessment, openness and fairness of process and to providing equal opportunities for all.

Applications are welcome from all, but we particularly encourage applications from women, people from an ethnic minority, people with disabilities and other underrepresented groups.

BEIS offers professional training courses on public sector finance and governance for those new to the public sector. BEIS works with Government Departments to ensure they have the capacity to attract the widest field of candidates and to make the best possible appointments. All applicants are asked to complete an anonymised Diversity Monitoring Form used for data gathering information only in order to ensure Departments are recruiting from the widest possible pool.

Making a Complaint

If you feel your application has not been treated fairly and you wish to make a complaint, you should initially send an email to: publicappointments@beis.gov.uk

If you are not content with our response, please contact the Commissioner for Public Appointments at: publicappointments@csc.gov.uk

Further information on complaints procedure can be found on the [Commissioner for Public Appointment's website](#).

Conflicts of Interest

What is a conflict of interest?

Public Appointments require the highest standards of propriety, involving impartiality, integrity and objectivity, in relation to the stewardship of public funds and the oversight and management of all related activities. This means that any private, voluntary, charitable or political interest which might be material and relevant to the work of the body concerned should be declared.

There is always the possibility for real or perceived conflicts of interest to arise. Both are a problem, as the perceived inference of a conflict may, on occasions, be as damaging as the existence of a real conflict. It is important, therefore, that you consider your circumstances when applying for a public appointment and identify any potential conflicts of interest, whether real or perceived.

Surely a perceived conflict is not a problem, as long as I act impartially at all times?

The integrity of the individual is not in question here. However, it is necessary for the standing of the individual and the board that members of the public have confidence in their independence and impartiality. Even a perceived conflict of interest on the part of a board member can be extremely damaging to the body's reputation and it is therefore essential that these are declared and explored, in the same way as an actual conflict would be. The fact that a member acted impartially may be no defence against accusations of potential bias.

What should I do if I think I have a conflict of interest?

You will find a section on conflicts of interest in the application form for you to complete. This asks you to consider and declare whether you have a real, or perceived, conflict. If you are unsure if your circumstances constitute a possible conflict, you should still complete this section, in order to give the Selection Panel as much information as possible.

If I declare a conflict, does this mean I will not be considered for appointment?

No - each case is considered individually. If you are short listed for interview, the Panel will explore with you how far the conflict might affect your ability to contribute effectively and impartially on the Board and how this might be handled, if you were to be appointed. For example, it may be possible to arrange for you to step out of meetings where an issue is discussed, in which you have an interest. However, if, following the discussion with you, the Panel believes that the conflict is too great and would call into question the probity of the Board or the appointment; they can withdraw your application from the competition.

What happens if I do not declare a known conflict, which is then discovered by the Department after my appointment?

Again, each case would be considered on its merits, but the Department may take the view that by concealing a conflict of interest, you would be deemed to have breached the Seven Principles of Conduct Underpinning Public Life and may terminate your appointment.

What happens if I do not realise a potential conflict exists?

This situation may arise where the applicant is not familiar with the broad range of work which a body covers and therefore does not realise that a conflict might exist. In some cases, the Panel, with their wider knowledge of the body, might deduce that there is a potential conflict issue, based on the information on employment and experience provided by the candidate in the application form. They will then explore this at interview with the candidate.

What happens if a conflict of interest arises after an appointment is made?

This could arise for two main reasons. The first is that the member's circumstances may change, for example, they may change jobs and in doing so, a conflict with their work on the board becomes apparent. The second is where a member is unfamiliar with the range of the work of the body, but after appointment, it becomes clear that a conflict exists where none had been envisaged during the appointment process.

In both cases, the issue should be discussed with the Chair of the board and the Chief Executive of the body concerned, in consultation with the Sponsoring Department, to decide whether or not the member can continue to carry out their role in an appropriate manner and each case is considered individually.

It may be that the conflict is such that it would be impractical for the member to continue on the board, if they would have to withdraw from a considerable amount of the body's routine business. In such, cases, the member may be asked to stand down from the body.

Areas where a conflict could arise:

There are five main issues, which could lead to real, or apparent, conflicts of interest. These are:

- Relevant pecuniary or other interests outside the organisation;
- Relationships with other parties/organisations which could lead to perceived or real split loyalties;
- Pending Government Policy could give unfair personal advantage to people with allied business interests – for example access to privileged information – trade secrets;
- Perception of rewards for past contributions or favours;
- Membership of some societies or organisations.

BEIS Public Appointments Privacy Notice

This notice sets out how we will use your personal data, and your rights. It is made under Articles 13 and/or 14 of the General Data Protection Regulation (GDPR).

Your data

We may process the following personal data:

Name, contact details, employment history, qualifications, CV and other background information relevant to your application including sift and interview assessments, conflicts of interest, and political activity.

This may also include other information gathered as part of due diligence, including information obtained from public sources.

Purpose / Whether the provision of personal data is part of a statutory or contractual requirement or obligation and possible consequences of failing to provide the personal data

To the extent that you are providing your personal data in relation to a BEIS Public Appointments, the failure to provide this information will mean that we are unable to progress your application for the positions advertised.

Our legal basis for receiving and using your data

Our legal basis for receiving and using this information is that BEIS and the Cabinet Office have both a legal obligation, and public task, to collect this data to ensure that high quality candidates are identified via robust recruitment processes in line with the Governance Code for Public Appointment published pursuant to Article 3(1) of the Public Appointments Order in Council 2019. If requested by the Commissioner for Public Appointments, this information can be shared pursuant to Article 4 of the Public Appointments Order in Council 2019.

We also process your data on the legal basis that it is necessary prior to entering into a contract/terms of appointment to carry out pre-appointment checks. We may process special category data which comes to light during due diligence checks which has manifestly been made public by you, or where it is of substantial public interest in order to carry out our functions. If you have applied for a BEIS public appointment we will share your information with the members of the Advisory Assessment Panel. If requested, it may also be shared with the Commissioner for Public Appointments pursuant to Article 4 of the Public Appointments Order in Council 2019. This will be in a non-identifiable way.

We also process your data on the legal basis that it is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the data controller. This is enabled through section 149 of the Equality Act 2010. The specific category of personal data is necessary for the purposes of identifying or keeping under review the existence or absence of equality of opportunity or treatment between groups of people with a view to enabling such equality to be

promoted or maintained. It is not carried out for the purposes of measures or decisions with respect to your application for a government public appointment. You can choose not to declare this data.

Special category data is personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

Our legal basis for processing this information is documented above.

Recipients

If you apply or have been considered for a UK Government public appointment Information you supply to BEIS as part of your application for a UK Government Public Appointment may be shared with Cabinet Office.

Diversity data which may include age, gender, ethnicity, sexual orientation, recorded disability, faith and geographical location, principal employment sector, number of government public appointments held, and declarable political activity may be held in a non-identifiable form for up to 5 years. This information may be shared with OCPA, your name will not be included. This data may be published in summary form.

This data is shared with Cabinet Office IT suppliers in order to securely collect and store the data. Contractual obligations in line with data protection law are placed on our data processors to guard against loss of your data and require them to take all reasonable steps to treat your data reliably and with integrity.

Retention period

Applicant data will be collected on behalf of the Office of the Commissioner for Public Appointments (OCPA) via a secure section of the HM Government Public Appointments website. BEIS may store your name, a summary of biographical details you shared and the outcome of your application for up to 3 years.

Diversity data which may include age, gender, ethnicity, sexual orientation, recorded disability, faith and geographical location, principal employment sector, number of government public appointments held, and declarable political activity may be held for up to 3 years. This information may be shared with OCPA in a non-identifiable format, your name will not be included. This data may be published in summary form.

The record of the sift and interviews will be held by BEIS for the duration of the post.

This data is shared with Cabinet Office IT suppliers in order to securely collect and store the data. Contractual obligations in line with data protection law are placed on our data processors to guard against loss of your data and require them to take all reasonable steps to treat your data reliably and with integrity.

Your rights

- You have the right to request information about how your personal data are processed, and to request a copy of that personal data.
- You have the right to request that any inaccuracies in your personal data are rectified without delay.
- You have the right to request that any incomplete personal data are completed, including by means of a supplementary statement.
- You have the right to request that your personal data are erased if there is no longer a justification for them to be processed.
- You have the right in certain circumstances (for example, where accuracy is contested) to request that the processing of your personal data is restricted.
- You have the right to object to the processing of your personal data where it is processed for direct marketing purposes.
- You have the right to object to the processing of your personal data where the processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the data controller, such as the exercise of a function of the Crown, a Minister of the Crown, or a government department; the exercise of a function conferred on a person by an enactment; the exercise of a function of either House of Parliament; or the administration of justice.

Automated decision making

The existence of automated decision making, including profiling and information about how decisions are made, the significance and the consequences. The provision of the information you provide is not connected with individual decision making (making a decision solely by automated means without any human involvement) or profiling (automated processing of personal data to evaluate certain things about an individual).

International transfers

As your personal data will be stored on our IT infrastructure, and shared with our data processors, it may be transferred and stored securely outside the European Union. Where that is the case it will be subject to equivalent legal protection through the use of Model Contract Clauses or the Privacy Shield scheme.

Complaints

If you consider that your personal data has been misused or mishandled, you may make a complaint to the Information Commissioner, who is an independent regulator. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

0303 123 1113

Email: casework@ico.org.uk

Any complaint to the Information Commissioner is without prejudice to your right to seek redress through the courts.

Contact details

The data controller for Public Appointments is joint between the appointing department, OCPA and the Cabinet Office. The Department for Business, Energy & Industrial Strategy (BEIS). Contact details are, BEIS DPO at:

BEIS Data Protection Officer, Department for Business, Energy and Industrial Strategy, 151 Buckingham Palace Road, Victoria, London SW1W 9SZ.

Email: dataprotection@beis.gov.uk.

Annex A – The Seven Principles of Public Life

In 1995, the Committee on Standards in Public Life defined seven principles which should underpin the actions of all who serve the public in any way. Consistent with the Governance Code, applicants will be assessed on merit, and all candidates for public appointment will need to uphold the standards of conduct set out in the Seven Principles of Public Life. These will be tested as part of the selection process and the Selection Panel must satisfy itself that all candidates for appointments can meet these standards; which are:

Selflessness

Holders of Public Office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or other friends.

Integrity

Holders of Public Office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

Objectivity

Carrying out Public Office business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability

Holders of Public Office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness

Holders of Public Office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty

Holders of Public Office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership

Holders of Public Office should promote and support these principles by leadership and example.