**The UK Fisheries Administrations and the Sea Fish Industry Authority**

**Framework Document**

**December 2012**

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1. Introduction

This document sets out the overarching framework for the sponsorship of the Sea Fish Industry Authority (Seafish) and the governance and accountability arrangements between the four Fisheries Administrations (see below) and Seafish. It has been drawn up by the Department for Environment, Food and Rural Affairs (Defra) in collaboration with Marine Scotland, Department for Agriculture and Rural Development Northern Ireland (DARD) and the Welsh Government; together making up Seafish’s four sponsoring administrations (the “Fisheries Administrations”). The Department for Transport (DfT) and Maritime and Coastguard Agency (MCA) also have an interest in Seafish through the statutory and non statutory functions performed, and have contributed to this document.

Seafish was established as an executive Non-Departmental Public Body (NDPB); a body that is not a Government department or part of one, but one which carries out its functions with technical expertise, impartiality and transparency, and to a greater or lesser extent at arm’s length from Ministers. As with other executive NDPBs, Seafish is led and directed by an independent Board but the four Fisheries Ministers remain accountable to their respective Parliament or Assembly for the overall performance of Seafish.

This document replaces the Memorandum of Understanding (from 1996) previously drawn up between Seafish and the four Fisheries Administrations. This document will be regularly reviewed, at least in line with the Triennial Review timetable (chapter 11).

In drawing up the framework reference has been made throughout the document to current best practice including *Managing Public Money,* and other HM Treasury and Cabinet Office guidance. The expectation is that all parties will seek to adhere to guidance and best practice as it changes over time without continually amending this document.

This document is signed and dated by the four Fisheries Administrations and by the Chair of Seafish. Copies of the document and any subsequent amendments are available to members of the public on the Seafish website (www.seafish.org.uk) and websites of the Fisheries Administrations: ([www.defra.gov.uk](http://www.defra.gov.uk), <http://www.scotland.gov.uk>, [www.dardni.gov.uk](http://www.dardni.gov.uk), [www.wales.gov.uk](http://www.wales.gov.uk) )

1. Status of Seafish and legal framework
   1. Status

Seafish is a levy-funded NDPB which operates across the UK. It carries out its statutory functions with technical expertise and transparency, at arm’s length from its joint sponsors, the four Fisheries Administrations. Seafish is led and directed by a Board whose Chair, Deputy Chair and Members are appointed by Ministers from the four Fisheries Administrations.

The Secretary of State for Environment Food and Rural Affairs is formally accountable to the UK Parliament for the activities, performance and expenditure of Seafish. The Fisheries Ministers from the Devolved Administrations are similarly accountable to their Parliaments or Assemblies.

As an arms’ length body, Seafish is expected to ensure that its functions are carried out as efficiently as possible. As a levy funded NDPB, Seafish must have regard to the views of the seafood industry, consumers and its sponsors. For its work relating to fisherman’s safety, it must have regard to the views of the DfT and MCA.

* 1. Legal framework

The Fisheries Act 1981 (the Act) establishes the Sea Fish Industry Authority (Seafish) with a statutory duty set out in section 2 of the Act of:

*“promoting the efficiency of the sea fish industry and so as to serve the interests of that industry as a whole”* within the United Kingdom and to *“have regard to the interests of consumers of sea fish and sea fish products”*.

Section 3 of the Act grants Seafish specific powers to:

* Carry out related research and development;
* Give advice;
* Provide training or assist in provision of training;
* Promote the marketing and consumption in and export from UK of seafood;
* Make loans for certain capital projects\*; and
* Provide financial assistance in certain circumstances\*.

\*not currently exercised.

Section 4 of the Act establishes the power for Seafish to raise a levy on all fish landed into the United Kingdom to finance activities to fulfil these duties. The schedule of levy rates is set up separately in the Sea Fish Industry Authority (Levy) (Amendment) Regulations 1998 Confirmatory Order 1999.

The Act also gives Seafish the power to charge for services it provides.

**Other regulations and notices**

Seafish is also the named authority in:

* the Fishing Vessels (Safety Training) Regulations 1989 (SI 1989 No. 126), as amended in 2004 (SI 2004 No.2169) the Fishing Vessels (Safety Training) (Amendment Regulations 2004) - as the sole providers of mandatory Safety Training Certificates for fishermen. This regulation requires crew on fishing vessels registered in the UK to hold certificates issued by Seafish certifying they have undergone a range of approved training courses
* Merchant Shipping Notice (MSN) 1813 (The Fishing Vessels Code of Practice for Small Fishing Vessels) lists Seafish as sole providers of Construction and Outfit Certificates necessary for the vessels to register as commercial fishing vessels.
* MSN 1770 (The Code of Practice for the Construction and Use of Fishing Vessels of 15m Length Overall to less than 24m Registered Length) lists Seafish as the sole Certifying Agency certified by the Maritime and Coastguard Agency to issue new fishing vessels with a Construction and Outfit Certificate.
  1. Strategic context and direction

Seafish has its own Board who determine its overall strategic direction, taking advice from Sector Panels made up of representatives of the seafood industry. In determining its direction, Seafish will consult with the sea fish industry in the UK (including, but not exclusively, levy payers), the Fisheries Administrations, the Department for Transport (DfT) and Maritime and Coastguard Agency (MCA).

Seafish’s Corporate Plan must be agreed by the four Fisheries Ministers.

The Fisheries Administrations’ vision for Seafish is that it is:

* a professional, active and independent body, trusted by all stakeholders to make a significant contribution to ensuring the economic and environmental sustainability of the seafood industry in the UK and within the wider context;
* a focussed and forward looking organisation which delivers value for the money it collects, receives and spends and can demonstrate the benefits it is providing to the industry it serves;
* compliant with Government guidance on corporate governance.
  1. Management framework

The overall framework that guides and defines Seafish is provided through a series of sources, summarised as follows:

* **Primary legislation** – the Fisheries Act 1981 (“the Act”) establishes Seafish, its constitution, duty and the power to raise a levy;
* **Secondary legislation** – Secondary legislation created under the 1981 Act sets out Seafish’s levy rates, details the products on which it is raised and the requirements for doing so. Secondary legislation created under the Merchant Shipping Act 1995 details Seafish’s responsibilities in relation to the certification of safety training;
* **Statutory Direction** – under section 2 of the Act, the Fisheries Ministers may, following consultation with the Board, give Seafish general or specific directions as to the exercise of its functions or which may be required in the public interest. Seafish must give effect to any such directions which must be laid before the UK Parliament and Governments and Assemblies of the Devolved Administrations;
* **Framework document** – (this document) sets out management, operational, financial and accountability arrangements. A Framework Document aims to ensure that an NDPB operates with the right level of efficiency, flexibility and delegation in order to be fully accountable to the Parliaments and Assemblies across the four Fisheries Administrations;
* **Corporate Plan –** is set by Seafish on a three year rolling basis and sets out Seafish’s strategic objectives, targets, performance indicators and the allocation of resources. It includes a more detailed business plan for the first 12 months of the plan. It is also the basis for reviewing performance, budgeting and managing resources. The Corporate Plan is signed off by the Fisheries Ministers on an annual basis;
* **Memoranda of Understanding, Service Level Agreements and other contracts** – provides details of what is being delivered, roles and responsibilities and performance indicators in its business relationships with strategic partners, other delivery bodies or service providers. For example, Seafish has memoranda of understanding with the Maritime and Coastguard Agency; and
  + **Merchant Shipping Notices (MSN)** – see section 2.2.

1. Relationship with the Secretary of State, Ministers and the sponsoring Fisheries Administrations
   1. Secretary of State for Environment, Food and Rural Affairs and the Fisheries Ministers

The Secretary of State for Environment, Food and Rural Affairs is accountable to the UK Parliament for all matters concerning Seafish and represents the UK Government in the execution of duties towards Seafish. The Ministers responsible for fisheries policy in each of the Devolved Administrations of Scotland, Northern Ireland and Wales are responsible to their respective Parliament or Assembly for all matters concerning Seafish and in the execution of duties towards Seafish in their Administrations.

The Secretary of State and the Ministers responsible for Seafish in the Devolved Administrations are referred to as the “Fisheries Ministers” in the rest of this document.

The collective responsibilities of the Fisheries Ministers include:

* through the corporate planning process, agreeing the overall priorities and objectives for Seafish each year;
* keeping Seafish’s performance under regular review and approving the Triennial Review Report;
* keeping the UK and Devolved Parliaments / Assemblies informed about Seafish’s general performance and answering Parliamentary Questions (PQs) after consultation with Seafish, the other Fisheries Administrations, or other Departments and Agencies where appropriate;
* approving a person to be appointed the Chief Executive and approving their terms and conditions of employment;
* carrying out the other functions specified in the 1981 Fisheries Act, including appointments to the Board, approving the terms and conditions of Board members, and laying of the annual report and accounts before the UK and Devolved Parliaments / Assemblies;
* carrying out an annual review of the Chair’s performance against agreed personal objectives; and
* where necessary, acting to develop a collective Government approach on issues of relevance to Seafish.

The Secretary of State may empower a Defra Minister to act on their behalf on matters related to Seafish.

Ministers are responsible for representing their Administration’s interests through the usual course of day-to-day Government business. Ministers will have access to the Chair and Chief Executive of Seafish in so far as this is required to carry out their Ministerial responsibilities, informing other Administrations of any impacts these may have on Seafish’s ability to deliver strategic objectives. Ministers will be informed about matters relating to the sponsorship of Seafish through the departmental representatives on the Sponsorship Group.

Acting on behalf of all of the Fisheries Ministers, a Defra Minister will carry out an annual review of the Chair’s performance against agreed personal objectives. The appraisal will be shared with the other Fisheries Ministers.

Should the Fisheries Ministers not be able to reach agreement or a common position, the normal escalation routes would apply.

* 1. Sponsorship arrangements with the Fisheries Administrations

Officials in the four Fisheries Administrations will carry out sponsorship activities on behalf of their Ministers. The four Administrations will work collectively to:

* ensure that Seafish complies with all governance requirements;
* monitor and review Seafish’s performance;
* agree Seafish’s corporate plan; and
* appoint members to the Seafish Board as necessary.

A Sponsorship Group comprising senior officials from the Department for Environment, Food and Rural Affairs (Defra), Marine Scotland, Department for Agriculture and Rural Development Northern Ireland (DARD) and the Welsh Government together advise the Ministers and the Chair of Seafish in the discharge of their duties, supporting and advising as necessary and ensuring collective ownership and responsibility across Government.

The Sponsorship Group is chaired, impartially, by a Defra Marine Deputy Director, who also acts as Senior Sponsor on behalf of the Fisheries Administrations. The Terms of Reference for the Group, a description of sponsorship arrangements and a chart showing relationships between different bodies are attached at Annexes 2 and 3.

If the Sponsorship Group cannot reach agreement at official level, outstanding issues will be escalated to the Fisheries Ministers. The Sponsorship Group also has a role in the relationship between the non-executive Chair of Seafish and the Fisheries Ministers, dealing with day-to-day issues and enquiries and escalating to the Fisheries Ministers as appropriate.

* 1. The Fisheries Administrations’ sponsor teams

The Sponsorship Group will be supported by individual Sponsorship Teams in the four Fisheries Administrations. The Teams will manage the day-to-day sponsorship activities and will be the main source of advice to their respective Ministers, (for Defra) the Permanent Secretary (as the Principal Accounting Officer (PAO)), and senior officials (through the Sponsorship Group), on the discharge of their responsibilities in respect of the sponsorship of Seafish.

On behalf of all of the Administrations, the Marine Sponsorship Team (MST) in Defra acts as the primary point of contact for Seafish in dealing with issues relating to sponsorship, finance, corporate governance and performance. The MST will liaise with the sponsorship teams in the other Administrations as appropriate, to inform other sponsors of issues, but also to agree which Administration will lead on particular issues or activities.

The four sponsorship teams will maintain an open and co-operative relationship, seeking to work together to deliver their collective responsibilities. They will each play their part in taking forward actions (e.g. seeking Ministerial clearances, contributing to planning) and sharing workloads.

Routine policy and operational issues are handled through bilateral engagement between policy leads in the relevant Administration, business teams and Seafish staff.

The Sponsorship Team in Defra will act on behalf of the Fisheries Ministers to instigate reviews of Seafish every 3 years or as appropriate in accordance with the [Cabinet Office guidance](http://www.civilservice.gov.uk/wp-content/uploads/2011/09/triennial-reviews-guidance-2011_tcm6-38900.pdf). These reviews will take account of the views and business needs of the sponsors and of Seafish (see sections 6.8 and 11.1 on Triennial Reviews).

Seafish will engage in any central initiatives or reviews in a constructive and collaborative manner. The Fisheries Administrations will ensure Seafish is kept informed about such reviews and any implications for the future of Seafish or the functions it carries out.

* 1. Defra Principal Accounting Officer responsibilities

The Permanent Secretary of Defra, as the Principal Accounting Officer (PAO), is the principal adviser to the Secretary of State on matters affecting Defra as a whole, including expenditure allocation and finance, and is responsible for ensuring a high standard of financial management and probity.

On behalf of the four Fisheries Administrations, Seafish is accounted for in Defra’s overall consolidated accounts. This is for the purpose of Whole of Government Accounts only (see section 6.2). As PAO, and on behalf of the four Fisheries Administrations, Defra’s Permanent Secretary has designated the Chief Executive as Seafish’s Accounting Officer (AO), and must be satisfied that:

* the financial and other management controls applied by the Department to Seafish are appropriate and sufficient to safeguard public funds and for ensuring that Seafish’s compliance with those controls is effectively monitored (“public funds” include not only any funds raised by means of the levy but also any other funds generated by approved activities of Seafish);
* there are proper financial systems in place which promote the efficient and economical conduct of business and safeguard financial propriety and regularity, and ensure that there is a high standard of financial management and administration in Seafish;
* Seafish has adequate risk management, financial monitoring systems and procedures in place to promote the efficient and economical conduct of its business, safeguard financial propriety and regularity, safeguard its reputation, and ensure business continuity;
* audit arrangements are in place which give adequate assurance on money received and expenditure incurred and on the proper management and control of the funds at the disposal of Seafish; and
* all Seafish spending is for the purposes intended by the Fisheries Act 1981 (as amended, and which will include some functions transferred from other legislation) and that no other spending is incurred.

A list of delegated authorities for Seafish is set out at Annex 4. These are delegated by Defra on behalf of the four Fisheries Administrations and in line with HM Treasury spending controls.

The PAO may withdraw the AO designation if they believe that the incumbent is no longer suitable for the role. Further information on the role of accounting officers is set out in Chapter 3 of [*Managing Public Money*](http://www.hm-treasury.gov.uk/d/mpm_ch3.pdf)*.*

* 1. Defra Finance Director and finance teams

The Defra Finance Director provides financial leadership, both within the Department and to its arm’s length bodies. The main responsibilities and duties of finance directors are set out in [Annex 4.1](http://www.hm-treasury.gov.uk/d/mpm_annex4.1.pdf) of ‘*Managing Public Money’*. These duties include ensuring that the financial aspects of the Defra Principal Accounting Officer’s responsibilities are carried through to the organisation and its arm’s length bodies in depth.

Therefore, on behalf of the four Fisheries Administrations, the Defra finance teams will support the sponsorship teams in their role, and act as a central point of contact for both Seafish and the sponsorship teams on all specific financial matters. Where necessary Seafish’s Accounting Officer and Finance Director will have access to Defra’s Finance Director**.**

* 1. Seafish Board

Collectively, the Chair, Deputy Chair and Board are the “Authority” as defined in section 1 of the Act. The Board of Seafish has collective responsibility for the overall performance and success of Seafish, for ensuring it carries out its statutory duties and delivers its priorities as agreed with the Fisheries Ministers. The Board is also responsible for holding the Chief Executive to account, ensuring that Seafish is properly and effectively managed, and provides stewardship for the public funds entrusted to it.

In delivering their duties, the Board will act collectively in the interests of the UK seafood industry.

The Seafish Board is appointed and remunerated by the Fisheries Ministers and is appointed in line with the guidance of the Office of the Commissioner for Public Appointments (OCPA). More specifically, and in pursuit of its wider corporate responsibilities, the Seafish Board:

* provides strategic direction and leadership to the organisation following consultation with the sea food industry and Government, which balances the priorities of the seafood industry in the UK as a whole;
* drives performance and holds the Executive to account against its corporate plans;
* develops and reviews key performance targets, including financial targets;
* ensures propriety, regularity, economy, efficiency and effectiveness in the operation of Seafish;
* oversees the development and implementation of strategies, plans, priorities and strategic risk management;
* ensures that Seafish discharges its statutory duties within the framework specified by Ministers;
* provides stewardship for the public funds entrusted to the organisation, complying with all statutory and administrative requirements on the use of public funds;
* ensures that the Ministers, via the Sponsorship Group, are kept informed of any changes which are likely to impact on the strategic direction of Seafish or on the attainability of its targets, and determining the steps needed to deal with such changes;
* demonstrates high standards of corporate governance at all times, operating within the limits of its statutory authority and any delegated authority agreed with the Fisheries Administrations, and in accordance with any other conditions relating to the use of public funds (including taking into account guidance issued by the sponsor departments);
* ensures effective arrangements are in place to provide assurance on operational and strategic risk management, governance and internal control, such as setting up an Audit and Risk Committee to provide independent advice; and
* appoints, with the Ministers’ approval, a Chief Executive. The Board, sets performance objectives for the Chief Executive which give due weight to the proper management, use and utilisation of public resources.

The Seafish Board sets up sub-committees as necessary to consider particular issues and to provide advice to the Board. In particular Seafish must maintain an audit and risk committee (A&RC) (see section 6.3 and 6.8) and a remuneration committee. The A&RC and remuneration committees will be chaired by the Deputy Chair.

* 1. Seafish Chair

The Chair is responsible to the Fisheries Ministers. The Chair shall ensure that Seafish’s affairs are conducted with probity and efficiency in line with the Principles of Good Corporate Governance in Executive NDPBs (Annex B in the [*Cabinet Office’s Guidance on Reviews of NDPBs*](http://www.civilservice.gov.uk/wp-content/uploads/2011/09/triennial-reviews-guidance-2011_tcm6-38900.pdf)).

The Chair has specific responsibilities in leading the Board and Seafish to discharge their duties. The Chair leads the Board in making decisions, on the formulation of strategy and in holding the Executive to account for delivery. The Chair will ensure that in reaching decisions, the Board takes proper account of the evidence provided and any additional guidance provided by Ministers.

The Chair shall also ensure that the Board has a [*Code of Conduct*](file:///L:/FIM/MMO%20Sponsorship/MMO%20Corporate%20Governance/MMO%20Framework%20Document/2011%20Revision/2011%2012%2021%2011th%20Draft%20Framework%20Doc.docx)in place, setting out the standards of personal and professional behaviour expected of all Board Members, and that the Board operates under a Terms of Reference. The Chair shall also regularly assess the performance of individual Board members.

The full responsibilities for the Chair of Seafish are set out in the role description published on [Seafish’s website](http://www.seafish.org/).

Communications between the Board and the Fisheries Ministers will normally be through the Chair. The Chair will ensure that the other Board members are kept informed of such communications.

* 1. Seafish Deputy Chair

The Fisheries Ministers will appoint a Deputy Chair, whose role will be to support the Chair in carrying out their duties. In addition, the Deputy Chair has specific responsibilities including the effective operation of governance arrangements and for chairing the audit and risk and remuneration committees.

The full responsibilities for the Deputy Chair of Seafish are set out in the role description published on [Seafish’s website](http://www.seafish.org/).

* 1. Board Quorum

Under paragraph 12 of Schedule 1 to the Act, Ministers are required to set a quorum.

The number of members to constitute a legal quorum for decisions by Seafish in the event of the Board having vacancies or members not being present at a meeting is:

* For meetings of the four independent board members, a quorum of three;
* For the full Board a quorum of more than half of the current board membership including at least two independent members.

In addition, Paragraph 15(1) of the Act provides for circumstances where there is a conflict of interest regarding the consideration of contracts or proposed contracts. In the circumstances described by the Act where a member has a pecuniary interest in the contract under consideration, that member of the Board is not able to take part in the meeting. In those circumstances that member must be disregarded for the purpose of constituting a quorum.

* 1. Individual Board members

As well as fulfilling their collective role described above, all individual Board members shall:

* act in the public interest and uphold at all times the seven principles of public life: selflessness; integrity; objectivity; accountability; openness; honesty and leadership.
* comply at all times with the Code of Practice adopted by Seafish and within Treasury and Cabinet Office rules relating to the use of public funds and to conflicts of interest;
* not misuse information gained in the course of their public service for personal gain nor for political profit, nor seek to use the opportunity of public service to promote their private interests or those of connected persons or organisations;
* comply with the Board’s rules on the acceptance of gifts, hospitality and of business appointments;
* act in good faith and in the best interests of Seafish; and
* alert the Chair to any conflicts or potential conflicts of interest.
  1. **Board meetings, Board Papers and transparency**

Seafish will provide copies of Board agendas to the Sponsorship Group ahead of Board meetings, with copies of the Board papers and minutes provided following the meeting.

The Sponsorship Group will attend at least one Seafish Board meeting per year.

In line with Cabinet Office guidance and as appropriate for a levy-funded body, Seafish will ensure that it operates transparently. It will therefore ensure that at least one open Board meeting is held each year, and minutes of Board meetings (and where appropriate, Board papers), are published on their website.

* 1. Seafish Sector Panels

Seafish have established three advisory sector panels to enable greater representation and influence of the industry in defining Seafish’s work programmes. These panels will provide the Seafish Board with advice including the agreed priorities and work areas for their sector and may also recognise differences at a regional level.

The three Panels represent different parts of the industry:

* Domestic and Export Sector;
* Processing and Import Sector; and
* Consumer and Supply Chain.

The function of the Sector Panels is to:

* Agree priority issues and desired outcomes for their sector;
* Develop work programmes that will deliver sector outcomes;
* Review proposals for work programmes and identify new work programmes;
* Recommend work programmes to the Board; and
* Prioritise work programmes and to recommend stopping them when they are no longer appropriate.

The Seafish Board will agree the strategy and overarching corporate objectives for the organisation and the Sector Panels will then develop sector specific strategies against these corporate objectives. Work programmes will be planned to deliver key outcomes within the corporate objectives. The work programmes will be fully costed with clear deliverables and performance indicators. The panels will be expected to complete this work in two to three meetings each year.

The Panel Chairs will bring recommendations on the work programmes to the Board and the Board will bring together the sector recommendations to inform the overall business plan and budget for Seafish. Performance against this plan will be monitored by the Board, against the agreed Key Performance Indicators.

The recruitment, expenses and compensation of these panels is covered by Seafish, with the panels consisting of a chair and appropriate industry members. Each panel will be made up of nominees provided by representative organisations and, for areas where there is no single representative organisation, individuals recruited by Seafish. Seafish will advertise to fill the positions of Panel Chairs. From the applicants received, a selection panel consisting of at least one member of the Seafish Executive and one member of the Seafish Board will select the Panel Chairs.

* 1. Seafish CEO

The Chief Executive is responsible for the day-to-day operation and management of Seafish, in accordance with this Framework Document, the Seafish Corporate Plan, the Seafish Staff Code of Conduct and any central guidance for Chief Executive Officers of Non-Departmental Public Bodies.

As the Accounting Officer for Seafish, the Chief Executive is personally responsible for safeguarding the public funds for which they have charge and for ensuring propriety and regularity and value for money in the handling of those public funds through robust management disciplines (including performance management arrangements and controls). The responsibilities of the Accounting Officer for Non-Departmental Public Bodies and other arm’s length bodies are set out in Chapter 3 of [*Managing Public Money*](http://www.hm-treasury.gov.uk/d/mpm_ch3.pdf). The Chief Executive’s other key responsibilities are to:

* develop plans for Board approval on how the organisation will meet its strategic aims and objectives, consistent with the 1981 Fisheries Act, ensuring that the seafood industry is consulted;
* deliver a business planning process and organisational structure that underpins the achievement of Seafish's purpose and strategy, evaluating and reporting to the Board on the overall performance of the organisation;
* recruit, lead, manage and motivate the senior management team and staff including the development of an organisational culture that promotes high performance and commitment;
* promote and maintain effective stakeholder and partner engagement and collaboration at strategic, developmental and operational levels to support the development and achievement of Seafish's aims, working in conjunction with the Seafish Chair to represent the organisation internally and externally;
* assess the strategic and operational implications of proposed new business areas, consulting where appropriate; and
* establish appropriate governance, control and risk management measures in the organisation. Assurance on this is provided to the Principal Accounting Officer through (amongst other things) Seafish’s Governance Statement.

For the purposes of Whole of Government Accounts, the Chief Executive shall be responsible for ensuring the timely and efficient preparation of accurate consolidation information that sets out the financial results and position of Seafish, for arranging for its audit and for sending the information and the audit report to the Consolidation Officer nominated by the Treasury (in this case Defra’s PAO).

The Chief Executive may delegate the day-to-day administration of their Accounting Officer responsibilities to other employees in Seafish through written delegations. However, he/she shall not assign absolutely to any other person any of the responsibilities set out in this document.

1. Relationship with Government departments, other bodies and stakeholders
   1. Relationship with the Fisheries Administrations

The formal sponsorship arrangements with the Fisheries Administrations are set out in section 3.2 of this document and Annex 2. In addition to this, the sponsorship teams in the Fisheries Administrations will have ongoing and ad hoc contact with Seafish to resolve day to day issues.

The Fisheries Administrations and Seafish work with each other in a spirit of collaboration, communication, consultation and mutual support to ensure that wherever possible there are ‘no surprises’.

Although a levy-body, whose priorities and activities should be determined principally by industry (within the constraints of the Fisheries Act and use of public money), as an NDPB, Seafish can support the delivery of the goals of the Fisheries Administrations and wider Government. This can be done either through locally relevant activities or through the provision of impartial independent advice, technical expertise and experience on the ground in support of policy development.

Seafish must respect Government’s[[1]](#footnote-1) role in framing policy recommendations to Ministers and, having been afforded the opportunity to provide advice, it should take care to avoid giving the impression that it is publicly lobbying in support of the advice given, or against the Government’s agreed policy position.

Occasionally, Seafish may identify the need to provide advice or challenge to the Government and where it feels this advice is critical to its remit. In these cases, engagement with the Government must be conducted with appropriate sensitivity. Where an issue is particularly sensitive, Seafish will discuss, and provide information and advice, to the relevant policy team (and inform the relevant sponsorship team), to enable Ministers to be advised, and to help reach an appropriate policy decision. Seafish may provide advice and information to the MCA on request regarding the likely impact on fishermen’s safety of fisheries policies.

* 1. **Representation at International meetings**

Seafish may, with permission from Defra represent the UK at international meetings related to their remit. In doing so, Seafish’s role must be either to maintain a watching brief, ensuring information flow to and from Defra, or to represent the UK’s position having first sought briefing from Defra (who will coordinate with the other Fisheries Administrations). As an NDPB, Seafish must not get involved in the process for making or agreeing new fisheries policy and must not lobby on behalf of the UK sea fish industry. In each case, Seafish must represent the agreed UK policy position.

Where Seafish is attending an international meeting where the UK is represented by the EU, Seafish should also ensure attendance at any EU co-ordination meetings happening in advance in order to influence the agenda, acting on instructions / briefing from Defra. Seafish should de-brief officials on the meetings (including the main outcomes and positions of other nations) afterwards.

Seafish need not attend EU Co-ordination meetings where officials from the Fisheries Administrations are also in attendance so as not to duplicate efforts.

* 1. Relationship with the Department for Transport and the Maritime and Coastguard Agency

As the named Authority in the Fishing Vessels (Safety Training) Regulations 1989, Seafish must maintain a close relationship with the Department of Transport (DfT) and Maritime and Coastguard Agency (MCA). This relationship is to be defined by agreement between Seafish, the DfT and the MCA.

* 1. Relationship with Other Government Departments (OGDs), NDPBs and other organisations

Seafish may offer support to OGDs, NDPBs and other organisations (e.g. the provision of information, carrying out work on behalf of others (e.g. through contracts or Memorandum of Understanding) within the scope of its purpose and powers. This may include organisations operating in specific geographical areas such as Seafood Scotland.

* 1. Relationship with stakeholders

Seafish should operate in an open and transparent way and should develop its approach to consultation and to stakeholder liaison in accordance with relevant published standards of service. It should have in mind its main business needs and its organisational priorities, in order to achieve effective liaison and value for money.

* 1. Data, knowledge and evidence

Seafish will use its information and data to ensure it meets its statutory obligations. It will store and use information and data appropriately. It will respect the standing of other similar authorities, utilising their expertise where and when appropriate.

1. Public comments and complaints
   1. Freedom of information

Seafishis subject to the Freedom of Information Act 2000 (FOIA), the Scottish Freedom of Information Act 2002 and the Environmental Information Regulations 2004 (EIRs), which provide the public with rights of access to information held by public authorities, subject to certain exemptions to disclosure.

Seafish manages official records in accordance with the Public Records Act 1958 and undertakes to comply fully with the provisions of the Re-use of Public Sector Information Regulations 2005 regarding licensing documents for re-use on application under non-exclusive agreements.

* 1. Data handling and security

Seafish is responsible for ensuring that any personal data (i.e. information relating to living people) for which it is responsible are held and used in accordance with the Data Protection Act 1998 (DPA).

Defra’s Information Risk Policy details a top-level framework for managing information risk and appropriate procedures are adopted to comply with the framework. In addition, Seafish manages Protected Personal Data in accordance with the DPA and Cabinet Office guidelines. Protected personal data is any information which either relates to 1,000 or more individuals that is not in the public domain or links an identifiable individual with other information which, if released, would put them at significant risk of harm or distress.

* 1. Comments and complaints

Seafish handles comments, suggestions and complaints in accordance with a clear procedure which is laid out on their website.

If the complaint relates to a request for access to information under the [Freedom of Information Act 2000](http://www.legislation.gov.uk/ukpga/2000/36/contents) (FOIA), the Scottish Freedom of Information Act 2002 or the [Environmental Information Regulations 2004](http://www.opsi.gov.uk/si/si2004/20043391.htm) (EIRs), or a request for access to personal information under the [Data Protection Act 1998](http://www.legislation.gov.uk/ukpga/1998/29/contents) (DPA), Customers can write to the Board and Chief Executive at Seafish, who will arrange for the complaint to be investigated.

If, having heard the outcome of the complaint the customer is still dissatisfied, they have the right to apply directly to the Information Commissioner (or the Information Commissioner for Scotland) for a decision. Generally, the Information Commissioner cannot make a decision on FOI or EIR requests unless Seafish's own complaints procedure has been exhausted. However, s.42 of the DPA provides individuals with the right to ask the Information Commissioner for an assessment as to whether a data controller has complied with the DPA in respect of processing of their personal data.

Members of the UK Parliament have the right to refer complaints from the public to the Parliamentary and Health Service Ombudsman (also known as the Parliamentary Ombudsman) where an individual claims to have suffered injustice through maladministration.

The activities of Seafish will be subject to review by the Ombudsman. In the event of a referral, Defra’s Permanent Secretary, as the Principal Accounting Officer, would ask the Chief Executive to reply to the Ombudsman about any complaints of maladministration in Seafish.

For matters arising in Scotland, the Scottish Public Services Ombudsman (SPSO) is the final stage for complaints. It looks at complaints about most public services, including Seafish. Its service is free and independent. The SPSO will normally only consider a complaint after it has completed Seafish’s complaints procedure. Unless there are special circumstances, it will not look at issues that happened more than a year previously[[2]](#footnote-2).

For matters arising in Northern Ireland, the NI Ombudsman deals with complaints about public bodies[[3]](#footnote-3).

For matters arising in Wales, the public services ombudsman for Wales deals with complaints about public bodies[[4]](#footnote-4).  
  
6. Machinery for planning, accounting, audit, monitoring, governance and reporting

* 1. Corporate Plan

Seafish will have a three year corporate plan which will be published on its website. The corporate plan will be rolled forward and reviewed each year to produce a corporate plan for subsequent years. The Plan should articulate how Seafish operates and is resourced over the short to medium terms, and what the organisation expects to achieve reflecting its statutory duties and priorities. The first year of the three year corporate plan will form the annual business plan, and will therefore be worked up in more detail to set out the Seafish’s immediate objectives, priorities, work plans and key performance indicators for the year ahead.

The plan should demonstrate how Seafish will achieve its statutory duty. It will also set out opportunities and proposals for developing and securing benefits from closer joint working arrangements with sponsors and other bodies with other public or industry bodies more generally.

The Plan should be linked to budgeting information so that resources allocated to achieve specific objectives can be readily identified and cost effectiveness assessed.

The Plan will be developed in liaison with the Fisheries Administrations, and submitted for approval to Ministers, to a timetable agreed with the Sponsorship Group. It should adhere to any guidance issued by the Cabinet Office on minimum requirements and best practice. Seafish should work within any format/structure that is devised and agreed with its sponsors.

The Corporate Plan should reflect any commitments made through memoranda of understanding with other organisations, communicating clearly any additional sources of funding.

* 1. Annual report and accounts

Seafish must prepare and submit to Ministers its finalised (audited) annual report and accounts as soon as practicable after the end of the Financial Year and, by a date agreed with the Sponsorship Group, and in any event, no later than 30 September following the end of that year, as set out in the Fisheries Act 1981.

The audited report and accounts will be laid in the UK and Scottish Parliaments and must be published in accordance with the guidance in the *FReM*.

The annual report covers any corporate, subsidiary or joint ventures under Seafish’s control, complies with HM Treasury’s [*Financial Reporting Manual*](http://www.hm-treasury.gov.uk/frem_index.htm) *(FReM)*, and outlines its main activities and performance during the previous financial year and sets out, in summary form, forward plans. Information on performance against key financial targets is within the scope of the audit and should be included in the notes to the accounts.

A draft of the report is submitted, in tandem with a consolidation template, to Defra to an agreed timetable before the proposed publication date.

The accounts are prepared in accordance with the relevant statutes, timetables and specific HM Treasury accounts direction issued by Defra and HM Treasury as well as the *FReM*.

Defra’s departmental reporting boundary includes all NDPBs and as a result, the annual report and accounts of Seafish will be consolidated in Defra’s annual report and accounts on behalf of the Fisheries Administrations, including key data for performance, delivery and sustainability. This departmental report will also be laid before the UK Parliament.

* 1. Internal audit

Seafish must maintain arrangements for internal audit in accordance with HM Treasury’s [*Government Internal Audit Standards*](http://www.hm-treasury.gov.uk/psr_governance_gia_guidance.htm) *(GIAS)* and any further guidance from HMT or Defra’s Head of Internal Audit (HIA) on behalf of the Fisheries Administrations.

In particular, it will:

* Provide Defra’s HIA and sponsorship team with the annual internal audit report including the HIA’s opinion on risk management, control and governance. Seafish will also provide the formal agreed internal audit strategy and periodic internal audit plans to Defra’s HIA on request;
* Inform Defra’s HIA if there is any change of Head of Internal Audit or arrangements that alter the provision of internal audit services;
* Recognise that the Sponsoring Accounting Officers have a requirement to ensure that there are systems to monitor and steer their ALBs ([Corporate Governance in Central Government departments – Code of Good Practice Guidance Note 2011](http://www.hm-treasury.gov.uk/psr_governance_corporate.htm), and [Managing Public Money](http://www.hm-treasury.gov.uk/psr_mpm_index.htm) ). To help fulfil this they have a right of access to Seafish for assurance on regularity, propriety and value-for-money. This includes the right to request and receive copies of all internal audit reports and access to documents prepared by Seafish’s internal auditors, even where the service is contracted out; and
* Ensure that there is open dialogue along professional lines with Defra’s HIA to collaborate on issues affecting audit and assurance. If required, Defra’s Internal Auditors shall have access to the books and records of Seafish and reserve the right to carry out independent reviews of the Internal Audit function.

Seafish must also maintain an audit and risk committee (A&RC), operating as a formally constituted committee of its Board in accordance with the Cabinet Office’s [*Guidance on Code of Practice for Public Bodies*](http://www.culture.gov.uk/images/publications/GuidanceonCod_ofPractice-Executive_2004.rtf) and the [*Audit Committee Handbook*](http://www.hm-treasury.gov.uk/audit_committee_handbook.htm). The purpose of the A&RC committee is to advise the Accounting Officer and the Board on the strategic processes for audit and risk management (see also section 6.7).

In particular, Seafish will:

* + ensure that agenda, papers and minutes of all A&RC meetings are available for the Fisheries Administrations and their HIA’s should they request to see them;
  + extend an invitation to Defra’s HIA to attend A&RC meetings on behalf of the Fisheries Administrations.
  1. External audit

The Comptroller & Auditor General (C&AG) must audit and sign-off the Seafish annual accounts which, together with the C&AG’s report, is laid before the UK and Scottish Parliaments. In the event that Seafish has set up and controls subsidiary companies, Seafish should ensure that the C&AG is appointed auditor of those company subsidiaries it controls and/or whose accounts are consolidated within its own accounts. Seafish should discuss with the Sponsorship Group, the procedures for appointing the C&AG as auditor of the companies.

The C&AG:

* consults the Sponsorship Group and Seafish regarding who – NAO or a commercial auditor - undertakes the audit(s) on his behalf, though the final decision rests with the C&AG;
* has a statutory right of access to relevant documents, including by virtue of section 25(8) of the *Government Resources and Accounts Act 2000*, held by another party in receipt of payments or grants from Seafish;
* shares with the Sponsorship Group information identified during the audit process and the audit report (together with any other outputs) at the end of the audit; and
* where asked, provides the Fisheries Administrations and other relevant bodies with Regulatory Compliance Reports and other similar reports which departments may request at the commencement of the audit and which are compatible with the independent auditor's role.

The C&AG may carry out examinations into the economy, efficiency and effectiveness with which Seafish has used its resources in discharging its functions. For the purpose of these examinations the C&AG has statutory access to documents as provided for under section 8 of the *National Audit Act 1983*. In addition, Seafish shall provide, in conditions to grants and contracts, for the C&AG to exercise such access to documents held by grant recipients and contractors and sub-contractors as may be required for these examinations; and shall use its best endeavours to secure access for the C&AG to any other documents required by the C&AG which are held by other bodies.

* 1. Managing Public Money and other Government-wide corporate guidance and instructions

Seafish follows the principles, rules, guidance and advice contained in HM Treasury’s [*Managing Public Money*](http://www.hm-treasury.gov.uk/psr_managingpublicmoney_publication.htm), referring any difficulties or potential bids for exceptions to the Sponsorship Team in Defra in the first instance, unless agreed otherwise by the Fisheries Administrations and, as necessary, to HM Treasury. A list of guidance and instructions with which Seafish should comply is in Annex 5.

Once the Corporate Plan has been approved by the four Fisheries Ministers, and subject to any restrictions imposed by statute and this document, Seafish has authority to incur expenditure approved by the Board in the corporate plan without further reference to the Fisheries Administrations, on the following conditions:

* Seafish complies with the delegations set out in Annex 4, which should be altered only with the prior agreement of Defra;
* Seafish complies with [*Managing Public Money*](http://www.hm-treasury.gov.uk/psr_mpm_index.htm) regarding novel, contentious or repercussive proposals;
* inclusion of any planned and approved expenditure in the budget does not remove the need to seek formal departmental approval where any proposed expenditure is outside the delegated limits or is for new schemes not previously agreed;
* Seafish provides the Fisheries Administrations with such information about its operations, performance individual projects or other expenditure as may be reasonably required bearing in mind the primary sources of Seafish income; and
* Seafish provides Defra with such information to support consolidated Resource Accounts requirements where it falls within the Departmental Accounting Boundary on behalf of the sponsoring departments.
  1. Reporting on delivery performance and financial monitoring

Seafish operates management, information and accounting systems that enable it to review in a timely and effective manner its financial and non-financial performance against the budgets and indicators set out in the Corporate Plan.

In addition, Seafish’s Finance Director will complete financial reporting to Defra’s Network Bodies Team on a monthly basis. This will be used to monitor budgets throughout the year and for reporting in year performance on behalf of the Fisheries Administrations. This includes the Monthly Data Template to capture expenditure and the Management Information (MI) pack including a management narrative.

* 1. Risk management

The Seafish Board must ensure that the operational risks it faces are dealt with in an appropriate manner, in accordance with relevant aspects of good practice in corporate governance as outlined in HM Treasury and Cabinet Office Guidance [*Corporate governance in central government departments*](http://www.hm-treasury.gov.uk/psr_governance_corporate.htm).

A risk management approach should be developed, in accordance with HM Treasury guidance [*Management of Risk: Principles and Concepts*](http://www.hm-treasury.gov.uk/d/orange_book.pdf) and Defra guidance [*Guidelines for Environmental Risk Assessment and Management (2011).*](http://www.defra.gov.uk/publications/2011/11/07/green-leaves-iii-pb13670) Good risk management depends on a shared understanding of the key risks that Seafish is exposed to and on effective relationships between Seafish and the sponsor, to ensure that any risks that need attention are escalated quickly into the Fisheries Administrations.

Seafish should also:

* implement policies and practices to safeguard itself against fraud and theft, in line with HM Treasury’s guide: [*Managing the Risk of Fraud*](http://www.hm-treasury.gov.uk/d/managing_the_risk_fraud_guide_for_managers.pdf);
* notify the Fisheries Administrations, as soon as possible, of any unusual or major incidents that could have a bearing on the governance of Seafish; and
* keep records of, and prepare and forward to the Fisheries Administrations an annual report on fraud and theft suffered by Seafish and notify sponsors of any unusual or major incidents as soon as possible.
  1. Triennial Review

Seafish will be reviewed at least once every three years. The review process will follow Cabinet Office guidelines and best practice for [reviewing NDPBs](http://www.civilservice.gov.uk/wp-content/uploads/2011/09/triennial-reviews-guidance-2011_tcm6-38900.pdf) and will be a fundamental review of the functions delivered by Seafish and governance of the organisation. The review process will include engagement with Fisheries Ministers and the Sponsor Group, as appropriate. The Triennial Review Report will be agreed by Fisheries Ministers.

1. Seafish’s income and expenditure
   1. General considerations

Seafish’s activities are primarily financed by means of a levy imposed on persons engaged in the sea fish industry. The Board should discuss the levy every three years as part of its business planning cycle, considering whether or not changes to the levy are desirable based on evidence provided by the Executive, Sector Panels and proposed workstreams. If changes are considered necessary, Seafish should notify the Fisheries Administrations as soon as possible.

Section 4 and Schedule 2 of the Fisheries Act require the levy to be confirmed by the Fisheries Ministers. Seafish should advise the Fisheries Administrations in advance of any intention to advertise amendments to its levy provisions and agree a timetable for implementation of any changes.

Seafish shall comply with any spending restrictions that may be introduced as a result of the Fisheries Administrations or wider Government spending controls. Guidance on such restrictions and any relevant approvals procedures will be made available at the time.

Seafish should ensure that all expenditure is undertaken with regard to efficiency and transparency.

In developing and delivering its Corporate Plan, Seafish must be able to demonstrate that the activities it carries out provide benefit to the sea fish industry and provide value for money.

* 1. Grant-in-aid and any ring-fenced grants

The Fisheries Ministers are prohibited by the Fisheries Act 1981 from making grant-in-aid payments to Seafish.

* 1. Other sources of income

Charges and voluntary contributions

Seafish may charge fees for any service it provides and accept voluntary contributions (section 3(2) of the Act).

**Commercial services, other sources of income and wider markets**

Seafish may contract with MCA and sector partners towards development and delivery of the non mandatory fishing safety training programme and supporting initiatives.

Seafish is eligible to apply for grants from schemes such as the European Fisheries Fund and any successor funds. Seafish should abide by the rules of any such scheme and treat the funds with the same principles as any other sources of income.

Seafish may seek receipts from non-Exchequer sources provided that this is consistent with (a) Seafish’s statutory purpose and powers (b) its corporate plan as agreed with the Fisheries Administrations. Seafish must ensure that it is compliant with HM Treasury’s Managing Public Money guidance on charging and commercial activities.

Borrowing

Seafish may borrow for the purpose of financing its activities, subject to the requirements of section 6 of the Act.

Government Loans

The Fisheries Administrations may make loans to Seafish, subject to the requirements of Section 7 of the Act.

Government Guarantees

The Fisheries Administrations may guarantee the repayment of the principal of and the payment of interest on sums borrowed commercially, subject to the requirements of section 9 of the Act.

**Gifts and bequests received**

Seafish is free to retain any gifts (except in a procurement environment) bequests or similar donations. These shall be treated as receipts. Before proceeding in this way, Seafish shall consider if there are any associated costs in doing so or any conflicts of interests arising. Seafish shall keep a written record of any such gifts, bequests and donations and of their estimated value and whether they are disposed of or retained.

* 1. Investment of Reserve Funds

Any money which is not immediately required by Seafish may be invested in line with Section 10 of the Fisheries Act.

* 1. Management and disposal of fixed assets

**Management of assets**

Seafish shall maintain an accurate and up-to-date register of its fixed assets, available on request to the Fisheries Administrations. When consistent with its main functions and responsibilities, Seafish will also seek opportunities to promote efficient asset utilisation, including the sharing or joint ownership of assets with other bodies.

**Disposal of Assets**

Seafish shall dispose of assets that are surplus to its requirements, subject to the agreement of the Sponsorship Group (who may need to liaise with other). Assets shall be sold for best price, taking into account any costs of sale and in accordance with Managing Public Money, DAO letters and the requirements of the Minister for Cabinet Office (MCO).

Seafish shall normally retain the receipts derived from the sale of assets.

* 1. Novel, contentious or repercussive proposals

Seafish shall obtain the prior approval of Defra and, through them, HM Treasury before:

* incurring any expenditure for any purpose (including on staff benefits) which is or might be considered novel or contentious, or which has or could have significant future cost implications;
* making any change of policy or practice which has wider financial implications (e.g. because it might prove repercussive among other public sector bodies) or which might significantly affect the future level of resources required; and
* establishing a subsidiary company.
  1. Financial delegations

The Seafish Chief Executive has delegated authority, summarised as follows:

* primarily responsible for securing financial authority, for preparing budgets and exercising budgetary control, and for general financial matters;
* ensuring that authorised, sub-delegated authorities are properly used; and

* ensuring that, within the delegated authorities system, important or unusual cases will be detected and referred to Seafish senior management or the Chief Executive, as appropriate, for authorisation.

At all times the delegations are subject to the general requirements set out in HM Treasury’s Managing Public Money and other guidance. In addition, Seafish will consult the Sponsorship Group and obtain approval where relevant from Defra before making significant financial commitments not covered by these requirements, such as:

* entering into any undertaking to incur any expenditure that falls outside the delegations set out in Annex 4;
* incurring expenditure for any purpose that is or might be considered novel or contentious (as explained above), or which has or could have significant additional future cost implications;
* making any significant change in the scale of operation or funding of any initiative or particular scheme previously approved by the Fisheries Administrations;
* making any change of policy or practice which has wider financial implications that might prove repercussive or which might significantly affect the future level of resources required; or
* carrying out policies that go against the principles, rules, guidance and advice in *Managing Public Money*.

The Limits to Delegated Authority (Capital Expenditure, Losses, Write-Offs, Special Payments and Unexpected Income) can be found at Annex 4.

* 1. Procurement

Seafish’s expenditure on goods, services and works will be conducted in accordance with the requirements of Government best practice, the [Public Contract Regulations 2006](http://www.legislation.gov.uk/uksi/2006/5/contents/made) (as amended), the [Greening Government Commitments](http://sd.defra.gov.uk/favicon.ico), the EC Treaty and any other relevant EU or international procurement rules. Seafish’s procurement policies shall also reflect guidance from the Government Procurement Service and the Cabinet Office, including [*Procurement Policy Note*](http://www.cabinetoffice.gov.uk/resource-library/procurement-policy-note-ppn-transparency). Seafish should ensure that all documents relating to tenders are checked by a suitable Legal representative prior to being released.

Sustainable procurement is recognised as a key tool to deliver the targets for performance on the government estate as well as wider sustainability policies. Seafish recognises the importance of embedding good sustainable procurement, which includes policy, processes and operations, across all areas of the organisation.

* 1. **Receipts and Payments**

Seafish shall collect receipts and pay all matured and properly authorised invoices in accordance with the terms of contracts or in accordance with Government best practice on receipt of valid invoices for goods, services and works requested by Seafish as provided for in Annex 16.2 of Government Accounting. Seafish shall comply with the British Standard for Achieving Good Payment Performance in Commercial Transactions (BS 7890), and with the Late Payment of Commercial Debts (Interest) Act 1998 as amended.

* 1. **Banking arrangements**

Seafish’s Accounting Officer is responsible for ensuring that Seafish’s banking arrangements are in accordance with the requirements of *Managing Public Money*. In particular, they shall ensure that the arrangements safeguard public funds and are carried out efficiently, economically and effectively. They shall therefore ensure that:

* these arrangements are suitably structured and represent value for money, and are reviewed regularly;
* sufficient information about banking arrangements is supplied to Defra’s Accounting Officer to enable the latter to satisfy their own responsibilities;
* Seafish’s banking arrangements shall be kept separate and distinct from those of any other person, NDPB or organisation; and
* adequate records are maintained of payments and receipts and adequate facilities are available for secure storage of cash.

1. Financial arrangements in the event Seafish is wound up
   1. Arrangements for winding up

As a statutory body, Seafish can only be dissolved through legislation.

The four Fisheries Ministers share responsibility for Seafish. Decisions about Seafish’s future should be taken jointly by the four Fisheries Ministers, considering the views of the DfT and MCA where possible and appropriate.

In the case that a decision is made that is agreed by all four Fisheries Ministers, that Seafish cannot continue in its current form as a UK-wide, levy-funded NDPB, the financial responsibilities will be agreed between the four Fisheries Ministers. This would include ensuring that the assets and liabilities of Seafish are passed to any successor organisation and accounted for properly. In the event that there is no successor organisation, the Fisheries Administrations would by agreement arrange for the division of assets and liabilities, consulting parties such as the DfT and MCA as appropriate.

If a decision is made by one or more of the Fisheries Administrations without the agreement of all four Fisheries Ministers and the effect of that decision is to incur costs or that Seafish cannot continue in its current form as a UK wide levy-funded body, the principles set out in the [Statement of Funding Policy](http://www.hm-treasury.gov.uk/d/pbr_csr07_funding591.pdf) should apply.

In all circumstances, in the event that Seafish is subject to winding-up proceedings, the Sponsorship Group must put in place arrangements to ensure an orderly process and fair treatment of staff in line with Government codes of practice, honouring contractual and statutory obligations.

To this end, the Sponsorship Group would:

* ensure that procedures are in place in Seafish to gain independent assurance on key transactions, financial commitments, cash flows and other information needed to handle the wind-up effectively and to maintain the momentum of work inherited by any residuary body;
* specify the basis for the valuation and accounting treatment of Seafish’s assets and liabilities;
* ensure that staff are treated fairly and that their contractual and statutory rights are honoured
* dispose of assets including intellectual property;
* ensure that arrangements are in place to prepare closing accounts and pass to the C&AG for external audit, and that funds are in place to pay for such audits. It would be for the C&AG to lay the final accounts in the UK and Scottish Parliaments, together with their report on the accounts; and
* arrange for the most appropriate person to sign the closing accounts. In the event that another body takes on the role, responsibilities, assets and liabilities, the Accounting Officer of the succeeding body should sign the closing accounts. In the event that there is no successor body, Defra’s Principal Accounting Officer should sign on behalf of the Fisheries Administrations.

Seafish would provide the Sponsorship Group with full details of all agreements where Seafish or its successors have a right to share in the financial gains of developers. It should also pass to the Fisheries Administrations details of any other forms of claw-back due to Seafish.

1. Appointments, Recruitment, Pay and Personnel Management
   1. Composition of the Board

In line with the Act and the Government’s [*Code of Practice on Corporate Governance*](http://www.hm-treasury.gov.uk/d/daocorpgovernancecode.pdf)*,* the Board will consist of a non-executive Chair, Deputy Chair together with a up to ten non-executive members. The Chair, Deputy Chair and two of the ordinary members will have no financial or commercial interests in the sea fish industry. The other members will represent the interest of the sea fish industry. The sea fish industry will be consulted on the role and person specifications of these “industry” members prior to appointments being advertised.

The Board, as a whole, will have a balance and variety of skills and experience appropriate to directing the organisation’s business and avoiding dominance by any particular sectoral interest. The exact composition of the Board is determined by the Fisheries Ministers following consultation with the Chair.

* 1. Board appointments - the Chair and Board members

The Chair and Board members are appointed by the Fisheries Ministers following the [*Code of Practice of the Office of the Commissioner on Public Appointments*](http://publicappointmentscommissioner.independent.gov.uk/). The terms of appointment are to be determined by the Fisheries Ministers, with no appointment longer than three years. Appointments may be renewed provided performance has been appraised as satisfactory. No person may be a member for a total period of more than 10 years, whether or not continuous.

* 1. Board remuneration

The Act establishes that the Seafish Board shall be appointed and remunerated by the Fisheries Ministers.

All costs associated with making the appointments, remuneration of the Board and for the Board’s Travel and Subsistence associated with Board and Board Committee Meetings will be shared between the four Fisheries Administrations by agreement.

On behalf of the Fisheries Administrations, Defra will process the payment of the Board’s remuneration and travel and expenses claims. In accordance with Defra’s Travel and Subsistence policy, reasonable actual costs shall be reimbursed for Board meetings and sub committees. Defra will invoice the other Administrations for the amounts due on an annual basis.

Seafish will set up checking procedures for travel and subsistence claims from the Board and will pass checked claims to Defra to pay.

Any other expenses relating to the Seafish Board will be funded by Seafish.

* 1. Board responsibilities towards Seafish’s staff

Within the arrangements approved by the Fisheries Administrations and HM Treasury, Seafish will have responsibility for the recruitment, retention and motivation of its staff. The Board’s responsibilities toward Seafish’s staff are to ensure that:

* the rules for recruitment and management of staff create an inclusive culture in which diversity is fully valued; appointment and advancement is based on merit; there is no discrimination on grounds of gender, marital status, sexual orientation, race, colour, ethnic or national origin, religion, disability, community background or age;
* the level and structure of its staffing, including grading and staff numbers, are appropriate to its functions and the requirements of economy, efficiency and effectiveness;
* the performance of its staff at all levels is satisfactorily appraised and Seafish performance measurement systems are reviewed from time to time;
* its staff are encouraged to acquire the appropriate professional, management and other expertise necessary to achieve Seafish objectives;
* proper consultation with staff takes place on key issues affecting them;
* adequate grievance and disciplinary procedures are in place;
* whistle-blowing procedures consistent with the Public Interest Disclosure Act are in place; and
* a code of conduct for staff is in place based on the Cabinet Office’s Model Code for Staff of Executive Non-departmental Public Bodies.
  1. Staff costs, pay and conditions of service

Subject to its delegated authorities, Seafish shall ensure that the creation of any

additional posts does not incur forward commitments that will exceed its ability to pay for them.

Seafish staff are subject to levels of remuneration and terms and conditions of service (including pensions). Seafish is not subject to the pay remit process and operate its own pay delegation. However in setting pay and conditions, Seafish should observe HM Treasury guidelines on public sector pay policy as notified to them by Defra on behalf of the Fisheries Administrations. Seafish should consult Defra on behalf of the Fisheries Administrations on any changes proposed to these conditions to ensure that their annual pay award is broadly in line with this guidance.

Staff terms and conditions should be set out in an Employee Handbook, which should be available to the Fisheries Administrations together with subsequent amendments on request.

Seafish may operate a performance related pay system as it seems fit. However, it would be expected to be broadly within the terms set out in the annual Civil Service Pay Guidance.

Seafish shall comply with the EU Directive on contract workers – the Fixed-Term

Employees (Prevention of Less Favourable Treatment) Regulations.

**Travel expenses**

The nature of business sometimes necessitates travelling to liaise effectively with customers and stakeholders. Seafish recognises that this makes it even more important that staff travel only when necessary and use the most sustainable methods, having due regard for the efficient use of resources.

The travel expenses of Board members shall be linked to the rates of Defra’s Travel and Subsistence (T&S) rates. Reasonable actual costs shall be reimbursed (see section 9.3).

**Exit policies**

The Seafish Board has delegated authority for early severance/retirement schemes and for making redundancy decisions of its staff including the overall numbers and grades of staff concerned. The Fisheries Administrations should be informed of any decisions, which will take account of the broader position within the Fisheries Administrations and good business process.

If, however, Seafish proposes to offer early severance/retirement either to an individual member of staff or under a scheme, and this offer is outside or in excess of statutory or contractual terms, then it must be approved in advance by HM Treasury. This approval should be obtained through Defra Sponsorship Team.

* 1. Pensions

Seafish staff shall normally be eligible for a pension provided by Seafish’s own scheme. Staff may opt out of the occupational pension scheme provided by Seafish, but that employers’ contribution to any personal pension arrangement, including stakeholder pension shall normally be limited to the national insurance rebate level.

Any proposal by Seafish to move from the existing pension arrangements, or to pay any redundancy or compensation for loss of office, requires the prior approval of the Fisheries Administrations. Proposals on severance must comply with the rules in chapter 4 of *Managing Public Money*.

* 1. Personnel records

The Seafish Board is responsible for maintaining accurate personnel records, ensuring that suitable provision is made for the maintenance of accurate personnel records - including a staff database – in accordance with all data protection requirements.

* 1. Health and safety

The Seafish Board is accountable for all matters of health and safety associated with Seafish*’s* business activities and will ensure that resources, organisation design, and arrangements are adequate for delivering effective performance. In practice this is the responsibility of the Chief Executive to manage on a day-to-day basis.

* 1. Staff relations

The Chief Executive is responsible for maintaining good staff relations within Seafish. In ensuring this responsibility they will set up suitable arrangements in consultation with representatives of staff.

The Chief Executive will co-operate with the Fisheries Administrations and may participate in Departmental consultations with representatives of the staff on matters of mutual interest.

1. Estates

Seafish operates from its offices in Grimsby and Edinburgh.

Seafish should ensure:

1. Compliance with all spending control measures introduced by HM Treasury and the Cabinet Office, including National Property controls, which regulate the retention, renewal and disposal of property assets.
2. Collaboration and co-operation with the strategic property objectives of the Fisheries Administrations to promote wherever possible positive outcomes and efficiencies for Government as a whole.
3. That it takes professional advice on its transactional activity and commit to develop a property strategy for their occupational portfolio which reflects the medium to long term accommodation needs and how this might be fulfilled.

**Sustainability**

In order to achieve the highest standard of sustainability Seafish should ensure that the existing estate is run as efficiently as possible, in accordance with industry best practice. Wherever possible, innovative technologies and practices will be introduced to reduce energy consumption, carbon emissions, water use and better manage waste. All property development projects undergo sustainability assessments, with new build/major refurbishment projects designed to deliver BREEAM (Building Research Establishment Environmental Assessment Method) excellent ratings.

Seafish should consider how it can contribute to [Greening Government Commitments](http://www.greeninggovernment.co.uk/index.php?option=com_gtdisplay&view=gtcontact&Itemid=391).

1. Arrangements for changing the Framework Document
   1. Making changes to the Framework Document

Like other Non Departmental Public Bodies, Seafish will be subject to the requirement for a triennial review, in accordance with Cabinet Office guidance. This will be fundamental in reviewing the functions of the body, its governance arrangements and whether other delivery models would be more cost effective and in keeping with the Government’s reform commitments. Reviews will be led by Defra on behalf of the Fisheries Administrations but Seafish, DFT and MCA will be consulted.

This Framework Document will be reviewed and amended by the Fisheries Administrations, in consultation with Seafish, in the light of triennial review’s outcome and recommendations. Certain other events may also trigger the need for the Framework Document to be reviewed, such as a significant change in Government policy relating to Seafish’s business, the appointment of a new Chair or Chief Executive, or a change in the sponsorship arrangements in the Fisheries Administrations.

Seafish or the Sponsorship Group may propose changes to this Framework Document at any time, and these will be subject to agreement by the Fisheries Ministers, the Sponsorship Group, the Seafish Board and, where appropriate, HM Treasury. The Marine Sponsorship Team based in Defra is responsible for consulting all those concerned with proposals for amendments, including HM Treasury.

|  |  |
| --- | --- |
| Signed on behalf of the UK Secretary of State for Environment Food and Rural Affairs | Signed...................................  Name.....................................  Date……............................... |
| Signed on behalf of the Cabinet Secretary for Rural Affairs and Environment, Scottish Government | Signed...................................  Name.....................................  Date……............................... |
| Signed on behalf of the Minister for Agriculture and Rural Development, Northern Ireland Executive | Signed...................................  Name.....................................  Date……............................... |
| Signed on behalf of the Deputy Minister for Agriculture, Fisheries, Food and European Programmes, Welsh Government | Signed...................................  Name.....................................  Date……............................... |
| Signed by the Chair of Seafish on behalf of the Sea Fish Industry Authority | Signed...................................  Name.....................................  Date……............................... |

1. **Annex 1: List of definitions**

In the context of this Framework Document for Seafish, the following words can be taken to have the following meanings.

|  |  |
| --- | --- |
| DARD (NI) | Department for Agriculture and Rural Development (Northern Ireland) |
| Defra | Department for Environment, Food and Rural Affairs |
| Devolved Administrations | The relevant Fisheries Administration in each of the Devolved Administrations of the UK: Marine Scotland, DARD Northern Ireland and the Welsh Government |
| DfT | Department for Transport |
| Fisheries Ministers | The Secretary of State for Environment Food and Rural Affairs and the Ministers responsible for Fisheries in the Devolved Administrations: the Cabinet Secretary for Rural Affairs and Environment, Scottish Government, the Minister for Agriculture and Rural Development, Northern Ireland Executive and the Deputy Minister for Agriculture, Fisheries, Food and European Programmes, Welsh Government |
| Levy-payers | Those businesses or individuals who are required to pay a levy to Seafish as defined in the Fisheries Act 1981 |
| MAIB | Marine Accident Investigation Branch |
| MCA | Maritime and Coastguard Agency |
| MoU | Memorandum of Understanding |
| NDPB | Non Departmental Public Body |
| The industry | The seafood industry in the UK as defined in the Fisheries Act 1981 |
| PAO | Principal Accounting Officer, in this case this is the Permanent Secretary of Defra |
| Seafish | The Sea Fish Industry Authority |
| Secretary of State | The Secretary of State for Environment, Food and Rural Affairs |
| Sponsors | The four Fisheries Administrations: Defra, Marine Scotland, DARD and the Welsh Government, who are the Government sponsors for Seafish |
| The Act | The Fisheries Act 1981 |

1. Annex 2: The overall governance framework
   1. **Formal review, periodic reporting and Board-level challenge**

Cabinet Office and HM Treasury guidance describes good practice in managing the relationship between Non-Departmental Public Bodies (NDPBs) and Government.

The Sponsorship Teams in the Fisheries Administrations will liaise with each other to ensure that at least one routine meeting each year is held between a Fisheries Minister and the Chair. Acting on behalf of all of the Fisheries Ministers, a Defra Minister will carry out an annual review of the Chair’s performance against agreed personal objectives. The appraisal will be shared with the other Ministers

The Defra Sponsorship Team will ensure that at least one routine meeting is held each year with Defra’s Principal Accounting Officer and Seafish’s Chief Executive.

The Sponsorship Group will provide oversight of the governance arrangements between the Fisheries Administrations and Seafish. Agenda items will be agreed in advance and shared five working days before the meeting. A formal minute will be taken of the discussion and actions arising will be managed by the Defra Marine Sponsorship Team in consultation with the other Fisheries Administrations. Significant findings will be escalated appropriately.

* 1. **The Sponsorship Group**

**Chair**

The Group will be chaired by the Senior Sponsor, currently Defra’s Deputy Director for Sustainable Fisheries in Defra.

The chair will be neutral; their role is to build consensus and provide a balanced view, which reflects that of the Group as a whole.

**Membership**

The Sponsorship Group will comprise one member per Fisheries Administration (although other officials may be invited to support the Group as required). The member must be able to provide input, challenge, offer advice and make decisions on behalf of their Administration.

In the normal course of business, the Secretariat will arrange meetings so that all Members can be present.

The Secretariat will circulate papers five working days before the meeting. If a member is unavailable at short notice and cannot attend the meeting, they may pass on views and comments in advance so that the Chair may reflect these during the meeting or, if practicable, audio or video conferencing may be arranged. The Secretariat will ensure that members are notified of the decisions to be taken at each meeting to enable them to prepare accordingly. Issues may be cleared by correspondence, by agreement. Meetings may be called at short notice to deal with emergency situations.

**Secretariat**

Secretariat functions are provided by the Defra Marine Sponsorship Team on behalf of the Fisheries Administrations.

**Role/functions**

The key purposes of the Sponsorship Group are:

* to support and advise the Fisheries Ministers on the discharge of their duties under the Fisheries Act 1981 (this may include giving Seafish direction on the exercise of its functions and to set objectives from time to time with regard to the quality and effectiveness of Seafish’s performance;
* to enquire how the Chair, Deputy Chair and Board deliver ongoing, effective corporate governance of Seafish, challenge appropriately and advise when necessary so that the Chair may be held to account by Ministers; and
* to provide collective strategic guidance for Seafish on behalf of the Fisheries Ministers.

In doing so, the Sponsorship Group will ensure collective ownership of Seafish and collective responsibility for the decisions it takes.

The Sponsorship Group will:

* advise Fisheries Ministers on appropriate strategic objectives and performance framework (including annual performance targets) for Seafish in the light of available resources;
* agree the key corporate documents (and recommend sign off, where necessary by Ministers);
* monitor how well Seafish is achieving its strategic objectives and performance targets and whether it is delivering value for money and advise the Fisheries Ministers accordingly;
* have an oversight of corporate governance issues and if concerned, recommend an audit be carried out;
* seek to resolve any disagreements between Seafish and any of its sponsoring departments or others that cannot be resolved at bilateral operational level, and provide an escalation route where necessary;
* help and support engagement with Fisheries Administrations, as appropriate, as part of the Triennial Review process;
* be kept informed about court cases/judicial reviews involving Seafish; and
* provide any other advice to the Fisheries Ministers on the discharge of their responsibilities in relation to Seafish as may be required.

The Sponsorship Group will not:

* debate policy (although it will discuss policy priorities within the context of national policy statements and statutory guidance on sustainable development);
* tell Seafish how to deliver its strategy; or
* tell Seafish how resources should be used.

The Sponsorship Group recognises that the Chair, Deputy Chair and Board have responsibility for strategic leadership of Seafish to enable delivery of the outcomes required by the Act or the Fisheries Ministers if they should so direct.

The Sponsorship Group will be the primary mechanism to involve relevant Departments in the functioning of Seafish.

At meetings Members of the Group represent their Administrations’ views. They will be responsible for managing their respective Administrations' input, including keeping their Ministers informed, seeking agreement from Ministers where necessary and escalating issues where appropriate. Where cross-Administration agreement is needed at Ministerial level, a ministerial write-round will be conducted.

Day-to-day engagement with Seafish should be managed on an exception basis (i.e. most issues dealt with by the Marine Sponsorship Team, with reference when necessary to the Fisheries Ministers and/or Sponsorship Group, depending on the issue).

**Frequency of Meetings**

The Sponsorship Group will meet at least twice a year. It will meet more frequently if agreed with the Chair of the Group.

Outside the formal meetings it may be possible to resolve any issues arising, by correspondence.

**Conduct of Meetings**

Any papers tabled for the SG’s consideration will be circulated with the Agenda, at least five working days in advance of the meeting. Draft minutes will be circulated for comments five working days after the meeting and the formal minutes issued, where possible, within three weeks of the meeting.

* 1. **The Sponsorship Teams’ roles and responsibilities**

The Sponsorship Teams in the four Fisheries Administrations are responsible for the day to day sponsorship of Seafish. They support the Fisheries Ministers, Defra’s Principal Accounting Officer and the Sponsorship Group to:

1. ***Maintain an overview*** of Seafish’s operations and delivery in respect of :

* governance and appointments (e.g. making sure structures and processes are effective and efficient, and that the Board has the right skills and do deliver) ensuring that annual performance appraisals of the Chair and Board are completed, and in line with [Cabinet Office Guidance Making and Managing Public Appointments](http://www.civilservice.gov.uk/about/resources/public-appointments)
* agreeing Seafish’s strategic outcomes and objectives and performance management framework with and Ministers and ensure the Board hold Seafish to account for its performance;
* addressing in a timely manner any significant problems arising in Seafish, whether financial or otherwise, advising Defra’s Principal Accounting Officer to make such interventions as judged necessary;
* periodically to carry out a risk assessment of Seafish’s activities to inform the oversight of Seafish; make proposals for strengthening these arrangements if necessary; and amend this Framework Document accordingly. The risk assessment will be proportionate and take into account the nature of the Seafish’s activities; the public monies at stake; Seafish’s corporate governance arrangements; its financial performance; internal and external auditors' reports, the openness of communications between the body and its sponsors; and any other relevant matters;
* Monitoring performance and delivery of outcomes.
* It will also involve troubleshooting as necessary, spotting and escalating issues, and briefing Ministers, non-executive directors and senior officials on strategic and performance issues.

1. ***Facilitating clear lines of communication with Seafish*** to:

* ensure a clear understanding of the Fisheries Administrations and Seafish’s respective priorities and requirements, co-ordinating and channelling effective two way communication, and issuing specific guidance or instructions as necessary;
* inform Seafish of relevant Government policy in a timely manner; advise on the interpretation of that policy; and issue specific guidance to Seafish as necessary; and
* bring concerns about the activities of Seafish to the attention of the Chief Executive, seeking explanations and assurances that appropriate action has been taken.

2. Annex 3: Governance map for Seafish

**Oversight of Seafish**

**Sponsorship Group**

(Policy Directors from the four Fisheries Administrations)

**Formal governance relationship**

**Informal relationship**

(e.g. advisory, customer)

**Executive Management**

(Chief Executive/Accounting Officer)

**Fisheries Ministers**

(Secretary of State and Fisheries Ministers from the four Fisheries Administrations; Defra Principal Accounting Officer; Defra ARC Chair)

**Audit and Risk Committee**

(Board member Chair)

**Seafish Board**

(Chair and board members)

**1**

**2**

**3**

**4**

**Sector Panels**

5

**Notes:**

1: Body created by statute. The Fisheries Ministers appoint the Chair and Board Members. The Board appoints the Chief Executive, in agreement with the Fisheries Ministers. The Principal Accounting Officer of Defra appoints the CEO as Accounting Officer on behalf of the other sponsors.

2: Delegated Authority letter from Principal Accounting Officer to CEO confirms CEO’s responsibility for ensuring the delivery of the business plan that is agreed with the Fisheries Ministers. Framework Document sets out the details of the relationship between the Fisheries Administrations (FAs) and Seafish. Corporate Plan sets out the strategic aims and performance objectives of Seafish. Board holds the CEO to account for delivery. CEO responsible for establishing appropriate governance, control and risk management measures in Seafish.

3: Designated Policy Directors from the FAs act as the corporate sponsor for Seafish and Sponsorship Group holds regular meetings with the Chair and CEO. Policy teams in day-to-day contact with delivery counterparts in Seafish and are responsible for ensuring business plan targets deliver policy outcomes.

4: Seafish Board and Accounting Officer receive advice on governance, control and risk management from an advisory committee. ARC minutes shared with Defra. ARC Chair meets periodically with the Defra ARC Chair.

5: Three Sector Panels appointed by CEO: Domestic; Processing/Import; and Consumer. Appointed to advise the Seafish Board to provide stakeholder input.

1. Annex 4: List of delegated authority: Capital expenditure, losses, write-offs, special payments and unexpected income

|  |  |  |
| --- | --- | --- |
| **Limits of Delegated Authority - Losses, Write-Offs, Special Payments and Unexpected Income** | | |
| **Expenditure & Income** | **Amount** | **Other limits /conditions** |
| Commit expenditure, including all contractual commitments | £2 million |  |
| Certifying expenditure | £2 million |  |
| Authorise payments | £2 million |  |
| Accept receipts | Unlimited |  |
| ***Losses, Write-Offs, Special Payments*** |  |  |
| **CASH LOSSES** |  | |
| **Cash Losses**: | £50,000 |  |
| **Bookkeeping losses:** | £50,000 |  |
| **Exchange rate fluctuations**: | NO AUTHORITY | All queries should be directed to Defra FAB |
|
| **Losses arising from** Overpayments of pay; pensions, allowances; | £20, 000 |  |
| **Losses arising from** Overpayments of Grants and Subsidies etc. | £20,000 |  |
|
| **Losses** due to failure to make adequate charges for the use of public property or services | £20,000 |  |
| **LOSSES OF ACCOUNTABLE STORES** | £20,000 |  |
| **Fruitless payments & Constructive losses** | £20,000 |  |
| **CLAIMS WAIVED OR ABANDONED** | £50,000 |  |
| **SPECIAL PAYMENTS** | £5,000 | See Note 1 |
| **Gifts of stores or property** | £500 |  |
| **Gifts to visiting Dignitarie**s | £500 | Limit includes hospitality costs |
| **Rewards for return of stolen property** | £5,000 | See Note 1 |
| **Other compensation payments** | £5,000 | See Note 1 |
| **Loss or damage** for staff on official business | £5,000 | See Note 1 |
| **Injury payments to non - staff**  - official vehicles | £5,000 | See Note 1 |
| **Personal injury - non staff -**  suffered on Seafish premises | £5,000 | See Note 1 |
| **Other compensation claims** | £5,000 | See Note 1 |
| **Extra-statutory and extra-regulatory payments** | £5,000 | See Note 1 |
| **Property** related transactions | £10,000 | See Note 2 |
| **GIFTS RECEIVED** | Unlimited |  |
| **OTHER CONTROLS** |  |  |
| **Marketing spending controls** | £30,000 | Previously the marketing freeze. Authority subject to Seafish internal business case approval process |
| **Recruitment freeze controls** | NO AUTHORITY | Seafish must submit a business critical vacancy form to Defra or appropriate Devolved Administration for approval. |

|  |  |
| --- | --- |
| **Limits of Delegated Authority - Capital Expenditure** | |
| **Individual project delegation Limit** | **Approvals Process** |
| £75,000 | Includes any expenditure that is “capitalised” in Seafish’s accounts |
|  |  |
|  |  |

Cases above these limits require Defra’s prior approval on behalf of the Fisheries Administrations. Depending on the nature of the proposed case, Defra may consult the other Fisheries Administrations. Limits may be amended from time to time and these will be notified to Seafish.

Note 1 - All Special Payments above the delegation limits shall be referred through Defra, on behalf of the Fisheries Administrations, to HM Treasury for approval in line with Chapter 4 and Annex 4.13 of *Managing Public Money*.

Note 2 - This category comprises the signing of new leases, renewals of existing leases, the non-exercise of lease break options, any new property acquisitions, new build developments, sale and leaseback, and any freehold sales as part of national property controls. HM Treasury will not normally approve spending in these areas over £100,000 without Cabinet Office agreement.

**Increases in Delegated Limits**

Should Seafish want to increase the levels of the delegated limits set out in this Annex, they will need to submit a business case to Defra. Depending on the proposed change, this may need to be approved by the Permanent Secretary, the Devolved Fisheries Administrations and, in some cases, HM Treasury.

**Other Controls and Delegations**

Seafish must also comply with other controls that might be periodically imposed for example by HM Treasury or the Cabinet Office (through the work of its Efficiency Reform Group (ERG)). These will be notified separately.

1. Annex 5: List of compliance with Government-wide corporate guidance instructions

Seafish complies with the following general guidance documents and instructions:

* this Framework Document;
* Appropriate adaptations of sections of [Corporate Governance in Central Government Departments: Code of Good Practice](http://www.hm-treasury.gov.uk/d/daocorpgovernancecode.pdf)
* [Managing Public Money](http://www.hm-treasury.gov.uk/psr_managingpublicmoney_publication.htm) (MPM):
* [Government Internal Audit Standards](http://www.hm-treasury.gov.uk/psr_governance_gia_guidance.htm):
* [Management of Risk: Principles and Concepts](http://www.hm-treasury.gov.uk/d/orange_book.pdf) (the Orange Book)
* [Managing the Risk of Fraud](http://www.hm-treasury.gov.uk/d/managing_the_risk_fraud_guide_for_managers.pdf):
* [Government Financial Reporting Manual](http://www.hm-treasury.gov.uk/frem_index.htm) (FReM):
* Fees and Charges Guide, [Chapter 6](http://www.hm-treasury.gov.uk/d/mpm_ch6.pdf) of MPM
* Departmental Banking: A Manual for Government Departments, [annex 5.7](http://www.hm-treasury.gov.uk/d/mpm_annex5.7.pdf) of MPM Relevant ‘[Dear Accounting Officer’](http://www.hm-treasury.gov.uk/psr_governance_dao_letters.htm) letters:
* [Regularity, Propriety and Value for Money](http://www.hm-treasury.gov.uk/psr_governance_valueformoney.htm)
* The Parliamentary Ombudsman’s [Principles of Good Administration](http://www.ombudsman.org.uk/improving-public-service/ombudsmansprinciples/principles-of-good-administration):
* Consolidation Officer Memorandum, and relevant DCO letters;
* relevant [Freedom of Information Act guidance](http://www.justice.gov.uk/global/foi-requests) and instructions (Ministry of Justice):
* [Model Code](http://www.civilservice.gov.uk/wp-content/uploads/2011/09/5_public_body_staffv2-word_tcm6-3414.doc) for Staff of Executive Non-Departmental Public Bodies
* Relevant Cabinet Office Efficiency Reform Group (ERG) requirements on property and procurement
* Other relevant guidance and instructions issued by HM Treasury in respect of Whole of Government Accounts and Clear Line of Sight
* other relevant instructions and guidance issued by the central Departments;
* *Joint Code of Practice for Research* (BBSRC, Defra et al) and other relevant good practice guidelines on evidence processes
* specific instructions and guidance issued by the Fisheries Administrations; and
* recommendations made by the Public Accounts Committee, or by other Parliamentary authority, that have been accepted by the Government and relevant to Seafish.

1. ‘Government’ in this section denotes the relevant parts of UK Government (Defra, Department of Health, Food Standards Agency, Department for Transport, Maritime and Coastguard Agency) and the Devolved Fisheries Administrations. [↑](#footnote-ref-1)
2. [www.spso.org.uk](http://www.spso.org.uk) [↑](#footnote-ref-2)
3. NI Ombudsman can be contacted on: [ombudsman@ni-ombudsman.org.uk](mailto:ombudsman@ni-ombudsman.org.uk) or 02890 233821 or via post:  
   The Ombudsman, Freepost BEL 1478, Belfast, BT1 6BR [↑](#footnote-ref-3)
4. [www.ombudsman-wales.org.uk/](http://www.ombudsman-wales.org.uk/) <http://www.ombudsman-wales.org.uk/cy/> [↑](#footnote-ref-4)