

# Regulator concludes regulatory case into governance at the RSPCA

The regulator's involvement with the charity began in 2014, after serious concerns were identified about the charity's governance and leadership. Among the Commission's key concerns were frequent changes in leadership and a sustained reliance on trustees acting as interim Chief Executives. This unusual practice, which began as an interim arrangement, went on for too long, risking public confidence in an important national institution.

In August 2018, the Commission issued the charity with an Official Warning, in relation to concerns about a settlement offer to the charity's former acting chief executive.

Despite regular meetings with staff and trustees, including a three-day visit by the regulator to the charity's headquarters in October 2018, the Commission remained concerned about the charity's progress in reforming its governance. Its concerns revolved around the set-up and role of the charity's trustee body (the council), specifically:

- its large size – at this point the council consisted of 25 members
- the long terms of office of council members
- the extent to which the trustees had the necessary knowledge, skills and experience given the size and complexity of the charity
- excessive involvement of council members in day to day issues usually the responsibility of the executive and staff

Trustees were required to take immediate steps to rectify the situation and bring the charity's governance, notably the operations of its council, in line with expectations for a charity of this size and complexity. Thereafter, the charity announced changes to "truly transform the Society", including an overhaul of the charity's governance.

Following a wide consultation on these proposals, led by a new Chair and Chief Executive, constitutional changes, which addressed but went beyond the Commission's concerns, were adopted at the Society's AGM in June 2019. This included reducing the size of the trustee body from 25 to 12.

The Commission subsequently monitored the implementation of these changes and is now satisfied that the charity has acted on its regulatory advice and used this as an opportunity to make significant changes to its leadership and governance.

The regulatory case concluded earlier this year, and the RSPCA's relationship with the Commission has now moved to a regular footing. This means the charity's structures are considered improved and able to deal with new issues should they arise. The charity made further refinements to its governance at its AGM yesterday.

Helen Earner, Director of Regulatory Services at the Charity Commission, said:

The RSPCA is a much-loved national institution, which performs a crucial role in animal protection. We have had to have extensive engagement with the charity over a number of years to ensure things were placed on a better footing, but are satisfied that the RSPCA's current governance reflects our expectations of large and complex charities.

Charities that put their purpose at the core of all they do, and underpin this with robust governance and the highest standards of conduct, will serve their beneficiaries better, and help meet their full charitable potential.

## Ends

### Notes to Editors

1. The Charity Commission is the independent, non-ministerial government department that registers and regulates charities in England and Wales. Its purpose is to ensure charity can thrive and inspire trust so that people can improve lives and strengthen society.

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## [RAF surveillance fleet to be based in Moray](#)

RAF Lossiemouth will be the new home of the UK's fleet of E-7 Wedgetail surveillance aircraft, bolstering Scotland's key role in UK and NATO defence and security, Defence Minister Baroness Goldie announced today.

Delivering a step change in capability from the current E-3D Sentry, the E-7 Wedgetail is capable of simultaneously tracking multiple airborne and maritime targets, using the information it gathers to improve situational awareness and direct assets such as fighter jets and warships. The Wedgetail has previously been used by the Australian Air Force Royal on operations against Daesh in Iraq and Syria.

The Wedgetail will be co-located with the new Poseidon fleet, with the first four submarine-hunting aircraft already providing essential operational support in the area.

Operating both fleets of Boeing 737 type aircraft from the same location will further harness RAF Lossiemouth's strategic location and take advantage of the new £100m state-of-the-art facility and the recent £75m runway upgrade.

The decision is also expected to support hundreds of jobs and provide a boost to the local economy.

Minister of State for Defence, Baroness Goldie said:

Scotland's proximity to the waters and skies of the North Atlantic is of crucial importance to the UK's and NATO's security – this is why important military bases such as HMNB Clyde and RAF Lossiemouth are located here.

Defence's latest decision to base the E-7 Wedgetail at RAF Lossiemouth demonstrates our commitment to investing in Scotland, and will complement and expand upon the success of Typhoon fast jet and submarine hunting Poseidon operations.

The arrival of the Wedgetail in 2023 will also mark a return to RAF Lossiemouth for 8 Squadron, after an absence of 30 years.

RAF Lossiemouth is already home to half of the UK's operational Typhoon fast jet fleet, which conduct Quick Reaction Alert (QRA) to protect the UK's airspace, and complete NATO air policing duties on behalf of our allies.

Scottish Secretary Alister Jack added:

The UK Government has invested £470m in RAF Lossiemouth over the past two years, including a new £100m strategic facility, housing the UK's new fleet of nine submarine-hunting Poseidon P-8A maritime patrol aircraft, which has been built by Elgin-based Robertson. Indeed this firm is also building the new shipbuilding hall for the Type 31 Frigate programme at Rosyth in Fife demonstrating just one of the many ways that UK Defence benefits Scottish business.

The arrival of the Wedgetail capability in Scotland will provide clear additional security and economic benefits to Scotland. The Poseidon programme brought £470m UK Government investment in the coastal RAF base, creating and sustaining jobs and boosting the local economy. It is anticipated that basing the Wedgetail fleet will bring further investment and civilian and military jobs to Moray.

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[Essex man hinders probe into illegal](#)

# waste in Kent

A building contractor has been convicted after failing to provide assistance to a criminal investigation.

Raymond Burling came to the attention of the Environment Agency looking into the illegal dumping of bales of mixed waste in a warehouse in Kent.

Information obtained by investigating officers led them to believe Burling was likely to hold documents that would assist the wider enquiry.

The Environment Agency wrote to the-then 70-year-old in August last year, asking him to supply the papers.

Peterborough magistrates were told Burling, of Hemnall Street, Epping, had 2 weeks to respond to the letter, but didn't make any contact with officers.

When the deadline to reply passed, officers sent a second letter, repeating their request for Burling to provide original papers or copies that could help the investigation. However, despite the letter clearly stating failure to respond was obstruction and could result in prosecution, officers heard nothing back.

Investigators left a contact card at Burling's address at the end in September, almost 2 months after first trying to make contact with him. Burling ignored this request as well.

A further visit was made in October, when officers were finally able to speak to Burling. He was given a copy of the original letter and told the seriousness of the matter, and the importance of responding to the officers' request.

Burling still failed to make any contact with the agency or provide the requested information.

Phil Henderson, enforcement team leader for the Environment Agency for East Anglia, said:

The effect of Burling's refusal to assist hampered a major investigation into waste crime.

Burling's conviction for frustrating Environment Agency staff shows we don't only put waste criminals before the courts, but also those who block our attempts to do so.

Anyone who suspects waste crime can contact our 24-hour incident hotline, on 0800 807060, or Crimestoppers, confidentially, on 0800 555 111.

On 9 December 2020, Peterborough magistrates' court fined Burling £660 for

'failing to provide facilities or assistance or any information or to permit any inspection' in relation to a criminal investigation. He was also ordered to pay the Environment Agency's full legal and investigation costs of £2,793.93 and a victim surcharge of £66.

The original investigation into illegal baled waste continues.

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## [NDA helps boost workplace diversity in the north](#)

### News story

The Nuclear Decommissioning Authority (NDA) joined forces with industry leaders in a bid to tackle workplace diversity issues.



Dipak Arya, Group Head of Diversity and Inclusion at the NDA.

Part of a panel of 25 organisations, the NDA discussed diversity and inclusion matters facing northern employers, at the Northern Lights event.

Dipak Arya, Group Head of Diversity and Inclusion at the NDA, shared the work and progress on diversity happening across the NDA group.

He spoke of the implications and challenges in diversity for the nuclear sector operating in rural communities. He also highlighted the NDA group's strategies aimed at attracting a diverse workforce and the focus on supporting women and ethnic minorities to overcome barriers in the industry.

Dipak said:

We're working at the NDA to transform our businesses into more diverse and inclusive places to work, and we've developed strategies and set ourselves targets to enable us to do that.

Taking part in this event gave us an opportunity to share our progress and lessons learnt, learn from the successes of others and join forces with industry to build a stronger network of employers all working towards the same goal.

One of the topics discussed at the virtual event focused on the ongoing work on partnerships with young people and BAME communities.

The event, chaired by Manchester Mayor Andy Burnham and diversity expert Trevor Philips, also posed an opportunity for organisations to share expertise and work together on current and upcoming diversity issues.

The NDA is leading a national programme on improving equality, diversity and inclusion in the nuclear and energy sectors.

This year alone, the organisation has driven its diversity and inclusion improvement agenda through a number of new initiatives, including a focus on flexible and agile working in response to the coronavirus pandemic, a strengthening of its wellbeing and mental health approach and the launch of four new group-wide employee support networks; gender balance, race equality, disability and LGBT+.

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## [CMA secures affordable supply of key bipolar drug](#)

In October, [the CMA launched an investigation](#) suspecting that the pharmaceutical supplier, Essential Pharma, may have abused a dominant market position by adopting a strategy to withdraw the bipolar drug, Priadel, from UK patients. This would have caused disruption for patients and doctors, as patients would have been required to switch to alternative, more expensive, treatments such as Camcolit, which is also owned by Essential Pharma. In addition, the strategy would have placed an even greater financial strain on the NHS at a time of unprecedented pressure.

Immediately following the opening of the CMA's investigation, Essential Pharma paused the withdrawal of Priadel and entered into price negotiations with the Department for Health and Social Care (DHSC), resulting in a new price being agreed. It then offered formal commitments to the CMA to address competition concerns regarding its strategy to withdraw the drug from UK patients. [The CMA has now accepted these commitments](#) after carefully considering responses received to a public consultation, launched last month.

The commitments last for 5 years and ensure Priadel will continue to be supplied on terms agreed with the DHSC. This means Essential Pharma will be unable to threaten to withdraw Priadel to obtain an unjustified price increase.

The CMA's decision to accept Essential Pharma's legally binding commitments brings this case to a successful conclusion after less than 3 months, although the CMA will continue to monitor the firm's compliance and intervene if it suspects any breach. Importantly, protection for consumers does not come to an end once commitments expire, as firms must still ensure they act fairly to comply with the law.

Ann Pope, the CMA's Senior Director of Antitrust, said:

"This was an important case, which had the potential to affect tens of thousands of patients and cause additional financial strain to the NHS in the middle of a pandemic. The CMA intervened quickly, which resulted in Essential Pharma keeping Priadel on the market at an affordable price – a positive outcome for patients, the NHS and the taxpayers who ultimately fund these drugs."

More information can be found on the CMA's [investigation into supply of lithium-based medication case page](#).

Notes to editors

1. The CMA opened the investigation as it had reasonable grounds for suspecting that Essential Pharma may have infringed the Chapter II prohibition of the Competition Act 1998/Article 102 of the Treaty on the Functioning of the European Union (TFEU).
2. The Chapter II prohibition of the Competition Act 1998/Article 102 of the TFEU prohibit the abuse of a dominant position by one or more undertakings which may affect trade within the UK/EU or a part of it.
3. The commitments are legally binding on Essential Pharma.
4. The prices agreed on by Essential Pharma and DHSC for Priadel are £7.50 for 200mg tablets per pack and £8.50 for 400mg tablets per pack. This is significantly less than the price of Camcolit, which is £48.18 per pack of 400mg tablets.
5. For media enquiries, contact the CMA press office on 020 3738 6460 or [press@cma.gov.uk](mailto:press@cma.gov.uk).