

Freedom of Information (FOI) request

Received: 26 February 2025
Date: 25 March 2025
Ref: Sent by email from enquiries@theccc.org.uk
Published: www.theccc.org.uk/about/transparency

Your request:

Dear Sir/Madam,

Re: Freedom of Information Request – Conflict of Interest, Funding, Governmental Influence, and Lack of Public Election for the CCC

I am writing to request information under the Freedom of Information Act 2000 regarding potential conflicts of interest, funding sources, the involvement of government stakeholders in the activities and agenda of the Climate Change Committee (CCC), and the process through which this Committee was established and appointed, given that the public had no direct say in its formation or membership.

Specifically, I would like to request the following information:

Declarations of Interest:

Copies of any declarations of interest made by members of the Climate Change Committee, including those made by the Committee members themselves and any other relevant parties, related to their roles or associations that could be seen as a potential conflict of interest in relation to their work with the CCC.

Processes for Managing Conflicts of Interest:

A detailed description of the procedures and policies in place for identifying, managing, and mitigating any conflicts of interest among members of the CCC. This includes any regular reviews of members' potential conflicts and the steps taken to address any identified conflicts.

Minutes of Meetings/Discussions Regarding Conflicts of Interest:

Copies of any meeting minutes or official correspondence where potential conflicts of interest have been discussed or where concerns have been raised about members' involvement in any

business or external activities that could create a conflict with their role on the Climate Change Committee.

Documentation of External Influence:

Any documentation showing how the CCC ensures that its advice and assessments are free from external influence, including from businesses, industry sectors, or governmental bodies, especially considering that members are appointed by various governmental departments such as the Department for Energy Security and Net Zero, and the Department for Environment, Food and Rural Affairs.

Code of Conduct or Ethical Guidelines for Members:

Any code of conduct, ethical guidelines, or similar documents that members of the CCC are required to follow, specifically addressing potential conflicts of interest.

Funding Sources for the CCC:

Information on how the Climate Change Committee is funded, including the primary sources of funding and any influence or conditions attached to this funding that may affect the Committee's work or recommendations. This includes but is not limited to governmental funding, grants, or any financial support received from third-party sources.

Governmental Stakeholder Influence and Agenda Alignment:

Details regarding the role of government departments or other stakeholders in guiding or influencing the Climate Change Committee's work, particularly any documented efforts or policies aimed at aligning the CCC's agenda with specific governmental priorities or political objectives. I am interested in understanding how the CCC encourages or responds to shareholder or governmental influence in terms of shaping its climate change targets, advice, or recommendations.

Public Election and Appointment of Committee Members:

Information regarding the process through which the members of the Climate Change Committee were selected and appointed. Specifically, I would like to understand why there was no public consultation, election, or direct public involvement in the selection of Committee members, given the significant influence this body has on government policy and the lives of UK citizens.

If possible, I would like to receive the information in digital format, either by email or via an online portal.

If you require any clarification or further information in order to process this request, please let me know. I understand that, under the Freedom of Information Act, you are required to respond to this request within 20 working days.

Thank you for your time and attention to this matter. I look forward to your response.

Yours sincerely,

[name redacted]

Our response:

Thank you for your request. We have handled your request under the Freedom of Information Act 2000 (FOIA).

1. Declarations of interest:

We are refusing this request under Section 21 of the FOIA, as this information is already publicly available. Our most recent register of interests is published on the CCC website, here: <https://www.theccc.org.uk/wp-content/uploads/2025/01/Register-of-Interests-2024-25.xlsx>

2. Processes for managing conflicts of interest:

We are refusing this request under Section 21 of the FOIA, as this information is already publicly available. Our managing conflicts of interest policy is published on the CCC website, here: <https://www.theccc.org.uk/wp-content/uploads/2021/05/Managing-Conflicts-of-Interest-Policy-Mar-2021.pdf>.

3. Minutes of meetings/discussions regarding conflicts of interest:

Please see Annex 1 (below) for a record of a meeting regarding conflicts of interest. All meeting minutes for Committee meetings are published on the CCC website, here: <https://www.theccc.org.uk/about/transparency/minutes-of-meetings/>. The CCC does not hold any other information on minutes of meetings regarding conflicts of interest.

4. Documentation of external influence:

The CCC does not hold this information.

5. Code of conduct or ethical guidelines for members:

Please see Annex 2 (below) for the CCC's code of conduct for Committee members.

6. Funding sources for the CCC:

We are refusing this request under Section 21 of the FOIA, as this information is already publicly available. This information is published on the Transparency page of the CCC website, here: <https://www.theccc.org.uk/about/transparency/>. The funding which the CCC received in 2023-24 is stated on page 69 of the Annual Report and Accounts 2023-24, available here: <https://www.theccc.org.uk/wp-content/uploads/2024/12/CCC-Annual-Report-And-Accounts-2023-24.pdf>.

7. Governmental stakeholder influence and agenda alignment:

The CCC is independent advisory body. The CCC engages with stakeholders as described in Section 1 of the Annual Report and Accounts 2023-24, available here: <https://www.theccc.org.uk/wp-content/uploads/2024/12/CCC-Annual-Report-And-Accounts-2023-24.pdf>.

8. Public election and appointment of committee members:

As documented in the Climate Change Act (2008), Committee members are appointed by the National Authorities, being the UK and the devolved governments. Please contact the Department of Energy Security and Net Zero for information on the appointment process at foi.requests@energysecurity.gov.uk.

Information disclosed in response to this FOIA request is releasable to the public. In keeping with the spirit and effect of the FOIA and the government's Transparency Agenda, this letter and the information disclosed to you may be placed on the CCC website, together with any related information that will provide a key to its wider context. No information identifying you will be placed on the CCC website.

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. If you are not content with the outcome of the review, you may apply directly to the Information Commissioner for a decision. In keeping with our transparency policy, the information released to you will be published on www.theccc.org.uk. Please note that this publication will not include your personal data.

Kind regards,

Climate Change Committee

Annex 1:

Discussion with Sancroft re potential conflicts of interest

25 March 2021

Attendees: Judy Kuszewski and Felix Gummer, Sancroft

Penny Seera and Chris Stark

JK opened the discussion by explaining that they wished to discuss two areas of potential work for Sancroft, which have recently arisen in specific conversations with existing clients:

1. Sancroft is working with multiple clients who are either major landowners or who work with major landowners on a variety of sustainability concerns. The carbon performance 'journey' broadly is contained within this, and the specific issue of carbon sequestration is increasingly emerging as one to watch and understand. As of now, this issue has only arisen in relatively abstract terms; we have not discussed any specific approaches, and certainly no discussion about government subsidy or related issues has come up.

CS advised that the CCC's advice has tended to be strategic with policy design and implementation being undertaken by Defra and on this basis this did not appear to create a significant potential conflict of interest.

2. Sancroft works with a multinational environmental infrastructure investor, which focuses on a wide variety of low-carbon technologies, namely energy efficiency and renewable power generation. In a future phase of work, this client is interested in Sancroft contributing to their new project pre-screening prior to investment. This would require Sancroft to identify any ESG 'red flags' that may be associated with a given future investment for the firm, which

may be related to any social or environmental risk. We would not be advising on whether or not the client should invest, but rather identifying any ESG risks to consider before moving forward in their due diligence.

CS and PS indicated that in principle this did not appear to create a conflict, but advised that each new project should be assessed on a project by project basis.

Annex 2:

Code of Practice for Committee Members

Foreword

The Government expects all holders of public office to work to the highest personal and professional standards. This Code of Practice is issued in support of this and sets out, clearly and openly, the standards expected from members of the Committee and Adaptation Committee. The provisions of this Code form part of individual members' terms and conditions of appointment and any breach will be viewed as a breach of those terms.

Any questions on the Code or supporting policies should be directed to the Chief Operating Officer.

Introduction

As a member of the Committee and Adaptation Committee, your behaviour and actions must be governed by the principles set out in this Code of Practice. It is your responsibility to ensure that you are familiar with, and comply with, all the relevant provisions of the Code.

Key principles of public life

The key principles upon which this Code of Practice is based are the Seven Principles of Public Life (the Nolan Principles). These are:

Selflessness

You should take decisions solely in terms of the public interest. You should not do so in order to gain financial or other material benefits for yourself, your family or your friends.

Integrity

You should not place yourself under any financial or other obligation to outside individuals or organisations that might, or might be perceived to, influence you in the performance of your official duties.

Objectivity

In carrying out public business, including awarding contracts and recommending individuals for rewards and benefits, you should make choices on merit.

Accountability

You are accountable for your decisions and actions to the public and must submit yourself to whatever scrutiny is appropriate for your office.

Openness

You should be as open as possible about the decisions and actions that you take. You should give reasons for your decisions and restrict information only when the wider public interest clearly demands.

Honesty

You have a duty to declare any private interests relating to your public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership

You should promote and support these principles by leadership and example.

Responsibilities of Committee Members

Committee members are responsible for upholding the values and principles of the CCC and for contributing their personal skills, knowledge and experience to the work of the Committee. Members must comply with this Code of Practice at all times.

Specifically, members must:

- Act in good faith and in the best interests of the CCC.
- Ensure that the Committee operates within the limits of its statutory authority and in accordance with the rules set out by HM Treasury relating to the use of public funds (see Section 4 of this Code).
- Ensure high standards of corporate governance are observed at all times.
- Ensure that they understand the functions and role of the CCC and their own responsibilities.
- Be accountable to the relevant national authorities (the Department for Energy Security & Net Zero, Department for Environment, Food and Rural Affairs and the devolved governments) for the effective discharge of their duties and responsibilities.
- Ensure that the Committee conducts its business in an open and transparent manner.

- Treat staff employed by the Committee with courtesy and respect and not encourage them to act in any way which would conflict with their own Code of Conduct.
- Dedicate sufficient time and effort to your role as a Committee member so as to discharge your duties under this Code.

You must not use, or attempt to use, the opportunity of public service to promote your personal interests or those of any connected person, firm, business or other organisation.

Use of Public Funds

You have a duty to ensure the safeguarding of public funds and the proper custody of assets which have been publicly funded.

You must ensure that the Committee accords by the rules and principles set out by H M Treasury relating to the use of public funds.

You must carry out your fiduciary obligations responsibly – that is, take appropriate measures to ensure that the body uses resources efficiently, economically and effectively, avoiding waste and extravagance.

Members' Interests

You must declare to the CCC any personal or business interest which may or may reasonably be perceived to influence your judgement in performing your functions and obligations as a Committee member. These interests include, without limitation, personal direct and indirect pecuniary interests, and any such interests of persons connected to you.

You must withdraw from any discussions where you have any interest that may, or may be perceived to, influence your judgement.

Companies in which you have a direct financial interest will not be able to participate in tenders for work issued either by the Committee or the Adaptation Committee whilst you are a Committee Member. This restriction will continue to be implemented for 12 months following the completion of your term or resignation as a Committee Member.

Register of Interests

The CCC maintains a register of members' private interests. Committee Members must disclose the following upon appointment:

- Paid employment, office or profession.
- Directorships, both paid and unpaid.
- Any business, professional or public activities or interests that provide a regular source of income, recognition or some other benefit.

- Membership of public bodies, trusteeship of a charity or other public or private trust, or membership, role or affiliation to clubs or organisations.
- Any shareholding other than those held by a unit trust or similar arrangement where the member has no influence on the management of those shares.

You should inform the Secretariat within 28 days of any changes to your registrable interests

Gifts and hospitality

You must not accept any gifts or hospitality which might, or might reasonably appear to, compromise your personal judgement or integrity or place you under an improper obligation.

You must inform the Secretariat of any offer of gifts or hospitality made to you during your official CCC duties, whether accepted or not. Details will be recorded in the Gifts & Hospitality Register which is available to the public through our website. Notification should be made within 28 days of the offer.

You are responsible for your decisions on the acceptance of gifts or hospitality and for ensuring that such acceptance can withstand public scrutiny and does not bring the Committee into disrepute.

Collective responsibility

The Chair and Chief Executive will normally act as spokespersons for the CCC; however, there may be occasions when you are invited to express opinion on a matter within the CCC's remit.

The Committee takes collective responsibility for its decisions. Members are therefore expected, if questioned on a matter on which the Committee has taken a view, to represent the views of the Committee. If questioned on a matter that falls within the remit of the CCC but on which the Committee has not taken a view, you are free to give your personal view but should stress that this does not necessarily represent the view of the Committee.

Public speaking and events

You must inform the Secretariat of all invitations to attend or speak at conferences and stakeholder events in your capacity as a Committee Member within 28 days of receipt.

Political activity

You should be seen to be politically impartial in your role as a member of the Committee. You should not occupy a paid party-political post or hold a particularly sensitive or high-profile role in a political party. You should abstain from all controversial political activity and comply with Cabinet Office rules on attendance at Party Conferences.

You should not make political statements or engage in any other political activity where these concern matters directly related to the work of the Committee.

In your official capacity, you must be even-handed in all dealings with political parties.

Subject to the above, you may engage in political activities but should, at all times, remain conscious of your responsibilities as a Committee Member and exercise proper discretion. You should inform the Chair and the Secretariat before undertaking any significant political activity.

Employment and appointments

While in office, Committee Members should have regard to any real or perceived conflicts of interests in relation to the acceptance of other employment or appointments. If you wish to take up new employment or appointments during your term of office where real or perceived conflicts of interest may be any issue, you should first discuss details with the Chair. Any such appointments should also be disclosed for publication in the Register of Interests.

On leaving office, and when considering the acceptance of future employment or appointments, you should continue to have regard to conflict issues and should discuss with the Chair if in any doubt.

Fees and expenses

You must comply with the rules set by the Committee regarding remuneration, allowances and expenses. It is your responsibility to ensure compliance with all relevant HM Revenue and Customs' requirements concerning payments, including expenses.

You should claim your fee and travel expenses retrospectively at the end of each month on the form provided to you by the Secretariat.

The Committee will reimburse all reasonable expenses (including travel, subsistence and other expenses) properly and necessarily incurred in respect of your appointment. All receipts supporting your claim must be sent to the Secretariat.

Use of official resources and information

You must not misuse official resources for personal gain or for political purposes. Use of such resources must be in line with the body's rules on their usage.

You must not misuse information gained in the course of your public service for personal gain or for political purpose.

You must not disclose any information which is confidential in nature or which is provided in confidence without authority. This duty continues to apply after you have left the Committee.

Attendance at Committee meetings

Members are expected to attend all Committee meetings. You may be found in breach of this Code if you are absent from more than two consecutive meetings unless the absence is due to illness or some other reason approved by the Chair.

Reaching agreement during Committee meetings

Committee members should make every effort to agree a common position on recommendations relating to the Committee's statutory responsibilities and other reports issued by the Committee. It is expected that recommendations made by the Committee reflect a consensus view.

The Secretariat will assist Committee Members by providing Committee Members with a synthesis of the available evidence. That evidence will be drawn from a wide range of sources appropriate to the particular issue. The sources will vary but may include: published evidence, new research commissioned by the Secretariat, discussions with stakeholders, public calls for evidence and other approaches.

The Secretariat will work on their analysis and synthesis independently from the Committee but may discuss approaches and thinking with individual Committee members outside of Committee meetings. The work of the Secretariat is overseen by the Chief Executive with support from the Senior Management Team. The Secretariat will ensure they present the evidence in a way consistent with the Committee's statutory duties and that members have sufficient opportunity to review evidence and possible options prior to the Committee Members reaching a decision.

The Chair of each Committee will ensure Committee Members are given sufficient time to ask questions and provide opinions on the options presented to Committee Members.

During the Committee meeting the Committee Chairman will establish points of agreement and if necessary select a smaller group to identify solutions to those remaining points of disagreement.

A consensus position is defined as a majority of Committee members supporting a decision and no Committee Members registering a formal objection to the decision. Unanimous consensus is achieved where all Committee members support the decision.

The Chair of each Committee is responsible for assessing if a consensus position has been reached. Decisions can be made during Committee meetings (face-to-face or distributed) as well as through email.

Where a consensus position cannot be reached a voting system is completed as follows:

- Each Committee member holds one equal vote.
- The Committee chairperson holds the casting vote in the case of an equal vote but must first attempt to reach a consensus among all Committee members – including by consulting any not present at the meeting in question.

A Committee meeting will be considered quorate if more than half of the appointed members are present.

Members' performance and appraisal

Members are under a duty to ensure that their knowledge is kept up to date and that they contribute effectively to the workings of the Committee.

Your performance will be assessed annually by the Chair.

The Chairs' performance will be assessed by the relevant sponsoring body, in consultation with the Chief Executive and other Committee Members as required.

Should your performance be found to be unsatisfactory, you must agree with the Chair what steps you are to take in order to rectify the issue. Should your performance continue to fall below the standard expected, you may be found to be in breach of this Code.

Failure to observe the Code of Practice

The following paragraphs apply where a Member is the subject of allegations that they have failed to comply with the provision of this Code. The nature of such allegations can vary widely, and the procedure for handling them is therefore flexible, so as to reflect the circumstances. In all cases, however, the following principles should be applied:

- Members are not employees of the CCC. Allegations against them will therefore be dealt with in accordance with this Code and not through the disciplinary procedures adopted by the Committee for dealing with matters concerning its employees.
- Allegations must be dealt with fairly, thoroughly and as quickly as practicable, and in a manner which upholds the reputation of the CCC, its members and employees.
- In determining how to handle any allegation, the Chair will normally consult the Chief Executive and will consult with such other members and seek such legal advice as the Chair deems appropriate in the circumstances.

Once an allegation of a breach of duty has been made, the Chair (or Deputy Chair where the allegation concerns the Chair) must inform the Member concerned in writing of the nature of the allegation.

Following discussion with the Chief Executive and other Members as appropriate, the Chair (or Deputy Chair) will agree a plan with the Member concerned on how to address the issue.

Where the allegations are of a particularly serious nature, or, where attempts by the Chair (or Deputy Chair) to address the issue have failed, the matter must be referred to the sponsoring Department.