

Trustee disqualified after charity fails to account for over two hundred thousand pounds intended for school in South Sudan

[In a report published today](#), the regulator concludes that the former trustees of Under Tree Schools are responsible for misconduct and / or mismanagement. The regulator has disqualified one former trustee for a period of 15 years. Three other former trustees resigned during the Commission's investigation.

[Under Tree Schools](#) funds and operates a girls' school in South Sudan. The regulator began investigating concerns about the charity after an independent examination of its accounts raised questions about the transfer and subsequent handling of charity funds sent from the UK to South Sudan. This [escalated to a statutory inquiry](#) in December 2019, at which point the Commission froze the charity's bank account.

The investigation has found that one of the charity's trustees, Reverend Ayok-Loewenberg, who was a citizen of South Sudan, provided information regarding currency exchange rates in that country which was inconsistent with the commercial exchange rate at the time. This resulted in the former trustees transferring significantly more cash from the UK than was necessary. These funds were collected either by that trustee or by 'trusted agents' engaged by him, and the trustees were unable to prove that all these monies were spent on the school.

In total, the charity lost around £218,000 as a result of transfers of monies from the UK to Africa which cannot be proven to have been spent on the charity's purpose.

The Commission finds that the other trustees relied excessively on the now disqualified trustee for his knowledge of South Sudan, and placed significant trust in him. This meant that they did not challenge information provided by him, or suggestions made by him around currency exchange rates and the use of 'trusted agents' who handled money on the charity's behalf in Africa.

The Commission disqualified Reverend Ayok-Loewenberg in December 2020 and has now found the former trustees collectively responsible for mismanagement and/or misconduct in the administration of charity.

The regulator notes that new trustees, appointed in January 2020, have put in place more stringent financial controls, and taken steps to ensure staff at the school in South Sudan are aware of the importance of keeping sufficient evidence of how the charity's funds are spent.

Tim Hopkins, Assistant Director for Investigations and Inquiries at the Charity Commission, said:

Charities should use their resources efficiently and effectively, and be accountable to the public and donors who support them. The trustees of this charity failed in that regard. They did not ensure that the charity's funds were fully accounted for, to show that they were spent to support the education of girls in one of the poorest parts of the world. We are critical of all the former trustees.

This case demonstrates the risks of placing excessive trust in individuals in charities, without establishing appropriate systems, checks and balances, and keeping clear records. I hope other trustees learn from this case, and ensure that they are mindful of, and fulfil their individual responsibilities as trustees, towards their charities.

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.

[Farmers invited to take first step towards greener future](#)

Farmers are being encouraged to take part in [the pilot of the Sustainable Farming Incentive](#) – the next step in the Government's landmark plans to reward farmers and land managers for sustainable farming practices.

[Details of the new scheme](#) have been published today (Wednesday 10 March) and expressions of interest for the pilot will open from Monday 15 March.

Now the UK has left the EU and is no longer bound by the bureaucratic Common Agricultural Policy, the Government is introducing a new system that is tailored to the interests of our farmers. It is the most significant change to farming and land management in 50 years, designed to deliver a renewed agricultural sector, producing healthy food for consumption at home and abroad, where farms can be profitable and economically sustainable.

The Sustainable Farming Incentive is the first of three schemes to be piloted and co-designed. Further information on the other two schemes, Local Nature Recovery and Landscape Recovery, will be shared later this year.

The three schemes will reward farmers and land managers for producing public goods like biodiversity, cleaner water, cleaner air, improving soil, and carbon reduction on their land. They will help our farmers, foresters and other land managers play a crucial role in the national effort to tackle climate change by reducing carbon emissions.

The Sustainable Farming Incentive will support approaches to farming that deliver for the environment, such as actions to improve soil health, hedgerows and integrated pest management. For example, a farmer might be paid to manage and plant hedgerows to provide year-round food, shelter and breeding cover for birds and insects, or take actions to boost the levels of organic matter in soils.

The pilot will build on the great success of the ongoing programme of tests and trials, which already involve over 3,000 farmers and other land managers. Tests and trials focus on trying out individual parts of the future scheme, like land management plans or different payment methods – whereas the pilot will test a working version of the scheme from start to finish.

Environment Secretary George Eustice said:

The ethos at the heart of our future policy is to support the choices of individual farm enterprises.

The Sustainable Farming Incentive will support the environment and promote animal welfare. It will reward approaches to farm husbandry such as encouraging integrated pest management, improving soil health and enhancing hedgerows.

Assets that were previously dubbed ‘ineligible features’ will finally have their value recognised and rewarded. I would encourage farmers to engage in this pilot to help us design the new scheme.

Farmers will need to complete a short, simple online form to submit expressions of interest in taking part in the Sustainable Farming Incentive pilot.

Successful candidates will then be invited to complete their application and, if eligible, they will enter into a pilot agreement starting from October 2021. This initial stage will be open to several hundred farmers, reflecting England’s distribution of farm types and locations.

Pilot participants will be asked to take part in a range of co-design activities, providing rapid feedback on their experience of all aspects of the process – from pre-application to implementing their agreements. This will ensure the scheme is fully workable and user-friendly once fully rolled out from 2024.

For the first phase of the Sustainable Farming Incentive pilot, a farmer is only eligible if they:

- are a recipient of the Basic Payments Scheme, registered on the Rural Payments Agency system
- enter land parcels (fields) into the pilot that do not have an existing agri-environment agreement on them
- have management control of the land for the duration of the pilot. They must either own the land with management control or have a tenancy of enough length to implement their pilot agreement (including landlord's permission if required)
- enter land parcels that are in England
- enter land parcels that are not common land

In the first phase of the pilot, participants will be able to select from an initial set of eight standards to build their own agreements. The standards will promote cleaner air and water, and guard against environmental risks such as climate change and flooding. Within each standard there are three levels for participants to choose from – Introductory, Intermediate and Advanced. Each level is more challenging, and more rewarding, than the previous level and delivers greater environmental benefits.

For the first phase of the pilot, payment rates for land management actions will be set at a broadly equivalent level to rates under Countryside Stewardship. This is a starting position only and updated payment rates for the launch of the Sustainable Farming Incentive scheme from 2022 are currently being developed, in consultation with farmers and representative groups.

Farmers who participate in piloting will continue to receive their BPS payments while they are in pilot agreements. It would be possible for a farmer to be involved in piloting and be in a Countryside Stewardship (CS) agreement – but not involving the same parcels of land (fields). In other words, a farmer could have some land parcels in the pilot, and other parcels in CS, but not the same parcels in both.

[Letter to building control bodies on the retraction of three tests carried out on Kingspan K15 insulation](#)

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Consultation launched on environmental principles

Ministers will put protecting the environment at the heart of future policy, under new plans set out today (Wednesday 10 March).

The landmark Environment Bill will create a duty on ministers across Whitehall to be guided by five internationally recognised environmental principles when making policy – protecting the environment for the next generation and demonstrating to the world that the environment is at the front and centre of the Government's work, ahead of the 2021 United Nations Climate Change Conference.

Environment Secretary George Eustice said:

We want to embed the environment in the design, development and delivery of the Government's work.

Our environmental principles are essential, and will ensure that ministers across Whitehall are guided to not just protect the environment, but tackle problems at their origin.

This will deliver our pledge to leave the environment in a better state for future generations.

This legally binding statement will introduce five environmental principles, committing the government to building back greener. These principles are:

- The integration principle is the principle which states that policy-makers should look for opportunities to embed environmental protection in other fields of policy that have impacts on the environment.
- The prevention principle means that government policy should aim to prevent, reduce or mitigate harm.
- The rectification at source principle means that if damage to the environment cannot be prevented it should be tackled at its origin.
- The polluter pays principle is the principle that those who cause pollution or damage to the environment should be responsible for mitigation or compensation.
- The precautionary principle states that where there are threats of serious or irreversible environmental damage, a lack of scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation.

There is no pathway to tackling climate change that does not involve the recovery and protection of nature. As hosts of COP26 this year, President of

the G7 and a key player in the CBD COP15, the UK is leading the climate change agenda and the environmental principles will help to bring government, society and the world Together for our Planet.

The Government is consulting on the draft policy statement on the five environmental principles which sets out how they should be interpreted and proportionately applied.

The policy statement will guide ministers across Government departments towards opportunities to prevent environmental damage whilst supporting innovation and sustainable development, helping the Government in its aim to deliver the most ambitious environmental programme of any country on earth.

Defra will support government departments in understanding and applying the requirements of the new duty in their policymaking. Defra will provide information workshops and training, and incorporate the principles into existing government policy guidance documents, such as the Treasury's Green Book.

[You can respond to the consultation here.](#)

3 company directors to be disqualified over construction cartel

This move follows an investigation by the Competition and Markets Authority (CMA) into 2 of the UK's largest suppliers of rolled lead, Associated Lead Mills Ltd (ALM) and H.J. Enthoven Ltd (trading as BLM British Lead), which are based in Hertfordshire. Rolled lead is used mainly for roofing and is an important product for the construction sector.

The companies, which together account for a sizeable proportion of UK rolled lead supplies, admitted last year to forming an illegal cartel. This included breaking the law 4 times by colluding on prices, sharing the rolled lead market by arranging not to target certain customers, and arranging not to supply a new business because it risked disrupting the firms' existing customer relationships. Each of the arrangements included exchanges of competitively-sensitive information. As a result, the companies were fined £1.5m and £8m respectively.

Reflecting the serious nature of the breaches and the directors' involvement, the CMA has now secured the disqualification of Mr Jocelyn Campbell (BLM), Mr Graham Hudson and Mr Maurice Sherling (ALM). All were directors at the time the illegal activity took place.

Mr Campbell also sought to conceal his communications with competitor businesses by using a different mobile phone from his main one, in the period

from December 2016 until the launch of the investigation in July 2017. This only came to light when the CMA seized the phone.

Mr Sherling admitted to suspecting that ALM was breaching competition law and receiving competitively-sensitive information from a competitor (Mr Campbell of BLM) but doing nothing to stop it.

Mr Campbell will be disqualified for 6.5 years, Mr Hudson for 4 years and Mr Sherling for 3 years.

Michael Grenfell, Executive Director of Enforcement at the CMA, said:

“It’s an important responsibility of company directors to ensure that their companies don’t engage in illegal anti-competitive practices, which can lead to higher prices for customers.

“The CMA has clear evidence that these directors either knowingly entered into illegal arrangements and communications, or were aware of them and did nothing to stop them. That’s why these measures are needed. This should be a message to all directors – if your company breaches competition law, you risk personal disqualification.”

The CMA has issued a range of guidance to help businesses and directors understand more about how to comply with competition law, including [compliance advice for company directors on how to avoid director disqualification](#) and the [competition law risk guide](#).

More information can be found on the [investigation into roofing materials case page](#).

Notes to Editors

1. Under the Company Directors Disqualification Act, the CMA has the power to apply to the court to disqualify a director from holding company directorships or performing certain roles in relation to a company, for a specified period, if a company of which he or she is a director has breached competition law. The Act also allows the CMA to accept a disqualification undertaking from a director as an alternative to bringing proceedings in court for an order; such an undertaking has the same legal effect as a disqualification order. These disqualifications were secured by such an undertaking.
2. The public can access the register of disqualified directors at the Companies House website.
3. Associated Lead Mills Ltd (ALM) is owned by International Metal Industries Ltd. H.J. Enthoven Ltd (trading as BLM British Lead) is owned by Eco-Bat Technologies Ltd.
4. The disqualification of Mr Campbell will begin on 18 March 2021 and the disqualifications of Mr Hudson and Mr Sherling will begin on 30 May 2021.
5. Media queries should be directed to: press@cma.gov.uk or 020 3738 6460.