

Report of the review of the Joint Nature Conservation Committee

November 2016









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Executive Summary

- i. The review of the Joint Nature Conservation Committee (JNCC) was launched in December 2015 by Rory Stewart, then Parliamentary Under Secretary of State for Natural Environment and Rural Affairs. The review has taken account of guidance issued as part of Cabinet Office's overall programme in 2015 2020 for public body reform¹. The review also gave sponsors of the JNCC in Defra and the Devolved Administrations an opportunity to work with JNCC and its customers to respond to some specific pressures facing the organisation over the spending review period (and in the longer term); these are presented at paragraph 6 below. The Review Team conducted the review independently of individual sponsor administrations and the JNCC but with their expert help and advice.
- ii. The Cabinet Office guidance in relation to the review of public bodies notes that Reviews must not be overly bureaucratic, should be appropriate for the size and nature of the body and conducted in a way that represents value for money for the taxpayer. In conducting this review Defra and the Devolved Administrations sought to minimise disruption to the organisation's business by completing the review within 7 months.
- iii. This review builds upon the Triennial Review of JNCC conducted in 2012-2013 as part of the 2010 to 2015 Public Bodies Reform Programme. The 'Triennial Review Final Report' was published in June 2013² and its findings are summarised at Annex 7.
- iv. JNCC in response to the 2013 report undertook to further improve JNCC's efficient delivery of the UK's environmental priorities in the face of future challenges and introduced a range of changes and initiatives to improve the way it delivered its functions.
- v. In 2014 JNCC published an implementation report³ which detailed how it had responded to the areas for improvement identified in the 2013 report.
- vi. JNCC's sponsors recognised the improvements and initiatives delivered by JNCC in response to the conclusions of the 2013 Triennial Review. However, with a number of new and emerging challenges facing JNCC over this

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¹ https://www.gov.uk/government/publications/tailored-reviews-of-public-bodies-guidance

² http://jncc.defra.gov.uk/page-5287

³ http://jncc.defra.gov.uk/page-5287

spending review period and beyond, the sponsors wanted to consider how JNCC can be best placed to respond to:

- Reductions in JNCC's GiA and a wish from JNCC sponsors to protect and enhance outcomes in a context of declining budgets;
- Changes in requirements for marine work and related evidence, particularly with designation of marine protected areas substantially complete;
- The need to consider the functions that should continue to be carried out at UK level given the range of nature conservation functions falling to Devolved Administrations; and,
- Defra's Transformation Portfolio and set of reviews planned, including the Marine Review, which could impact on JNCC, as well as other changes or developments in the Devolved Administrations.

vii. This review found that:

- JNCC staff skills are highly valued by policy customers in Defra and the Devolved Administrations, JNCC partners and other stakeholders.
 Sponsors agree on the efficiency of retaining a shared resource of skilled specialists in JNCC to provide independent evidence and advice on the shared nature conservation priorities of governments in the UK;
- Key improvements should be made to the size and focus of the Committee and to wider management and ways of working of the JNCC - beyond those identified through the recent Spending Review to significantly improve JNCC's delivery focus and increase the overall value for money to the UK public purse. Some minor changes in functions have been identified, including the delegation of JNCC's offshore marine renewables advice in Scottish waters to Scottish Natural Heritage (SNH);
- Expected outcomes are improved delivery of sponsor priorities and a leaner, nimbler organisation that is better able to cope with change and respond to sponsor requirements;
- Successful implementation will depend on clear accountabilities in JNCC and sponsors; and,

- The review does not recommend a change in Non Departmental Public Body (NDPB) status for JNCC; it continues to meet the Cabinet Office's "three tests".
- viii. The review considered whether offshore marine advisory and evidence functions should continue to be delivered by JNCC or whether these should be instead delivered at the country level. There were different views proposed by individual sponsor administrations. Based on the available evidence, the review team conclude that for the time being the majority of these functions should continue to be delivered by JNCC. However, it is clear that improved working relationships and management will be required by JNCC to ensure all sponsor administrations especially Scottish Government for offshore functions are provided with a service that integrates better with national priorities.
 - ix. The Scottish Government whilst acknowledging that, based upon the available evidence, the majority of offshore advisory and evidence functions should continue to be delivered by JNCC at the UK level, proposed a delegation of JNCC's renewables advice in Scottish offshore waters to SNH. It indicated that there were clear benefits to the renewables consenting process in the delegation of this function to SNH.
 - x. The review considered the evidence provided by Scottish Government, SNH and JNCC in relation to the costs and benefits of this proposed delegation. The benefits would be a simplification of the consenting process for the renewables industry in offshore water around Scotland. A similar delegation had taken place to Natural England, following the 2013 Triennial Review, for renewables advice in English offshore waters.
 - xi. The review concluded that the delegation of JNCC's renewables advisory role in Scottish offshore waters could form part of the review recommendations, given that this would provide benefits to the consenting industry and be cost neutral to the UK public purse.
- xii. The review also assessed the potential for JNCC to be a recipient of analogous functions currently carried out by other bodies, but rejected the proposals discussed, keeping only one possible proposal open: a limited role in forestry were JNCC involvement to be needed.
- xiii. Following high-level consideration of the Cabinet Office "three tests" and subsequent working group discussion of functions, the review found no case for a change from NDPB status for JNCC. On the whole the JNCC evidence and advice functions are technical, and need to be, and be seen to be, delivered with absolute political impartiality and independently of Ministers.

The outcome of the EU Referendum

- Towards the end of the review period the British people voted to leave the European Union. The UK remains a full member of the European Union until we leave. For JNCC it means they will continue to work to deliver the UK agenda. In addition we must now prepare for a negotiation to exit the EU, involving all the devolved administrations to ensure that the interests of all parts of the United Kingdom are reflected.
- 2. Clearly for an organisation like the JNCC, that provides a service on behalf of the UK (often relating to requirements from EU legislation or policy), the developing political environment may affect the JNCC in the future.
- 3. The recommendations contained in this report relate to the organisation and management of the JNCC: they are primarily low-cost, low risk options that deliver net benefits over a short (2-3 year) time horizon. Implementation of recommendations from this review will need to take account of changes in the political and policy environment. In the longer term, sponsor governments will work with JNCC to clarify any changes in their requirements resulting from the EU referendum, as well as any other organisational developments in Defra and the DAs which may impact on Arm's Length Bodies (ALBs) and the JNCC specifically.

Purpose of the review

- 1. The JNCC is classified as an Executive NDPB. It has a UK-wide remit and is sponsored and funded jointly by Defra and the Devolved Administrations. This review was therefore commissioned jointly by Defra and the Devolved Administrations. The JNCC comprises a non-executive Joint Committee responsible for strategic direction and high-level decision-making, and the JNCC Support Company, a company limited by guarantee which employs staff and implements work programmes set by the Committee. Both the Committee and the Company were considered as part of the Review process.
- 2. The review examined how JNCC's statutory and non-statutory functions could be more effectively and efficiently delivered, and what changes could contribute to this. In the context of sponsor governments' priorities for nature conservation evidence and advice now and in the future, and in line with guidance from the Cabinet Office, the review examined the continuing need for the current functions and form of JNCC.

3. The **objective** of the review was to:

'establish the most effective and efficient delivery model, across the UK, for the functions performed by the JNCC now and in the future'.

4. The proposed **outcomes** of the review were:

'greater effectiveness and efficiency in the delivery of nature conservation evidence and advice to JNCC's sponsors, including clearer definition of where UK-wide approaches are required; improved collaboration between bodies to achieve efficiencies; and, in Defra, where possible, simplification of the delivery network to protect policy outcomes'.

- 5. The review also considered links to the wider delivery landscape and in particular the role of other bodies. Within Defra, this review ran in parallel with other projects in the department's Transformation Portfolio, most notably the scoping of a review of Arm's-Length Bodies with marine responsibilities, the reorganisation of Policy and Evidence functions and the Corporate Services workstream. It sought to brigade these various initiatives to better understand the cumulative impact on the JNCC now and in the future. Given its smaller scope and timespan, the JNCC review concluded in advance of the parallel projects.
- 6. The review asked three key questions:
 - Are the functions delivered by JNCC still needed?
 - Do the functions need to change?
 - Of the functions that are essential in the future, is the existing model of delivery still appropriate?

Box 1 - JNCC Key Facts

The legal basis for the JNCC is the Natural Environment and Rural Communities Act 2006.

The JNCC:

- advises the UK Government and Devolved Administrations on UK-wide and international nature conservation; and
- is the forum through which the four UK Country Nature Conservation Bodies discharge their statutory responsibilities for nature conservation across the United Kingdom as a whole and internationally.

The Secretary of State for the Environment, Food and Rural Affairs appoints the Chair and five independent members of the Joint Committee. The other eight members comprise the Chair of the Council for Nature Conservation and the Countryside (Northern Ireland); the Chair or Deputy Chair of Natural Resources Wales, Natural England and Scottish Natural Heritage; and one other member from each of these bodies. The Chief Executive is appointed by JNCC.

JNCC has offices in Peterborough and Aberdeen, and employs around 160 staff. Its grant-in-aid budget for 2016-17 was £10.175 million, and this is funded jointly by Defra and the Devolved Administrations: Defra £8.104m; Scotland £1.223m; Wales £0.584m; Northern Ireland £0.265m.

In 2016/17 the JNCC spends its Grant-In-Aid broadly as follows:

Marine operations: £1.771m
Standards and advice: £2.244m

• Evidence: £5.207m

Corporate services: £0.953m

JNCC also receives around £1 million per annum from other sources including other Government Departments.

Summary of conclusions

- 1. The review has 5 key conclusions:
 - i. JNCC staff skills are highly valued by policy customers in Defra and the Devolved Administrations, JNCC partners and other stakeholders. Sponsors agree on the efficiency of retaining a shared resource of skilled specialists in JNCC to provide independent evidence and advice on the shared nature conservation priorities of Governments in the UK.
 - ii. Key improvements should be made to the size and focus of the Committee and to wider management and ways of working of the JNCC beyond those identified through the recent Spending Review to significantly improve JNCC's delivery focus and increase the overall value for money to the UK public purse. Some minor changes in functions have been identified, including the delegation of JNCC's offshore marine renewables advice in Scottish waters to Scottish Natural Heritage.
 - iii. Expected outcomes are improved delivery of sponsor priorities and a leaner, nimbler organisation that is better able to cope with change and respond to sponsor requirements.
 - iv. Successful implementation will depend on clear accountabilities in JNCC and sponsors.
 - v. The review does not recommend a change in NDPB status for JNCC; it continues to meet the Cabinet Office's "three tests".
- 2. Based upon these conclusions a set of operational changes are recommended by the review to improve JNCC's delivery focus and increase the overall value for money to the UK public purse:
 - Significant improvements to JNCC Committee its structure, leadership and membership - to improve its value to sponsors and make the Committee more nimble; a reduction in size of the Committee when legislation becomes available;
 - Reduction in overheads through savings in costs of accommodation and corporate services;

- A step change in sponsor government involvement to support improved planning and prioritisation of JNCC's work programme and more consistent engagement by policy customers in the agreement of both annual priorities and operational level planning. The annual business planning process could be made more effective through, for example, an annual, or bi-annual, JNCC led 'Big Room' event;
- For marine functions, strategic commissioning of evidence by the administrations, working closely with JNCC, Cefas, MMO, Marine Scotland Science, country conservation bodies and others to allow efficient and aligned resourcing;
- Improved collaboration and commissioning of delivery of JNCC offshore marine functions, particularly in partnership with Marine Scotland and SNH for Scottish waters, to enable priorities in each country to be met. Establishment of Scotland-specific implementation projects for offshore work and dedicated working level points of contact for Scottish partners;
- Delegation to Scottish Natural Heritage of JNCC renewables advice in Scottish offshore waters (as has been done in England, with Natural England);
- In general, stronger collaboration by JNCC with its partners and customers leading to better project and programme design, enhanced career development opportunities for staff, greater leverage of JNCC skills and knowledge sharing both ways. In particular: more joint planning, co-location of staff with partners, and flexible staffing, e.g. secondments both ways. For instance, the Welsh Government are keen to maximise opportunities to co-locate staff within Wales, building on the current arrangements. Expanding links with universities and research institutes will also be important;
- Further rationalisation of JNCC work through transfer of some minor terrestrial functions such as species advice to country conservation bodies, where this is supported by all sponsor bodies;
- Clearer information from JNCC on outputs to increase accountability and transparency:
 - Agreement from sponsors on the precise specification of information needed;

- Introduction by JNCC of new reporting methods to meet this demand, including country-specific data where this is agreed in advance;
- a clearer rationale from JNCC for how and why funding is being apportioned across programmes; and
- JNCC pursues suitable opportunities to diversify non-GiA income to increase its long-term resilience, where this is consistent with HM Treasury's *Managing Public Money* and does not impact on its delivery for government customers.
- 3. If fully implemented it is expected that these operational changes will lead to:
 - Greater efficiency, delivery focus and protection of outcomes beyond those identified as part of the recent Spending Review;
 - Improved clarity for sponsors on how JNCC will contribute to the delivery of shared UK priorities, what its outputs are and how it adds value;
 - A more financially sustainable, leaner and more effective JNCC that is nimbler and better able to contribute to sponsors' shared nature conservation priorities;
 - More active engagement and strategic contributions by JNCC leadership to Ministerial priorities of sponsor governments;
 - Good fit with the current direction of Defra's Target Operating Model and 25 Year Environment Plan;
 - Strategic commissioning particularly of marine evidence expected to help achieve better outcomes and efficiencies;
 - Greater development of staff, sharing of skills and joint working between organisations; and
 - For renewables advice in Scottish offshore waters, increased efficiency for regulators and developers working in Scottish waters through the provision of a more streamlined service to them by SNH and by more clearly delineating JNCC's strategic and support role.

The review

Approach to the review

1. The review was conducted in 3 phases (plus the report writing phase):

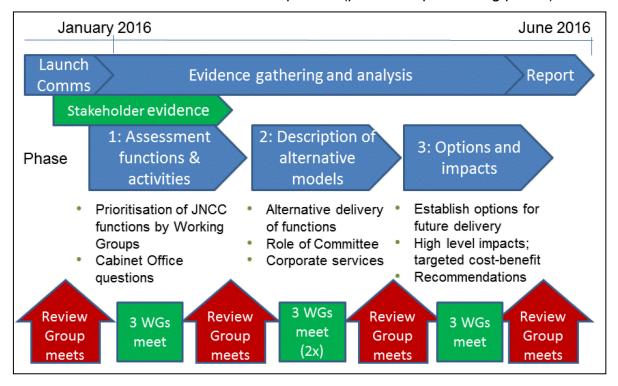


Diagram 1 - Review process Overview

- 2. The review commissioned the collation of an evidence base, drawing on evidence from JNCC, Devolved Administrations, Defra, country nature conservation bodies and key JNCC customers and partners, to develop and evaluate options that fit within the scope of the review.
- 3. Oversight of the review was provided by the Review Group (steering group) with representation from JNCC, Defra and Devolved Administrations (sponsor, policy and evidence). The Review Group was chaired by Defra's Interim Director for Delivery Reform and Public Appointments. Two independent members provided a challenge function.

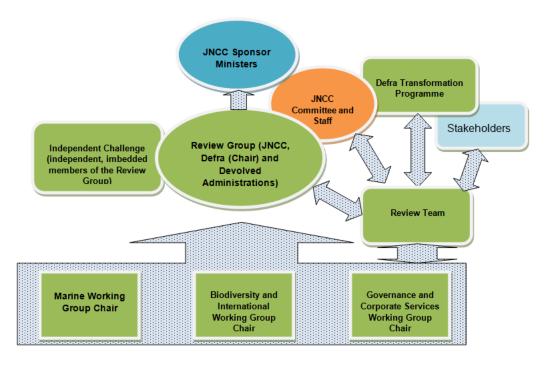


Diagram 2 - Governance Structure

- 4. An independent Review Team provided analysis, advice and support to the Review Group and Working Group and also undertook secretariat, coordination and project planning for the review. The Review Team is also the author of this report based upon the analysis of the Working Groups and the conclusions drawn by the Review Group. The Review Team acted independently of the JNCC and the country administrations.
- 5. Baseline data for the review was provided by JNCC, including costs of delivery, staffing levels and initial assessment against the Cabinet Office tests for all key JNCC functions. The baseline data was presented to the Review Group at the first of five Review Group meetings and signed off by the Review Group as a valid baseline for use by the working groups in their analysis of JNCC's functions.
- 6. The baseline used by the working groups also included the results of a stakeholder engagement exercise where the Review Team contacted 87 organisations and invited them to participate in an online stakeholder survey. Forty-seven responses were received and considered by the working groups in the functional analysis and options generation undertaken as part of the review (summary of responses is at Annex 4).
- 7. To conduct the detailed analysis of JNCC's functions three working groups were established to look at three sets of JNCC functions 'Marine', 'Biodiversity and International' and 'Governance and Corporate Services'. Working groups reviewed the baseline data provided by JNCC and generated

a limited number of scenarios for the future delivery of functions within JNCC's remit for the three function sets considered. The Review Group considered the scenarios and agreed which to put forward for further working group assessment on the basis of evidence. More information on the functions analysis is provided in the 'Assessment of Functions' section of this report.

- 8. Two individuals, agreed by the Review Group, sat on the Group in order to provide a challenge function for the review. During the review these individuals scrutinised, and challenged, the process undertaken for the review and offered independent challenge for the options under development.
- JNCC staff were kept informed of progress of the review with regular communications updates from the JNCC CEO following each Review Group meeting.

Assessment of 'Marine' and 'Biodiversity & International' functions

- 1. The functions analysis undertaken as part of the review was conducted in three phases mirroring the broader phases for the review. The approach for the 'Marine' and 'Biodiversity and International' functions was slightly different to that undertaken for the 'Governance and Corporate Services' functions, reflecting the difference between core 'delivery' (evidence and advisory) functions and support functions. A discussion of the assessment of Governance and Corporate Services is therefore provided separately in the 'Governance and Corporate Services' section.
- 2. The 'Marine' and 'Biodiversity & International' working groups were asked to consider the agreed baseline against the following questions in each phase of the review. In summary the analysis carried out by the working groups included (but was not restricted to):

Phase 1 - initial assessment of functions and activities:

Key questions against each function:

- Is this function/ activity needed in future? / Why does the function/activity need to continue?
- Is there a legal requirement for this function/activity?
- What would be the cost, effects and risks of not delivering the function / activity?
- Is it essential that this function/activity is carried out at UK level?
- Is this a technical function/activity (which needs external expertise to deliver)? /
 Is this a function/activity which needs to be, and be seen to be, delivered with
 absolute political impartiality? / Is this a function/activity that needs to be
 delivered independently of Ministers to establish facts and/or figures with
 integrity?
- Is there overlap between JNCC's work in this area and the work of other organisations? Or are there organisations which carry out the same of similar work? / Which organisations could theoretically take on these functions from JNCC, and what would the skills requirement be?
- Which related functions currently carried out by other organisations could JNCC theoretically be in a position to carry out and what would the skills requirement be?

Phase 2 – Analysis of Alternative Delivery Models

- Analysis and development of alternative delivery of functions
- Role of Committee

Phase 3 – Options and Impacts

- Development of options for future delivery
- High level impacts: targeted cost benefits
- Recommendations to Review Group on future options

Assessment of 'Governance and Corporate Services' functions

1. The GCS working group was asked to consider the agreed baseline against the following questions in each phase of the review. In summary the analysis carried out by the working groups included (but was not restricted to):

Phase 1

- Consider i) the baseline data ii) the overview of functions and, an overview of corporate functions setting out the current position, strategic context and strategic direction
- Consider Cabinet Office questions on governance:
 - Does corporate governance meet best practice standards
 - Does the organisation meet its objectives?
- Consider the role of the Committee and the governance function it provides. How could governance be improved?
 - o How could value for money be improved?
 - Could the Committee have a different role or could its current role be carried out by a different new or existing formation? Could its function be carried out by an informal stakeholder group or an expert committee? Could this lead to efficiencies?
- Take a forward look at each function and activity, and associated skills, and location of skills, in JNCC, where data are available, and consider where efficiency savings could be made
- Consider at a high level which functions and activities might be transferred to other bodies, identify which bodies these might be and whether they have both the remit and the necessary expertise to undertake the function (and whether skills might need to be transferred as well as functions).

Phase 2

- Design constraints and steer on possible alternative delivery models
- Consider summary of evidence from stakeholders
- Consider potential impacts on governance and corporate services arising from other working group's thinking
- Consider relevant updates on future funding from JNCC or Administrations
- Generate alternative models for the future delivery of JNCC functions and activities (and where relevant, sub-activities);
- Identify the likely costs, benefits, risks and opportunities associated with the alternative delivery models, and consider how these models fit with the review

criteria, based on available evidence and advice and working with the economist; and,

Review and finalise the thinking from Phase 1 – submit report to Review Group

Phase 3

Provide support and advice, as requested by the Review Group or Defra review team on the testing and analysis of impacts of agreed scenarios/options, working closely with the economist

Options appraisal and impact analysis

- 2. The options considered in the review are described below:
 - Option 1 No change: "steady state" JNCC. This is the baseline against
 which options for change are assessed. Under this option, JNCC would
 aim to provide existing functions with existing governance and ways of
 working, with resources reducing year on year. Rejected from short list;
 The Review Group agreed this would not deliver the aims of the review
 and was not a sustainable option for JNCC
 - Option 2 Strategic refresh: Significant improvements to JNCC
 Committee and Company operations for greater delivery focus;
 targeted savings, especially in corporate services and accommodation;
 strategic commissioning; more flexible ways of working. Rationalisation
 of JNCC's work through transfer of minor terrestrial functions to country
 conservation bodies. Short listed by the Review Group
 - Option 3 Strategic refresh and consolidation: in addition to Option 2, transfer of a broad set of JNCC functions to country bodies. Short listed by Review Group; following high level cost-benefit analysis, the Review Group judged costs and risks of a large-scale transfer of functions out of JNCC outweigh benefits at this time
 - Option 4: Longer term move to Committee only (supported by small Company): nearly all functions delivered by alternative bodies; a small JNCC hosted by Defra. The Review Group agreed that the costs – transition, complexity and need to reinvent a UK co-ordination function outweighed the benefits at this time

- Option 5: A larger JNCC, carrying out inshore marine functions as well as all existing functions. Rejected from long list as insufficient appetite in steering group to pursue this; a red line for Scottish Government, and impractical to pursue on a "single country transfer" basis
- Option 6: No JNCC. Rejected from long list as no appetite in the Review Group to pursue this option on basis that some kind of future UK co-ordination function is needed and it already exists in JNCC.
- 3. Options 2, 3 and 4 were assessed by working groups against structured appraisal criteria (see Annex 5). Following the options appraisal and further evidence gathering, the review recommends Option 2 as a preferred option.
- 4. Cost-benefit analysis on Option 2 suggests that there will be considerable benefit both to outcomes and overall value for money from implementing this option with estimated net savings of £1.1m over 10 years, £360k to 2020.
- 5. The review was carried out by teams formed from within Defra, the Devolved Administrations and the SNCBs. In addition to these staff, a senior civil servant from a separate area within Defra, and a senior Forestry Commission Offical provided external advice and challenge.

What happens next?

- 1. The Review Team, in producing this report, has set out its independent analysis of the evidence that has been provided to it by the JNCC, sponsor administrations and other delivery partners and stakeholders.
- 2. The Sponsor administrations will need to agree the report's conclusions with their relevant Ministers and determine what action is required to implement all or any of the recommendations in this report. Any financial investment required to deliver the recommendations will need to be discussed between sponsor administrations. The Review Team recommends that implementation begins in September 2016 in order to minimise disruption and avoid loss of momentum.
- 3. Defra and the Devolved Administrations will need to work with JNCC to implement the conclusions in this report and to monitor progress in delivery of change. It is good practice for an update on progress to be provided. The Review Team suggests that this is done in a light touch way in a year's time.

Annex 1- Findings of the marine and biodiversity and international working groups

JNCC review: joint Chairs' report from the fourth meetings of the Marine and Biodiversity & International working groups

16 May 2016

Introduction

The most recent meetings of the Marine and Biodiversity & International working groups were mandated to appraise the draft options for JNCC put forward by the Review Group at their meeting on 21st April.

Both working groups undertook at qualitative assessment of the technical and administrative feasibility of each option against the review criteria⁴.

Working groups' response to the mandate

The Marine working Group (MWG) requested a slight change to the phrasing of assessment criterion 3, inserting "high quality" so that it read: 'Delivering high quality evidence and advice: data, expertise, capacity' and the assessment was made against this new phrasing. The change was also made in the materials for the Biodiversity & International Working Group (BIWG).

The MWG had a good and lively discussion of options 2 and 3 and looked at three sub-options under option 3, to ensure that the appraisal was targeted to the different types of functions under consideration. The BIWG considered options 2, 3 and 4, with discussion focused on Option 3

In the time available in the meeting there wasn't the opportunity for points to be thoroughly debated, although all representatives contributed to discussions. The working group members were given the opportunity to provide comments on the options appraisal after the meeting but few comments were received.

Prior to the meetings, working groups had been asked to provide quantitative information on the costs of potential functional transfer including staff numbers, staff

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⁴ As agreed at the last Review Group meeting

costs, skills needed/available. This was a challenging task for two reasons. Firstly the time available both for JNCC to provide detailed baseline information and other members to respond to this was very tight, and secondly the level of data available for understanding how functions are currently delivered and could be delivered under a transfer scenario was felt to be insufficient to undertake a detailed quantitative analysis on all possible options. A more focused data gathering exercise could be undertaken on a smaller range of options selected by the Review Group. These points should be noted by the Review Group.

Key findings

Option 2: This option offers benefits at minimal costs, implementation appears straightforward and low risk.

Main benefits: better customer service, more streamlined delivery, some savings and greater accountability.

Main costs/risks: JNCC needs to manage reduced capacity and accommodation changes to retain key skills and maintain quality of service.

Option 3: This option, and the associated strawman, was given significant focus by both working groups.

The BIWG found that the current level of analysis and data was insufficient to draw firm conclusions about the transfer from JNCC of a limited number of functions which were not considered essential or highly desirable at the UK level. Further detailed cost-benefit analysis will be needed on the transfer of data management and research leadership functions, including dependencies with essential UK functions such as monitoring, reporting and international work, if transfer is to be seriously considered. Furthermore with regard to Earth Observation, the skills and leadership provided by JNCC were recognised as an important UK asset, but the option of a UK service being delivered through other mechanisms such as the Defra Group Earth Observation Centre of Excellence should be tested. The Chair agreed to work with the Review Team, JNCC, relevant Defra teams and Devolved Administrations to further examine the cost and benefits of these options for transfer of work.

The result of the analysis in the MWG was an appraisal of sub-options which can be summarised as follows:

• Offshore marine advisory functions⁵: transferring these functions to country bodies could result in a range of benefits including better customer service, streamlined delivery, lower cost from reducing duplication and a better fit with

.

⁵ Offshore MPA post-designation advice and advice on offshore fisheries and casework (including oil and gas):

the delivery landscape. These were functions that the working group had previously categorised as not essential to deliver at a UK level. Risks noted included potential loss of skills and expertise and a reduction in service quality for UK customers. The group considered that transferring MPA identification work (due to end in 2018) out of JNCC would not lead to streamlined delivery. Coming to a considered view on the costs and benefits would require further analysis on the basis of detailed evidence.

• Marine science and evidence functions (some operating solely in the offshore⁶ and others more general marine science and evidence functions⁷): transferring these functions to marine science/advisory bodies could result in some benefits through integration into related marine evidence functions, if policy customers decided it was better to have the work consolidated at country rather than UK level. Whether there would be any benefits from streamlining delivery would depend on the organisational landscape that resulted from this change. The group did not identify an alternative UK-wide provider. There was a risk of introducing inefficiencies and cost from disaggregation from UK level; it would be challenging to do the transfer well. As with offshore functions, coming to a considered view on the costs and benefits would require further analysis on the basis of detailed evidence.

The discussion of functions being considered for inward transfer to JNCC resulted in a number of these being discounted, including the possibility of JNCC taking on inshore marine functions from country bodies (this proposal was not widely supported in the Marine working group). On the terrestrial side, the one function deemed worthy of further exploration was international forestry, although this would depend on other reviews of forestry functions already underway. Some areas identified for 'transfer in' such as work on natural capital approaches and on UK Overseas Territories could be developed in collaboration with partners and with external funding and this would be consistent with Option 2.

Option 4: This option was not deemed viable by the BIWG⁸. The group considered this option to offer a high degree of risk to the delivery of statutory obligations, likely loss of expertise, a more complex delivery landscape and the need to re-invent a UK co-ordination function elsewhere. Implementation costs (largely linked to HR) would be considerable.

Suggested next steps

⁷ Such as measuring biodiversity stock and condition, pressures and impacts, and monitoring standards and methods

⁶ Such as offshore survey

⁸ As noted above, the MWG did not assess Option 4

The Chairs suggest that:

- Option 2: the Review Group provides the Review Team with a mandate to develop detailed proposals and a cost benefit analysis
- Option 3: the Review Group considers whether it wishes to commission more detailed cost-benefit analysis from the Chairs for further consideration by the Review Group with respect to:
 - The limited set of non-marine activities identified for potential transfer, consulting with relevant Defra teams and Devolved Administrations
 - Offshore advisory and/or marine science and evidence functions, consulting with colleagues in Defra, Scottish Government, Welsh Government, Northern Ireland Assembly, NE, SNH, NRW, DAERA, MSS, Cefas and AFBI and others (noting the limited available time for further analysis in this review)
- Option 4: the Review Group commissions a narrative from the Review Team but no further work on this option during this review

Questions for the Review Group

Does the Review Group agree with the suggested next steps?

Annex 2 - Review findings of the governance and corporate services working group

JNCC Review - Findings on governance

Paper discussed on 19th May 2016 by the Governance and Corporate Services working group

Introduction

This note summarises the Review Team's findings to date on governance, drawing on the three meetings of the JNCC review Governance and Corporate Services working group, during which potential improvements to JNCC's governance were identified, as well as relevant findings from the Marine and Biodiversity & International working groups and the current review of expert evidence groups being carried out by the Office of Defra's Chief Scientific Advisor⁹. This note has been discussed and agreed with the JNCC review Governance and Corporate Services working group.

Current situation and working group assessment

Planning and prioritisation of JNCC's work programme, as well as budget setting and performance review, is the shared responsibility of sponsor governments. Structured processes, led by Defra and involving sponsors and JNCC, exist to facilitate decision-making.

Formal responsibility for JNCC's governance lies with the Joint Committee which oversees JNCC's statutory functions, the strategic and scientific direction of the organisation and the provision of evidence and advice to sponsor governments. The Joint Committee comprises 13 members including an independent Chair. Members are drawn mainly from Statutory Nature Conservation Bodies¹⁰; the five independent members are remunerated (currently for work on JNCC 2 days a month). All independent Committee members are appointed by Defra's Secretary of State (following consultation with co-sponsor Ministers) and normally hold office for 24 - 36 months. In 2015/16, the cost of the Joint Committee was approximately £130,000.

The Governance and Corporate Services working group notes that sponsors should in future have a greater role in governance than they currently do, particularly in setting the work programme for JNCC.

⁹ This review is still at an early stage

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¹⁰ Prior to the 2013 Triennial Review of JNCC, Northern Ireland's Departments did not have a voice on the Committee but a change was made to enable NI representation. However this representation is limited to observer status only. http://jncc.defra.gov.uk/page-5287

The group notes that the Joint Committee's current remit is broad and the precise nature of its role and value-added is unclear. It appears that Committee members perform functions that overlap with functions being performed by sponsor governments or with senior specialists in JNCC, and at times are being asked to perform functions outside their core skill set. The Committee looks oversized given its remit and the fact that a number of governance functions are performed by sponsor governments.

Proposed recommendations for the JNCC review

Future governance needs to be determined by the form and function of JNCC. The findings set out below apply to a "business as usual" JNCC, but could also be adapted to a future changed JNCC, if the review results in changes being made.

Recommendations on work programme and budget setting

- 1. Planning, prioritisation and review of JNCC's work programme need to be improved to achieve greater transparency, accountability and alignment with sponsors' nature conservation priorities:
 - a. Sponsors should in future have a greater role in governance than they currently do, particularly in setting the work programme for JNCC with greater direct involvement in setting JNCC's objectives and priorities and monitoring the achievement of outputs/outcomes. Northern Ireland Government requests direct involvement by DAERA officials in JNCC Committee discussions and decision making.
 - b. Strategic priority setting requires increased input from policy customers in sponsor Administrations. An annual or twice-yearly "Big Room" event for policy customers in governments, SNCB partners and JNCC should be the mechanism for setting future priorities for JNCC's work and establishing success factors and methods of review. This should reduce the workload of the current committee.
 - c. Sponsors need to define more clearly the information on outputs they require from JNCC, which in turn needs to provide clearer and more specific information, particularly for marine policy. JNCC also needs to provide a better overview of planned work, including the involvement of partners, and a short summary of risks to delivery.
- 2. On top of annual planning processes, sponsors need to be able to plan 'ad hoc', timelimited projects with JNCC (and potentially other partners), such as task and finish groups.
- 3. When budgets are being set, JNCC must in future provide a clear rationale for the funding streams being used to fund individual functions, to provide sponsors clarity on where funding is being apportioned across programmes.

Recommendations on Joint Committee

- 1. There is a critical need for the Committee's role and value added to be more clearly defined in future¹¹.
- 2. Once the role is defined, the Committee's work should be better segmented according to skills. Currently all Committee members perform both scientific leadership and management (with some specific responsibilities within sub-committees) and are likely to be performing functions outside their core skillset. Members' skills and time could be more effectively used by separating management and scientific oversight of JNCC.
- 3. Future skills on the Committee need to support the direction set by Ministers for JNCC following the review.
- 4. To enable the Chair to build a Committee with complementary skills, there is a case for greater flexibility in appointments from SNCBs, with a representative being chosen for the skills they would bring to the Committee rather than the SNCB Chair and one other SNCB representative (in practice often the Deputy Chair) becoming members by default (noting this would require a change to the enabling legislation).
- 5. The Committee should be smaller; reducing the number of SNCB or independent members (the working group notes that this would require a change to the enabling legislation). The benefits would be the Committee becoming increasingly nimble and, potentially, modest budget savings. Additional savings on the Committee's running costs (approximately £130k in 2015/16) would be achieved by reducing the number of meetings per year and scheduling them in a way to reduce associated (overnight and subsistence) costs. As noted above, NI Government requests direct involvement by DAERA officials in the Committee's discussions and decision-making.
- 6. Accountability to sponsors needs to be improved. There are currently no formal mechanisms for sponsor governments to participate in Committee discussions. Sponsors should in future have a greater role in JNCC governance than they currently do; either through the Joint Committee or through improved work programme setting and review.
- 7. The Committee should work more closely with other science advisory groupings to improve the integration of (respectively) the science and advice base for sponsor governments, providing expertise according to ability and need.

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¹¹ This role clarification would be in line with the current review of expert evidence groups being conducted by the Defra Chief Scientific Advisor's Office. The Joint Committee itself is not in scope of this work, as it is considered to have as much a role in policy advice as evidence provision, but findings nonetheless will be relevant

Annex 3 - Chair's submission on role of the Joint Committee

The role of the Joint Nature Conservation Committee Addressing questions raised by the Governance and Corporate Services Sub-group.

Introduction

The Governance and Corporate Services sub-group discussed issues of Governance at its last meeting, from which a number of questions arose. These were discussed with representatives of the Defra review team at a meeting of the Joint Committee on 9th June 2016, where it was agreed that the Chair would draft a response on behalf of the Joint Committee. Members were also invited to submit individual responses.

The *Joint Committee* is both keen and willing to engage with sponsors to explore ways of improving communication, setting priorities and reporting. The Joint Committee also felt that there are some misconceptions about the role of the Joint Committee that are clarified below.

The *Joint Committee* has been actively engaged during the past 24 months in reviewing the work of the *JNCC Company* as well as the work of the *Joint Committee* itself. Some of the key actions that have been carried out in addition to the statutory work of the Committee are summarised below:

- Monitoring the implementation of the recommendations of the Triennial Review;
- The Joint Committee reviewed current and future demands concerning nature conservation in addition to scientific and technological advances to produce a draft strategy for JNCC;
- The Joint Committee undertook an effectiveness survey, managed and analysed by NAO, which concluded that the Committee was effective;
- The Joint Committee has adopted a set of working objectives in addition to its statutory objectives. The Committee has also introduced three- to four-weekly teleconferences to ensure rapid communication and follow-though;
- The Joint Committee has carried out a detailed survey of skills that members bring to the Committee.

The KPMG Internal Audit for 2015-16 rated JNCC as having **Substantial Assurance**, indicating that 'the framework of governance, risk management and control is adequate and effective'.

The *Joint Committee* benefits from a strong and effective working relationship with the Chief Executive and Directors that involves transparent reporting and an appropriate balance of advice, monitoring and challenge.

Addressing the five questions

1. What, in your opinion, are the main functions of the Joint Committee (as distinct from the functions carried out by the JNCC Company)?

The *Joint Committee* fulfils the normal functions of a non-executive Board that is responsible for the corporate governance and functions carried out by the staff, who are employed by the *JNCC Company*. Examples include but are not restricted to:

- The Joint Committee sets and monitors the strategy (including aims and objectives) for JNCC:
 - ensuring that the strategy is appropriate to deliver the evidence needs required to satisfy the statutory and policy requirements for Defra and the Devolved Administrations;

- taking a current and forward look at strategic needs and objectives to ensure that the best possible science and technology is being used to ensure value for money and rigour in collecting and analysing evidence and providing advice.
- The Joint Committee sets and oversees priorities for work undertaken by the JNCC Company, in order to ensure timely and efficient delivery of advice and evidence needs for Ministerial priorities in Defra and the Devolved Administrations.
 - The *Joint Committee* monitors performance against milestones for each Priority Performance Measure in Quarterly Reports.
- The Joint Committee agrees an annual Business plan to ensure that resources are in place to deliver advice and evidence requirements;
- The *Joint Committee* provides challenge, support and advice to the Chief Executive, Directors and staff;
- The *Joint Committee* fulfils its statutory duty in reviewing evidence and signing-off reports and advice:
- The Joint Committee, supported by the Audit and Risk Committee, monitors and reviews:
 - The principal risks in relation to the duties and functions of JNCC;
 - Financial reporting;
 - Health and Safety reporting.

The *Joint Committee* carries out its duties through:

- Quarterly meetings and inter-sessional papers;
- Teleconferences at three to four weekly intervals (instituted to promote agility, responsiveness and follow-through);
- Formal sub-groups that report to the Joint Committee:
 - Audit and Risk Committee;
 - Marine sub-group;
 - Strategy sub-group (currently an informal sub-group comprising representatives from each of the country bodies, the Chair and each independent member);
- Remuneration Committee.

2. What are the key strengths and key weaknesses of the Committee as currently constituted?

- The Committee undertook a self-assessment effectiveness survey in 2015-16 with anonymised inputs from Committee members and executive staff. The survey was managed and analysed by the NAO. The conclusion was that the *Joint Committee* was effective. The following were identified as areas of strength. The committee:
 - sets and reviews strategic direction effectively;
 - has a sound process for identifying and reviewing its principal risks;
 - has procedures in place to ensure fully transparent accounting in financial statements:
 - is cohesive; combines being supportive of management with appropriate challenge;
 - receives timely, relevant and well-presented information on which to base decisions:
 - engages in full and open discussion before decisions are made.
- The Joint Committee identified a number of areas for improvement. These were reviewed and actions agreed and implemented. They include: adopting a dashboard approach for performance information; increased interaction between staff and committee members through workshops; review of risk reporting with quarterly reports in addition to an annual assessment; improving induction for new members.
- The *Joint Committee* has adopted a set of **working objectives** against which the performance of independent members can be appraised and Country Body members can assess their contributions:

- JNCC Review (Input to and implement any changes recommended by the review);
- Strategic direction (Finalise draft strategy after agreement with Ministers and sponsors);
- Risk management (Assess and review risks);
- Delivery management (Review corporate performance quarterly to identify and address problems);
- External relations (Use opportunities outside JNCC to promote the organisation, its value and activities);
- Income diversification (Alert JNCC to new business opportunities compatible with maintaining quality of service to sponsors);
- Advice and CEO direction (Serve as effective sounding board by providing advice and challenge);
- Governance (Ensure procedural and compliance issues are dealt with);
- Committee cohesion (Work in cohesive and supportive manner).

3. What key challenges does the Committee face in executing its functions effectively now and in the future?

Some of the key challenges are addressed above. It is also useful to highlight the following:

- Continuing to maintain a critical mass of expertise to support sponsor's requirements;
- Improving effectiveness of working with partners, for example, by extending current schemes for co-locating JNCC scientists with Defra and Welsh Government;
- Continuing to provide high-quality, cost-effective and accessible evidence on biodiversity, ecosystems services, natural resource management and natural capital;
- Play a lead role in translating, testing and applying modern developments in science and technology to solve practical problems in nature conservation and resource management cost-effectively;
- Prioritising work to reflect the different demands within and between policy areas in Defra and the Devolved Administrations;
- Raising the profile, wider understanding and opportunities of the work undertaken by JNCC:
- Continuing effective partnership with NGOs to leverage substantial contributions in citizen science reporting and data collection by volunteers;
- Reviewing means by which evidence and advice is delivered most effectively, taking account of changing demands, reducing budgets and modern media technologies;
- Ensuring that unique data-sets are well managed, made widely accessible and supported by appropriate tools for interpretation.

An outstanding concern for the *Joint Committee* concerns the relationship and means for communication between JNCC and stakeholders and sponsors in particular.

4. How well does communication between the Committee and sponsor bodies – including Ministers – work?

- The Chair and Chief Executive meets with Ministers in Defra and each of the Devolved Administrations 1-2 times per year to discuss delivery and priorities in addition to meetings with officials, country body chairs and a range of stakeholders.
- Prioritisation and delivery of sponsors' requirements is discussed with the Chair on behalf of the Joint Committee at:
 - Weekly teleconferences with the Chief Executive;
 - Monthly meetings with individual science directors.
- The Chair also visits the Peterborough Office (1-2 days per month) and the Aberdeen office (up to three times per year) to meet and liaise with staff on behalf of the *Joint Committee*.
 The Chair also attends and addresses full staff meetings and attends, at the Chief

Executive's invitation, selected meetings of the JNCC *Executive Management Board* at which sponsors' priorities and needs are addressed.

- Reinstatement of teleconferences between Defra sponsor team and the Chair and Chief Executive (every two-four weeks during the review) have greatly improved communication.
- The frequency and effectiveness of reporting to the *Joint Committee* has also been improved by scheduled teleconferences with the Committee at two-four weekly intervals during the review. The Chair also has one-to-one discussions with Chairs of Country Bodies as required.
- Working dinners of the Joint Committee have been redesigned to make full use of an evening for discussion with officials from the Devolved Administrations and others including Chief Scientific Advisers.
- 5. What improvements to the Committee functions and operation could be realised for JNCC, the country conservation bodies and JNCC's sponsor bodies? These could be through, for example, making changes to its role, size, the representation upon it, the balance between independent and country conservation body members, focus/frequency of meetings, the time commitment of independent members (currently two days a month would more or less time be beneficial?) or its interaction with other organisations.

JNCC is the *Joint Committee* of the UK Country Nature Conservation Bodies, reconstituted according to Schedule 4 of the NERC (2006) Act:

- The Schedule specifies the size (14) of the Committee comprising the Chair or Deputy Chair and one other member of each of the Country Bodies, together with five independent members and an independent chair appointed by the Secretary of State for Defra.
- The JNCC Company is a company limited by guarantee that employs the staff at JNCC.

The advantages of the current arrangements are summarised below without being complacent.

Role, size and representation

- The *Joint Committee* is currently working well: it is cohesive and constructive; it addresses governance issues, statutory obligations and quality assurance of scientific advice. It functions as a Board; members provide advice within their spheres of expertise and the Board reaches collective decisions.
- The Joint Committee is large in comparison with other bodies though not unwieldy. The ratio of 8:6 (Country Body: Independents) represents an historic desire to have a majority of Country Body representatives; the five independents (excluding the Chair) serve to cover a wide range of expertise necessary for the work of JNCC. Having the Chair or Deputy Chair from each Country Body gives authority to the Joint Committee. Losing these would risk significantly weakening the Committee. Going to one Country Body representative, were it to retain the Chair or Deputy Chairs, would in turn risk weakening the broad skills balance of the board and would certainly create problems were the numbers of independents to be concomitantly reduced.

Focus and frequency of meetings:

- Meetings currently have full agendas with well-structured papers, supported by the
 work of sub-groups. Meetings alternate between Peterborough and visits to countries,
 including elsewhere in England. Overnight stays are essential, given distances
 travelled, allowing for full working dinners with opportunities to meet with sponsors
 and other key representatives, and early start of the main meeting.
- Reducing the numbers of formal meetings would not allow the Committee to conduct its business effectively.

Time commitment of independent members

 Independent members contribute additionally through chairing and membership of sub-groups as well as a Deputy Chair. Independent members also provide specialist advice to Directors and Staff and through formal seminars and discussion. The demands upon independent members will be sustained as JNCC adopts its new strategy.

Chris Gilligan (Chair, JNCC) 2016

14th June

Annex 4 - Stakeholder engagement

Summary of stakeholder responses

Survey Questions

- 1. What are the key activities that JNCC currently undertakes for you?
- 2. What does JNCC do well and what could be improved?
- 3. To what extent does JNCC provide value for money in what it does for you?
 - (score: very high, high, adequate, poor, very poor, with box for additional comments)
- 4. Looking to the future, should JNCC refocus its resources on new areas of work or are there any areas it should be focusing fewer resources on?
- 5. Are there other organisations that could deliver JNCC's existing activities or parts of these? Please specify the organisations and activities.

Responses received

87 organisations were invited to participate in the stakeholder survey. 47 responses were received, of which 40 are complete and 7 partially complete.

The names of organisations who responded are provided below.

Summary of responses by question

1. What are the key activities that JNCC currently undertakes for you?

Summary of grouped responses:

- Provision of conservation, habitats and species advice inc. offshore marine environment beyond 12nm – 15 responses
- Guidance/expertise to the Overseas Territories 8 responses
- Recorder 6 support 5 responses
- Advice on the Wildlife and Countryside Act schedules 2 responses
- Definitive guidance and standards for SACs, SSSIs, European and UK protected species – 5 responses
- Biodiversity monitoring/conservation and Ecosystem Services 7 responses
- Species status/monitoring 11 responses

• CITIES related work – 6 responses

2. What does JNCC do well and what could be improved?

Forty respondents answered this question. Nearly all responses gave multiple examples of work JNCC does well. Some stakeholders considered JNCC's role in the broad context while others focused on their particular interactions. The most popular answers (5 or more responses) were JNCC's impartial evidence based advice and scientific skills (18 responses); their coordinating role for nature conservation (13); UK reporting (10); coordination responses and advice on multilateral environmental agreements (8); partnership working for citizen science (8); and offshore marine conservation (7).

Areas for improvement were not listed by all respondents suggesting they were content with the service they receive from JNCC. Most common areas for improvement listed were communicating JNCC's work and stakeholder engagement (both within UK and within Overseas Territories) (8 responses); working to support wildlife conservation in the Overseas Territories (5); coordination, mobilisation and access to data (5); retention of specialist skills (4); standards and guideline development and delivery (4); and partnership working for delivery (6).

3. To what extent does JNCC provide value for money in what it does for you?

(score: very high, high, adequate, poor, very poor, with box for additional comments)

Thirty-five respondents answered this question but the vast majority of respondents did not directly fund or commission work from JNCC (and therefore had no cost data relating to the JNCC activities they valued). For the most part respondents were users of JNCC data that was paid for by sponsor governments.

Responses focused more clearly on the value of outcomes provided by JNCC's work than on value for money. Where scores for value for money were provided, these were for the most part high or very high:

- very high 13
- high 12
- adequate 7
- poor 3
- very poor 0
- no score 8
- (remaining 4 responses were duplicates)

Respondents did, on the whole, value highly the outcomes provided by JNCC's work. Many provided several specific examples of outcomes which

contributed to their organisations' objectives. The most popular examples were: cost efficiency through UK co-ordination and avoiding duplication of work (6 responses), contributing and leveraging funding (5), harnessing volunteers/citizen science (5) harmonised, consistent standards and methods (5) and, specific projects/functions (5).

Few respondents were critical of the value they received from JNCC. Only six points of criticism were made, which were specific to each respondent: Insufficient outcome delivered because of resourcing constraints (3) inadequate natural capital/ecosystem approaches (1), potential duplication of work (1) and inadequate partnership working (1).

4. Looking to the future, should JNCC refocus its resources on new areas of work or are there any areas it should be focusing fewer resources on?

Thirty-four of the 47 responses provided comments on this question (plus 4 specifying they had no comments or felt unable to comment). The majority of responses to this question focused on prioritisation of current work areas and those which respondents would like to see increase as opposed to taking on new areas. Common themes for focusing more resources on existing work areas were: advice on the management of offshore marine activities; advice and resources for overseas territories work; lead or support actions on natural capital; data collection and monitoring; UK level activities; work on ecosystem services; horizon scanning; and coordination between bodies. Several respondents made the point that JNCC's current focus is correct but requires sufficient funding to support. Some respondents did provide new areas of work and these are listed in the table below alongside suggestions for areas to focus fewer resources on and more detail on areas for increased focus. It is worth noting that some of the areas suggested to focus fewer resources on are those that were suggested by others as needing increased focus (e.g. natural capital work).

New areas to refocus	Areas to focus fewer	Existing work areas to focus
resources on	resources on ¹²	increased resources

¹² And rationales where provided by respondents

- Advice on environmental issues in poorer countries (to support DfID)
- Administration of Darwin Initiative
- Leadership of marine policy across UK
- Development of an integrated UK conservation strategy
- Coordination of Earth Observation data
- Encourage use of closed areas at sea and monitor these
- Ramsar site identification in Overseas Territories
- Development of new recording schemes
- Support to delivery of Defra's 25 year plan
- Adaptive goose management
- Sustainable harvest management and monitoring of hunting

- Less work on high resolution site based Earth Observation data
- Natural capital
- Ecosystem services
- Research
- Direct work on data capture and management (enable NGOs to do)
- Terrestrial conservation
- Seabird monitoring (transfer to BTO)
- Marine casework (transfer to SNCBs)
- Leadership and coordination of offshore surveys (Cefas do already)
- Marine biodiversity monitoring (should be better integrated with UK monitoring needs)
- QA of species status reviews (others could undertake)
- Conservation priority setting
- Indicator development

- Lead, support and/or coordinate UK actions on natural capital
- Ecosystem services work
- Horizon scanning for threats and challenges to nature conservation
- More pragmatic approaches and tools for monitoring
- Research and monitoring partnerships and contracting
- Coordination of marine biodiversity monitoring
- Collaboration and streamlining on species surveillance
- Reporting and auditing of indicators
- Conservation priorities
- Coordination (in general)
- Resource/advice for Overseas Territories
- Enhanced analysis and interpretation of biodiversity and environmental data.
- Promote open data
- Data flows and systems
- Data collection and monitoring and research
- Data dissemination
- Support to Recorder 6
- Standardise status reviews
- UK level activities
- Invasive non-native species regulation implementation
- Trans boundary infrastructure projects
- Succession planning for staff
- Advice on managing activities in marine environment
- Updating protected areas advice

	Partnerships with academia and working with research councils Training courses

5. Are there other organisations that could deliver JNCC's existing activities or parts of these? Please specify the organisations and activities.

Thirty-eight respondents answered this question and a wide variety of organisations were proposed that could potentially take on some or all of JNCC's functions. Some organisations were proposed by several respondents and others only by themselves. Thirteen respondents clearly stated that there were no organisations that could take on JNCC delivery and 5 noted that their preference was for JNCC to be adequately resourced. Other general comments were that any disruption to volunteer schemes could be highly damaging and costly and that JNCC provide a free service for some activities that others wouldn't.

All organisations proposed are listed in the table below.

Organisation (named organisation or type of organisation)	JNCC activity it could deliver	Considerations raised
SNCBs	 Work with UK Technical Advisory Group on freshwater and marine Species and habitat surveillance programmes Guidelines, common standards, methods and principles Identifying shared research needs Technical advice on Multi-Lateral Environmental Agreements Offshore marine functions Conservation priority setting Pressures and impact / marine sustainable management 	 Increased costs expected from devolving functions Duplication of effort Lack of consistency Others cannot work at UK level Risk to compliance on EU Directives and Multi-lateral Environmental Agreements Confusion exists around respective roles so clarification would be useful

Administrations / Gov	Almost all activities (not specified further	 Well-resourced, science-led, armslength bodies that are able to take a long-term perspective that transcends short-term political cycles. There would be a danger of, or at least the perception of, undue influence of political objectives on scientific advice
NGOs	 Advice on Overseas Territories and Crown Dependencies Almost all activities 	 Better use of the skills and expertise of various NGOs could bring real benefits in terms of the work areas currently covered by JNCC. NGOs have limited functions better spent on site protection and management Would not be regarded as impartial which would make it easier to challenge their research
вто	Coordination of seabird monitoring, along with associated data capture and management	None raised
NBN Trust / Local Records Centres (LRCs)	 Project management of NBN data infrastructure (JNCC to NBN Trust) Data coordination (NBN Trust or LRCs) 	None raised
CEH	 the synthesis of information from monitoring schemes to integrate with other aspects of environmental monitoring development of Earth Observation applications NBN Gateway hosting and 	None raised

	development	
Fishing industry	Assessment and surveys of sites	None raised
UK Overseas Territories Conservation Forum (UKOTCF)	Most aspects of Overseas Territories and Crown Dependencies conservation	Would prefer no change to current arrangements
Consultants	 Not specified Pressure and impacts / marine sustainable management Data mobilisation and access Research and science leadership 	 Would not provide value for money Would make government vulnerable to vagaries of consultancy priorities and availability
Cefas	 Some of marine functions (unspecified) Offshore survey and offshore MPA identification and monitoring (existing groups via Cefas coordination) Pressures and impacts / marine sustainable management Monitoring standards and methods Data mobilisation and access (through Cefas data hub) Research and science leadership 	None raised
EA	 Monitoring standards and methods Data mobilisation and access 	None raised
ММО	 Functions in English marine area Pressures and impacts / marine sustainable 	Suggestion was for NE and/or MMO

	management	
Marine Scotland Science	 Offshore marine licensing advice Research Monitoring standards and methods Pressures and impacts / marine sustainable management 	None raised
FCO	Some unspecified functionsOverseas Territories functions	None raised
National Wildlife Management Centre	A lot of the functions with regard to terrestrial wildlife	None raised
Existing partnerships eg UK Marine Science Coordination Committee, Defra One monitoring, data.gov.uk	 Survey work Linking human activities to impacts on biodiversity Addressing strategic evidence needs Data mobilisation and access 	None raised
AFBI	 Offshore survey and offshore MPA identification and monitoring Pressures and impacts / marine sustainable management 	None raised
Academic bodies / research councils eg. NERC, PML, SMRU, academia generally	 Offshore survey and offshore MPA identification and monitoring Pressures and impacts / marine sustainable management Research and science leadership 	None raised

Organisations who responded to survey

Animal and Plant Health Agency

Association of Local Environmental Records Centres

Bat conservation Trust

Bioscan UK Ltd

Botanical Society of Britain and Ireland

Brecon Beacons National Park Authority

British Geology Survey

British Trust for Ornithology

Buglife – The Invertebrate Conservation Trust

Butterfly Conservation

Carbon Trust

Centre for Ecology and Hydrology (CEH)

Cefas

Chartered Institute of Ecology and Environmental Management

Department for Energy and Climate Change

Department for International Development

Dipterists Forum

Environmental Links UK

Foreign and Commonwealth Office

Home Office

King Consulting Ltd

Marine Conservation Society

National Biodiversity Network Trust

National Federation of Fishermen's Organisations

National forum for Biological Recording

National Wildlife Crime Unit

Natural England

NIEL

Northamptonshire Biodiversity Records Centre

Plantlife

Port of Milford Haven

Royal Society for the Protection of Birds (RSPB)

Scottish Environmental Protection Agency

Seabed User Developer Group

SEWBReC

Tweed Ecology

UK Overseas Territories Conservation Forum

Wildfowl and Wetlands Trust

Whale and Dolphin Conservation

Annex 5 - Process for JNCC functions analysis

The summary below describes the steps taken to undertake a function analysis of JNCC conducted as part of the Review.

Phase	Questions and Focus of Analysis for Working Groups
Phase 1	1. Is this function/ activity needed in future?
	2. Why does the function/activity need to continue?
	How does it contribute to the core business of the sponsor departments?
	How does this contribute to wider government policy objectives?
	Which are the other main customers or benefits for this function/activity?
	3. Is there a legal requirement for this function/activity?
	4. What would be the cost, effects and risks of not delivering the function/activity?
	5. Is it essential that this function/activity is carried out at UK level?
	6. Is this a technical function/activity (which needs external expertise to deliver)?
	7. Is this a function/activity which needs to be, and be seen to be, delivered with absolute political impartiality?

	8. Is this a function/activity that needs to be delivered independently of Ministers to establish facts and/or figures with integrity?		
	9. Is there overlap between JNCC's work in this area and the work of other organisations? Or are there organisations which carry out the same of similar work? (please state the work areas and organisations)		
	10. Which organisations could theoretically take on these functions from JNCC, and what would the skills requirement be?		
	11. Which related functions currently carried out by other organisations could JNCC theoretically be in a position to carry out and what would the skills requirement be?		
Phase 2	in which functions/activities there is a shared UK-wide interest; and, whether future delivery of functions/activities would be a) essential at UK level or b) more efficient at UK or country level		
	CHALLENGE SCENARIO: consider ALL of JNCC's current functions/ activities (and where relevant, projects), including governance and corporate services, being transferred to other organisations. Specify the organisations/teams. Suggestions include SNCBs/lead SNCB (or other ALBs), Defra or Devolved Administrations or being contracted out to NGOs/research/private sector by Committee or Gov Departments.		
	For each of these:		
	 a suggestion for governance that would ensure that, where necessary, all countries' interests were represented under alternative arrangements 		
	 any other considerations, including for instance potential for reducing overlap/duplication; potential impacts on outcomes or costs; corporate services requirements; and, how to make the alternative arrangement work 		
	 consider which functions or activities (and where relevant, projects), currently being carried out by other organisations, JNCC might be in a position to deliver, and state the rationale for this 		

Phase 3 1st The challenge scenario: refining ideas and considering impacts meeting Revisit the working group's most recent thinking on alternative delivery, both by function/activity and scenario and consider: whether the group wishes to amend the alternative delivery ideas it developed during the last meeting; and what the overall impacts would be of the organisations suggested by the working group undertaking the work of JNCC (with JNCC staff working for recipient organisations)? Please consider benefits, risks and opportunities. Considerations can include: expertise, relationships and capacity; quality of data and data tools; the efficiency of processes involved in delivering the function, avoiding duplication; o accountability and legitimacy: suitable governance to ensure countries' and UK interests are represented and resources are accounted for: leveraging skills and resources; and flexibility to respond to changing policy priorities whilst continuing to deliver vfm. A status quo scenario with more localised delivery What would be the benefits, risks and opportunities for the delivery of functions/activities from increased co-location of JNCC staff with Administrations, SNCBs and other related bodies and/or hot-desking facilities made available to JNCC staff?: A status quo scenario where JNCC skills are further leveraged Please consider the scenarios generated by the working groups relating to the additional functions/activities JNCC could potentially deliver in future; which of these seem most productive to explore further given the skill set and capacity of JNCC and other related organisations? Please consider the following (more extended) list of scenarios in which JNCC: Carries out increased ad hoc project-based work for Administrations on their respective nature conservation/natural resource management priorities; Extends the role it plays in supporting natural capital approaches, methods, tools and data, particularly in a cross-

	border/international context;	
	border/international context,	
	Extends its CITES licensing role to include flora as well as fauna;	
	 Extends its work on plant health to contribute to an integrated UK approach to plant health/disease outbreaks; Takes on work to deliver forestry evidence functions in a cross-border/international context; Takes on inshore MPA functions in England, Wales and NI; Takes on Cefas' international functions or their activities in Overseas Territories (increased support to FCO in the development of the blue belt of MPAs in UK Overseas Territories); and 	
	Works in partnership with Cefas to develop commercial income.	
	A scenario for the JNCC Committee	
	Please consider a scenario where the Chief Scientists' Group or the Fo Countries Group play an enhanced role in the governance of JNCC's work: what value could these formations add, for instance in overseeing the approaches to and outputs of JNCC's work or helping to build a mo integrated UK science base?	
Phase 3 2 nd	Test the technical and administrative feasibility of each option.	
Meeting	 Provide the Review Group with key messages and questions to consider at their meeting on 24th May. 	
	The review team requests that the working groups test options rigorously, providing two outputs for each option:	
	Comparative scoring for each option against "do nothing", as set out in the Paper named "JNCC review options methodology"	
	Brief commentary against each option. This could include requests for additional data, suggestions for further refinement of the option or key questions for the Review Group.	

Annex 6 - Options appraisal process

JNCC review

Proposed methodology for assessing options

Purpose

The JNCC review will produce recommendations on the most effective and efficient delivery model, across the UK, for the functions performed by the JNCC now and in the future. Ministers in Defra and the Devolved Administrations will wish to see a range of options for the future evaluated in order to decide whether changes to JNCC's form or function are needed. The Review Group will need to select and assess the draft options for change being submitted to them by the review team. To enable the Review Group to make a joint, comparative assessment of the options being put forward (and we suggest that the 24th May meeting is used for this purpose) it will need to agree a process for making comparative assessments between the status quo and alternative options for JNCC. This paper proposes an approach to the assessment of options for the Review Group to consider.

Criteria for assessment

1. JNCC review Terms of Reference

The Terms of Reference for the JNCC review require that the following broad criteria are considered in the assessment of options for the future:

- good value for money for sponsors
- a good fit with the future delivery landscape, for marine and terrestrial nature conservation across the UK and internationally
- the best experience for customers of the scientific evidence and advice required to deliver their priorities for nature conservation, within the wider context of natural resource management and natural capital
- continued delivery of essential functions which need to be considered on a UK basis

At its meeting on 9th February the Review Group asked the review team to consider further the first criterion of good value for money, and how this might be assessed.

2. Review team thinking on value for money

The review team took as its starting point the standard definitions of value for money (around economy, efficiency and effectiveness) as set out by the National Audit Office and in line with the Treasury guidance on *Managing Public Money*. Having considered the

extent to which the three aspects of value for money might be meaningful to the assessment required in the review, the review team recommended to the Review Group that effectiveness would be the most suitable lens through which to consider value for money in the JNCC review. The NAO describes effectiveness as the extent to which objectives are achieved and the relationship between intended and actual impact of a service. In particular cost-effectiveness is defined as the optimal use of resources to achieve the intended outcomes.

Efficiency is also an important aspect of value for money and can be considered in terms of achieving the same objectives using the minimum inputs.

With this principle in mind, the review team considered the ways in which comparative outcomes and costs (i.e. changes from the baseline) could be described in a way that would be relevant to JNCC's functions and sponsors' requirements. The team considered relevant points arising from the marine and biodiversity & international working group meetings, and also collated assessment criteria used in other reviews. These are summarised at Annex A.

Having drafted a long-list of possible criteria to compare outcomes and costs the review team condensed these to provide a shorter, more manageable list. This is the list that resulted:

- Delivering evidence and advice: data, expertise, capacity
 Can sufficient high quality expertise be made available to provide relevant evidence,
 advice and co-ordination where needed to governments and to meet sponsor needs
 at reasonable cost?
 Can evidence, data and advice, of appropriate standard, be acquired, shared and
 made available to governments and the public? To what extent can value be added to
 data, e.g. through analysis and modelling?
- Streamlined delivery
 How complex and efficient is it to deliver the function, given the processes,
 relationships, tools and governance involved? To what extent is duplication with other
 organisations avoided?
- Cost What does it cost to deliver the function?
- Leveraging
 Can skills, data and resources be used to draw in the expertise and resources of others? How well integrated is the body with other providers of evidence and advice?
- Flexibility
 Can changing policy requirements be anticipated and responded to quickly whilst
 continuing to provide good vfm? Do the governance and staffing structures enable
 flexibility?

The review team proposes that these criteria are used to conduct an assessment The assessment should be supported by data on costs (where this is available) in order to consider the value for money of different options.

In addition to these vfm assessment criteria, the review team proposes that three further criteria be considered:

Legitimacy

Can statutory requirements be fulfilled? Will essential (though not necessarily statutory for JNCC) functions which need to be considered on a UK basis continue to be delivered?

Accountability

Is suitable governance in place, to ensure countries' and UK interests are represented and resources accounted for? Are countries' requirements for devolved delivery respected?

Implementation

Ease of implementation; relative costs and risks associated with implementation

3. Conclusion

The Terms of Reference state the broad criteria that must be considered in developing review recommendations. The review team will ensure that these four criteria are at the core of any options developed for the review, using detailed criteria. Accountability, legitimacy and implementation associated with any options should also be considered.

In summary, the review team suggests that the following list of criteria be considered for options assessment:

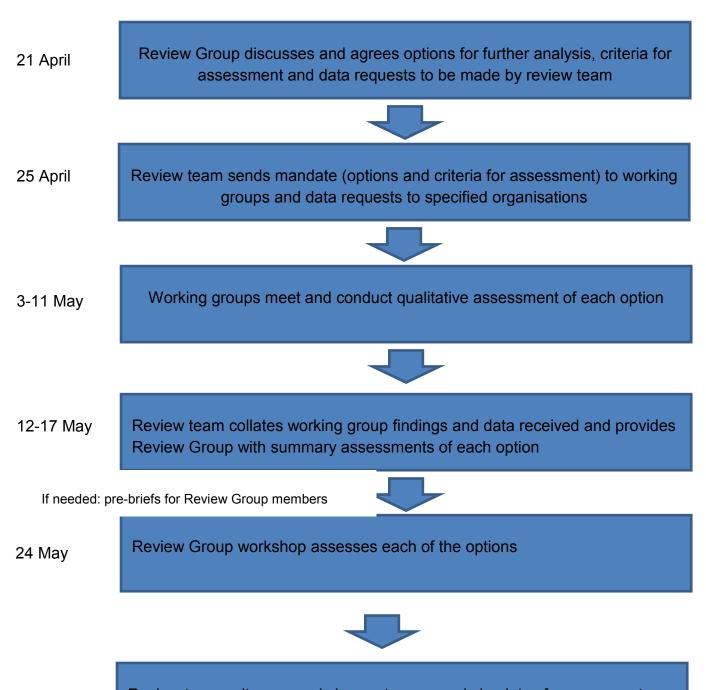
Category	Criterion	Key question: "Compared to the baseline, would this option"
Best experience for customers	1. Delivering customer priorities and high customer satisfaction Will this provide the best experience for customers of the scientific evidence and advice required to deliver their priorities for nature conservation, within the wider context of natural resource management and natural capital?	Provide enhanced outcomes and greater customer satisfaction (or the reverse)?
Fit with landscape and organisational strategies	2. Delivering good fit with delivery landscape and organisational strategies Is there a good fit with the future delivery landscape, for marine and terrestrial nature conservation across the UK and internationally? Does this option help sponsors to implement their organisational strategies?	Provide a better fit with the future delivery landscape and organisational strategies (or the reverse)?

Value for money	3. Delivering evidence and advice: data, expertise, capacity Can sufficient high quality expertise be made available to provide relevant evidence and advice — and co-ordination where needed - to governments and to meet sponsor needs at reasonable cost? Can evidence, advice and data of appropriate standard, be acquired, shared and made available to governments and the public? To what extent can value be added to data, e.g. through analysis and modelling?	Result in more or better quality outputs for sponsors (or the reverse)? +++ /
	4. Streamlined delivery How complex and efficient is it to deliver the function, given the processes, relationships, tools and governance involved? To what extent is duplication with other organisations avoided?	Drive efficiencies in processes (or the reverse)? i.e. less time to complete the task +++/
	5. Cost What does it cost to deliver the function?	Make delivery of the function cost less (or the reverse) +++ = cost less = cost more
	6. Leveraging Can skills, data and resources be used to draw in the expertise and resources of others? How well integrated is the body with other providers of evidence and advice?	Enable greater leveraging of expertise and resources (or the reverse)? +++/
	7. Flexibility Can changing policy requirements be anticipated and responded to quickly whilst continuing to provide good vfm? Do the governance and staffing structures enable flexibility?	Lead to greater flexibility in delivering changing policy requirements (or the reverse)? +++/
Legitimacy and accountability	8. Legitimacy Can statutory requirements for UK- level/reserved functions be fulfilled? Will essential (though not necessarily statutory for JNCC) functions which need to be considered on a UK basis continue to be delivered?	Allow statutory and "essential UK" requirements to be fulfilled? YES/NO
	9. Accountability Can suitable governance be provided, to ensure countries' and UK interests are represented and resources accounted for? Are countries' requirements for devolved delivery respected?	Provide suitable governance and respect countries' requirements for devolved delivery?

Implementation	10. Implementation	Be straightforward and
	Ease of implementation; relative costs and	relatively low cost to
	risks associated with implementation	implement?
		+++ = low cost/easy to
		implement
		= high cost/hard to
		implement

Process for assessing options

The Review Group will wish to agree a process for assessing the options. The review team has proposed a process below, for discussion:



Review team writes up workshop outcomes and circulates for agreement

Questions for the Review Group:

Do you agree that the criteria proposed above should form the basis of comparative assessment of the options selected by the Review Group for further analysis?

Should criteria be given equal weight, or do Review Group members wish to suggest a system of weighting to ensure that the most important criteria are given due emphasis in the assessment?

Do you agree with the process set out above is the right one to assess the options selected by the Review Group for further analysis?

Are there any other important aspects which are left out from the above criteria/process that you would like to raise at this stage?

Annex 7 - Summary of 2013 JNCC Triennial Review

The 2013 Triennial Review (TR) Final Report found that:

- JNCC is very much valued for its record of delivering government environmental priorities and is generally respected by its partners and customers.
- The functions JNCC carries out on behalf of government are currently necessary and it is broadly the right body for delivering those functions.
- JNCC's current status as an Executive NDPB should remain.

However the TR also concluded that that range of functions carried out by JNCC could be better managed and communicated to sponsoring bodies through better transparency and accountability.

Other areas for improvement included:

- improving services to customers and government, through better partnership working and clarity of delivery. For example, through better join up of marine conservation advice between JNCC and the country conservation bodies, including Natural England;
- driving forward a more collaborative approach with other environmental organisations, including civil society, to deliver shared environmental aims;
- further strengthening governance arrangements to help deliver better accountability to the governments of the UK and the Devolved Administrations, and the public;
- continuing to drive forward efficiencies and focus resources on key government priorities; and
- improving the visibility of its scientific leadership.