**JNCC REVIEW**

**Terms of Reference**

**Introduction**

Defra is reviewing the form and function of its Arms-Length Bodies as part of its Transformation Portfolio. Cabinet Office is shortly to announce its review programme that will require that all Departments review their ALBs this Parliament. Defra’s Spending Review settlement has recently been announced.

In this context, and, given the continued requirement for effective provision of environmental advice and evidence in the future, Defra and the Devolved Administrations will conduct a joint review of the JNCC, working with the JNCC.

The review will examine how JNCC’s statutory and non-statutory functions could be more effectively and efficiently delivered, and what changes to form could contribute to this.

The proposed outcomes of this review are: 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.

It will take up to 6 months from the review starting to presenting recommendations to Ministers on the future form and delivery of JNCC functions. This is in line with Cabinet Office guidance to minimise disruption to the organisation’s business and reduce uncertainty about its future. Ideally the review will conclude with a report by June 2016 for Ministers to consider.

The review will consider links to the wider delivery landscape and in particular the role of other bodies. Within Defra, this review will run in parallel with other projects in the Transformation Portfolio, most notably the marine ALB review, the reorganisation of Policy and Evidence functions and the Corporate Services workstream. It will aim to brigade these various initiatives to better understand the cumulative impact on the JNCC.

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1 This review will be launched in January and is anticipated to report to Ministers in September 2016.
Objective of Review

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

Scope of Review

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 should examine the continuing need for the current functions and form of JNCC.

The review will ask:

- 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?

The review will also consider issues of efficiency, including the potential for efficiency savings. It will consider the performance of the JNCC and whether it could provide better value for money. It will also consider any areas of overlap, potential duplication and potential for consolidation between JNCC and other bodies.

In considering alternatives to the existing model of delivery, the review will consider a baseline assessment of the JNCC (including SR 15 reductions, impacts of Defra’s Transformation Portfolio and other changes agreed by the four Administrations following assessment of the evidence base, including efficiency savings). The review will need to test, against this baseline assessment, possible changes to functions of JNCC and role of the Committee. The review will also need to look at wider re-organisation and transformation, in the context of delivering sponsors’ nature conservation priorities. This should include an assessment of the benefits of consolidation between JNCC and other bodies through primary legislation.

Criteria for future delivery of functions

We want to ensure the future delivery model for JNCC’s functions offers:

- 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

**Governance**

A small focused Review Group will take this work forward with representation from JNCC, Defra (sponsor, policy and evidence) and Devolved Administrations. Two independent members will provide a challenge function.

**Evidence base**

The review will collate an evidence base, drawing on evidence from Devolved Administrations, JNCC, Defra, country nature conservation bodies and key JNCC customers and partners, to develop and evaluate options that fit with the scope. Drawing on the evidence, the review should establish:

**Phase a)**
- baseline costs and staff resources for JNCC functions and activities

**Phase b)**
- sponsor Governments’ priorities for UK-wide scientific evidence and advice to deliver their nature conservation priorities now and in the future
- a categorisation of function and activity: statutory for JNCC; statutory for Defra/Devolved Administrations; discretionary - and corporate activities and costs

**Phase c)**
- alternative models for delivering each function and activity
- consideration of innovation in funding models
- possible changes to the remit of the Committee to achieve better outcomes for the four sponsor Governments, and
- likely costs, benefits, risks and opportunities associated with these

**Phase d)**
- an assessment of options, including the likely costs, benefits, risks and opportunities associated with these
As part of this evidence work, the review will consider any wider changes to sponsor Governments’ requirements for environmental evidence and advice, as well as broader developments across their ALB networks. The review will also consider, together with JNCC’s functions, other related functions currently carried out by other organisations, where relevant. It will also take account of opportunities for JNCC to commercialise activities and leverage funding from other sources, where these are viable within the SR period and demonstrate compliance with HMT’s *Managing Public Money*.

The final product of the review will be a report that sets out the headline findings on a) - d) above together with recommendations on the future form and delivery of JNCC functions and any associated funding changes.
Annex 1

What are the drivers for review that are specific to JNCC?

- **Reductions in grant in aid** - It is conceivable that JNCC’s total GiA in 2020 could be reduced reflecting the challenging financial landscape, with a corresponding reduction in the functions and activities sponsors are asking JNCC to deliver.

- **Changes in marine work and wider evidence requirements** - Some of the marine work JNCC currently undertakes – e.g. advice needed to designate offshore marine protected areas, or development of indicators of marine biodiversity – will change during the spending review period. In addition, there may be broader changes in Governments’ requirements for evidence to support natural resource management, including in a social and economic context. This provides an opportunity to consider how evidence and advice are provided and a consolidation of expertise with other bodies.

- **Devolution** – In the light of the range of nature conservation functions falling to Devolved Administrations, there is a need to consider the functions that are best placed at a UK level.

- **Cost of JNCC’s corporate support** - JNCC has done a lot of work to reduce the cost of its corporate services over the past few years. Administrations have been concerned that with likely reductions to GiA funding, corporate services could account for a disproportionate percentage of JNCC’s budget. However, JNCC has indicated that corporate governance, functional leadership and corporate services currently account for <15% of its total budget and that further efficiencies can be identified.
Annex 2

Proposed role and membership of Review Group

The Review Group will be responsible for the successful running of the review, ensuring timely delivery against the review objective. It will meet periodically, as needed, to assess progress against the objective of the review, challenge emerging findings and consider risks and ways of overcoming obstacles to the timely completion of the review.

Members of the Group will be responsible for providing evidence and expertise from the organisations they represent.

To support this, there will be a series of working groups tasked by the Review Group to conduct analysis and report back within defined timeframes to the Group.

Working groups will review the baseline data provided by JNCC and generate a limited number of scenarios (total number to be agreed by the Review Group) for the future delivery of functions within JNCC’s remit on marine and biodiversity/international and also of its corporate functions. The Review Group will consider the scenarios and agree which to put forward for further working group assessment on the basis of evidence.

It will be important that the country nature conservation bodies are represented on the working groups considering marine and biodiversity/international functions. In addition, Administrations and JNCC can put forward their own experts to join these groups. Membership of the working groups will be agreed by the Review Group.

Working group members will respect the sensitive nature of the discussions they will be party to and not share these outside the working group, except by agreement with the Review Group. Where required, the working groups can draw in expertise from the organisations they represent or other relevant organisations, if this is agreed in advance by the Review Group or Defra review team. Communications on the review will be agreed by the Review Group, with support from their Communications experts, and led by the Defra review team.

The resourcing of the review will be agreed by the Review Group, with clear allocation of tasks.

The Chair of the Group and project management of the review will be provided by Defra officials. Defra officials will also provide secretariat support for the Review Group.
For Defra the Chair will be responsible for reporting to Defra Ministers and the sponsorship leads within each Devolved Administration will assume responsibility for reporting to Ministers in their Administration.

Two individuals, agreed by the Group, will sit on the Review Group in order to provide a challenge function for the review.

**Proposed Membership: to be finalised at first Review Group meeting**

**Chair:** Tanya Arkle (Defra)

**Deputy Chair:** Jonathan Capstick (Defra)

**Defra (policy/evidence):** tbc

**Defra (review project management):** Lucy Stone

**Defra (JNCC Sponsorship Lead):** Tim Andrews

**Scottish Government JNCC Sponsorship Lead:** Keith Connal/Iain Martin

**NI (DoE) JNCC Sponsorship Lead:** Ken Bradley

**Welsh Government JNCC Sponsorship Lead:** Chris Lea/Dai Harris

**JNCC:** Marcus Yeo, CEO

**Secretariat:** David Trott/Debbie Hoare (Defra)

**Challenge Function –** Dermott O’Neill (Defra) and Roger Coppock (Forestry Commission)