



The one hundred and fifteenth meeting of the
Joint Nature Conservation Committee to be held
at 08.45 on 7th June 2018
JNCC, Monkstone House, City Road,
Peterborough, PE1 1JY

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Joint Nature Conservation Committee

Revised schedule of delegations and terms of reference for the Remuneration Committee

Paper by Sue McQueen and Tracey Quince

1. Introduction

- 1.1 Part 1 of JNCC's schedule of delegations contains matters to be dealt with at Joint Committee level or delegated to the Chief Executive. Part 2 contains delegations from the Chief Executive.
- 1.2 Part 1 of the schedule of delegations has been revised to reflect various changes, including JNCC's new Framework Document, new financial delegations from Defra and revised terms of reference for the Remuneration Committee. The revised schedule is attached at Annex 1.
- 1.3 Part 2 of the schedule of delegations is being comprehensively reviewed to reflect changes in responsibilities within the support company.

2. Revisions to the delegations

- 2.1 The main amendments to the schedule of delegations are highlighted in Annex 1. They comprise:
 - i. an additional delegation to the Chair relating to sign-off for SSSI selection guidelines;
 - ii. an additional delegation from the Joint Committee to the Chief Executive concerning responsibilities for data and information management;
 - iii. an increased financial limit on the Committee approving projects outwith the corporate or business plan;
 - iv. changes to the role of the Remuneration Committee in setting salaries and performance bonuses for posts at the equivalent of Senior Civil Service pay bands; and
 - v. a minor change to the risk management delegation to the Chief Executive to reflect wording in the Framework Document.

3. Terms of reference for the Remuneration Committee

- 3.1 Revised terms of reference for the Remuneration Committee are attached at Annex 2. The only significant change is to define the role of the Committee in setting salaries and performance bonuses for posts at the equivalent of Senior Civil Service pay bands.

Annex 1

Part 1. Schedule of delegations from the Joint Committee to the Chair, sub-groups of the Committee, Company and Chief Executive/ Accounting Officer

Changes to the delegations are highlighted.

Reserved for Committee	Delegated to the Chair	Delegated to Committee sub-groups	Delegated to the Company	Delegated to the Chief Executive
Governance and assurance				
<p>Ensuring an effective framework of corporate governance is in place to ensure that the Joint Committee fulfils its responsibilities for promoting the efficient and effective use of staff and other resources by the JNCC. This includes effective systems of:</p> <ul style="list-style-type: none"> delegated authorities; risk management and audit; planning and monitoring; programme and project management; financial management; staff management; environmental management; information management; health and safety; and internal and external communications. 	<p>Establishing time-limited sub-groups of the Joint Committee where a clear need is demonstrated.</p> <p>Determining how individual items of business are dealt with.</p> <p>Approving and submitting to the Secretary of State the JNCC's Annual Report and Accounts.</p>	<p>Delegated to the Audit and Risk Assurance Committee:</p> <p>Promoting a climate of financial discipline and internal control, overseeing arrangements to attain value for money, regularity and propriety, and reducing the opportunity for financial or other mismanagement.</p> <p>Approving long-term and annual plans for internal audit and commissioning audits of specific projects and value for money audits as required.</p> <p>Advising, by means of a written annual report and any other means considered appropriate, the Joint Committee and Chief Executive on:</p>		<p>Maintaining a comprehensive system of internal delegated authorities which are notified to all staff, together with a system for regularly reviewing compliance with these delegations.</p> <p>Ensuring that a system of risk management is maintained to inform decisions on financial and operational planning and to assist in maintaining and improving performance</p> <p>Appointing, re-appointing or removing internal auditors.</p> <p>Producing an annual report for approval by the</p>

Reserved for Committee	Delegated to the Chair	Delegated to Committee sub-groups	Delegated to the Company	Delegated to the Chief Executive
<p>Regulating the Committee’s own procedures, including approving and amending Standing Orders and a schedule of matters reserved to the Committee.</p> <p>Approving corporate governance arrangements for the JNCC, with the agreement of the GB conservation bodies, the NI Environment Agency, Defra and devolved administrations where necessary.</p> <p>Establishing, amending or dissolving standing sub-groups as may from time to time be appropriate, including agreeing their terms of reference and membership.</p> <p>Ensuring that the company is run in accordance with the intentions of the Natural Environment and Rural Communities Act 2006 and making recommendations as necessary to the Secretary of State on matters concerning establishing or winding up the company or changing its objects.</p>		<ul style="list-style-type: none"> • the comprehensiveness and reliability of strategic policies and processes for risk, control and governance, and related assurances including the Governance Statement; • accounting policies and processes, including the process for review of the accounts prior to submission for audit; • the suitability of financial statements and the Annual Report and Accounts, the letter of representation, and the audit completion report, including levels of error identified and management’s response; • internal audit plans, findings and results. <p>Ensuring that a process operates effectively to enable any JNCC matters involving significant risk to the JNCC’s, UK Government’s or devolved administrations’ reputation, legal standing or financial positions to be identified and referred to the Joint Committee.</p>		<p>Chair.</p> <p>Signing the annual accounts and a Governance Statement.</p>

Reserved for Committee	Delegated to the Chair	Delegated to Committee sub-groups	Delegated to the Company	Delegated to the Chief Executive
<p>Receiving and reviewing annual reports from the Audit and Risk Assurance Committee on the Committee's and Company's control and risk management.</p>				
Planning and delivery				
<p>Establishing the strategic direction of the JNCC corporate and business plans and associated budgets to be executed through the company.</p> <p>Approving projects outwith the corporate or business plan, where these have a total full-life cost of more than £300k¹ prior to obtaining final approval from Defra.</p> <p>Approving high-level organisational strategies, such as communications and funding strategies, that have significant implications for the organisation.</p> <p>Reviewing quarterly reports on the company's performance and financial position against JNCC's corporate and business</p>	<p>Signing off corporate and business plans after consultation with full Committee.</p> <p>Signing off non-contentious Committee-level advice after consultation with full Committee where necessary including:</p> <p>Revised chapters of SSSI selection guidelines based on recommendations from the Chief Scientists Group</p> <p>Signing-off reserved items (international work) that are of little relevance to country conservation body members.</p>	<p>Delegated to the MPA Sub-Group</p> <p>Advising on strategies to achieve an ecologically coherent site network to fulfil domestic and international obligations.</p> <p>Advising on how JNCC and the country conservation bodies can enhance efficiency and effectiveness through co-ordinating their efforts and providing consistent messages.</p> <p>Providing advice to ensure linkages are effectively made between MPA components of legislation and other aspects of that legislation, and between different MPA legislation.</p>	<p>Operational delivery of JNCC's functions and duties.</p>	<p>Planning JNCC's work in support of Joint Committee, producing corporate and business plans, and putting in place appropriate mechanisms and staff and financial resources for their delivery.</p> <p>Delivering the Joint Committee's corporate and business plans. This includes the provision of any advice, information or other services necessary to fulfil the plan on behalf of the Joint Committee including that delivered through, or in partnership with, other organisations.</p> <p>Providing advice and</p>

¹ This threshold will be reviewed shortly as part of a comprehensive review of financial delegations in JNCC.

Reserved for Committee	Delegated to the Chair	Delegated to Committee sub-groups	Delegated to the Company	Delegated to the Chief Executive
<p>plans, including approving any changes to high-level performance measures.</p> <p>Reviewing and addressing major risks.</p> <p>Decisions which are potentially high-risk, contentious or novel for UK Government, devolved administrations or JNCC as follows:</p> <ul style="list-style-type: none"> • Strategies for JNCC’s work including collaborative work with partner organisations, • Advice on the development or implementation of policy/legislation. <p>Reviewing and contributing to new thinking and approaches for, or affecting, nature conservation with a view to informing governments’ high-level strategic thinking/decision-making.</p> <p>Receiving reports from the Chief Executive on significant</p>		<p>Maintaining a high-level overview of progress against plans for various MPA workstreams.</p> <p>Considering contentious proposals for offshore Natura 2000 sites and offshore MPAs designated under national legislation (including offshore components of transboundary⁴ and/or cross-border⁵ sites) and advise the Joint Committee accordingly, including conservation objectives and management advice where appropriate.</p> <p>Endorsing consultation reports on offshore Natura 2000 sites and offshore MPAs to be designated under national legislation (including offshore components of transboundary and/or cross-border sites) prior to formal submission to Government and consider any significant issues raised.</p> <p>Advising on the extent to which Natura 2000 network requirements (and those under</p>		<p>information to the Joint Committee to enable them to deliver the matters reserved to them.</p> <p>Monitoring and advising the Committee on the company’s performance and resource (staff and financial) position against the JNCC’s corporate and business plans, and deciding on remedial action where necessary.</p>

⁴ Trans-boundary refers to the boundary between inshore and offshore zones.

⁵ Cross-border refers to the borders between UK administration marine waters

Reserved for Committee	Delegated to the Chair	Delegated to Committee sub-groups	Delegated to the Company	Delegated to the Chief Executive
<p>decisions made on the Committee's behalf.</p> <p>Reviewing reports from the MPA Sub-Group on progress, key decisions made on the Committee's behalf and advice.</p> <p>Agree high-level strategies for work on MPAs, including those put in place to address strategic issues, after detailed consideration by the Sub-Group.</p> <p>Recommend to government offshore Natura 2000 sites and offshore MPAs designated under national legislation (including offshore components of transboundary² and/or cross-border³ sites).</p> <p>Comment on inshore Natura 2000 sites and inshore MPAs as a contribution to the UK network.</p> <p>Addressing any other issues referred by Committee Sub-Groups or the JNCC Executive</p>		<p>other legislation in due course) are being met.</p> <p>Advising on the extent to which UK MPAs are contributing to international commitments.</p> <p>Maintaining sight of inshore Natura 2000 site proposals across the UK.</p> <p>Advising the Joint Committee and/or country conservation body councils/boards on specific inshore Natura 2000 and national MPA site proposals, if significant differences of opinion exist at officer level.</p> <p>Resolving any issues relating to MPAs designated under national legislation which have strategic implications, such as ability to fulfil UK's obligations for achievement of European and international networks which cannot be resolved at officer level.</p>		

² Trans-boundary refers to the boundary between inshore and offshore zones.

³ Cross-border refers to the borders between UK administration marine waters

Reserved for Committee	Delegated to the Chair	Delegated to Committee sub-groups	Delegated to the Company	Delegated to the Chief Executive
<p>Management Board because of the degree of associated risk.</p> <p>Giving guidance or information to any of the country conservation bodies on any matter arising in connection with the functions of that body, which, in the opinion of the Committee, concerns nature conservation for the UK as a whole or nature conservation outside the UK.</p>		<p>Advising on surveillance requirements to meet national, European and international obligations.</p> <p>Advising on strategic issues relating to the management of MPAs and the MPA network.</p> <p>Advising on contentious advice or proposals for MPA management.</p>		
Staffing				
<p>Appointing a Chief Executive.</p>		<p>Delegated to the Remuneration Committee:</p> <p>Setting the overall pay remit for staff employed by the company on the Committee's behalf, with the approval of Defra and Treasury as required.</p> <p>In consultation with the Chief Executive, set the salary for posts at the equivalent of Senior Civil Service pay band 1 and determine the amount of any performance bonuses.</p> <p>In consultation with Defra, as necessary, setting and reviewing the terms and</p>	<p>Employing staff required to support the Committee in fulfilling its statutory and general responsibilities, and fulfilling all responsibilities associated with this.</p>	<p>Ensuring that effective HR policies are maintained that meet the requirements of employment law and ensure the health and safety of staff.</p> <p>Appointing, removing and remunerating JNCC staff (with the exception of the Chief Executive).</p>

Reserved for Committee	Delegated to the Chair	Delegated to Committee sub-groups	Delegated to the Company	Delegated to the Chief Executive
		<p>conditions and performance objectives for the Chief Executive and determining the amount of any performance bonuses.</p> <p>Determining pensions with the approval of the Secretary of State.</p>		
Financial management				
			<p>Entering into, and managing, contracts and other agreements necessary for the provision of goods and services required for the Joint Committee to fulfil its statutory and general responsibilities and complying with associated requirements in the financial memorandum.</p> <p>Holding and managing funding and other assets provided to the Joint Committee for the fulfilment of its statutory and general responsibilities and complying with associated requirements in the financial memorandum.</p>	<p>Ensuring that all funds held by the company on the Joint Committee's behalf are used for the purpose intended by Parliament, and that such monies, together with assets, equipment and staff held/employed by the company on the Joint Committee's behalf, are used economically, efficiently and effectively.</p> <p>Ensuring that adequate internal management and financial controls are maintained by JNCC, including programme, project and contract management, and measures against fraud and theft.</p>

Reserved for Committee	Delegated to the Chair	Delegated to Committee sub-groups	Delegated to the Company	Delegated to the Chief Executive
				<p>Being responsible for ensuring that proper records are kept relating to the accounts and that the accounts are properly prepared, and presented in accordance with any directions issued by the Secretary of State.</p> <p>Paying on time the proper amounts of tax, VAT and National Insurance.</p>
Data and information management				
				<p>Maintaining effective policies, procedures and practice for data security and information management</p>

Annex 2. Terms of reference for the Remuneration Committee

1. Role and purpose

1.1. The role of the Remuneration Committee is to:

- i. set the overall pay remit for staff employed by the company on the Joint Committee's behalf (for approval by Defra);
- ii. in consultation with Defra, as necessary, set and review the terms and conditions and performance objectives for the Chief Executive (graded at the equivalent of Senior Civil Service pay band 2) and determine the amount of any performance bonuses;
- iii. in consultation with the Chief Executive, set the salary for posts at the equivalent of Senior Civil Service pay band 1 and determine the amount of any performance bonuses; and
- iv. determine pensions with the approval of the Secretary of State.

2. Members

2.1. Membership comprises:

- JNCC Chair
- JNCC Deputy Chair
- One JNCC Member from Natural Resources Wales, Natural England, Scottish Natural Heritage or Council for Nature Conservation and Countryside

2.2. Two members must be present for the meeting to be deemed quorate.

3. Process

3.1. A draft pay remit and business case will be presented for decision to members of the Remuneration Committee on an annual basis, or as required if a long-term pay deal is in place, prior to submission to Defra.

3.2. The Committee will consider the performance objectives for the Chief Executive in March of each year, for the coming performance year April – March in line with the agreed process.

3.3. Information relating to performance and pay for the Chief Executive and other SCS posts for the preceding year will be provided for consideration at the annual meeting in June.

3.4. Annex 1 sets out the process for setting objectives for the Chief Executive, assessing performance, and determining the size of any performance bonuses. The size of any performance bonuses for other SCS posts will be determined by the Remuneration Committee, having regard to advice from the Chief Executive.

3.5. Information about pensions will be provided as required.

- 3.6. Due to the requirement for swift decisions to be made it is anticipated that members will sometimes need to either meet at short notice (face to face, by telephone or video) or take decisions by e-mail correspondence.
- 3.7. Meetings will be in closed session, although members may invite others to the meeting as necessary to provide information and advice.
- 3.8. Minutes of meetings will be produced and provided to members of the Joint Committee and company board on request.