



Joint Nature Conservation Committee 110th Meeting Minutes Confirmed (Non-sensitive)

Date: 2 March 2017	Time: 08.45
Venue: Defra, Nobel House, Smith Square, London SW1P 3JR	

Present

Dr Bob Brown
Independent member

Mr Guy Duke
Independent Deputy Chair

Professor Colin Galbraith
Independent member

Professor Chris Gilligan
Independent Chair

Dr Madeleine Havard
Natural Resources Wales

Dr Joe Horwood
Natural England

Professor Michel Kaiser
Independent member

Dr Hilary Kirkpatrick
Council for Nature Conservation and the Countryside

Ms Diane McCrea
Natural Resources Wales

Professor Howard Platt
Council for Nature Conservation and the Countryside

Dr Susan Walker
Scottish Natural Heritage

In attendance

Ms Helen Anderson
DAERA

Mr Andrew Bachell
Scottish Natural Heritage

Ms Rachel Bower (items 8-17)
JNCC

Mr Gordon Friend (item 11 only)
Defra

Dr Steve Gibson
JNCC

Dr John Goold
JNCC

Tim Hill
Natural England

Ms Sue McQueen
JNCC

Mrs Tracey Quince
JNCC

Mr Paul Rose
JNCC

Mr Declan Tobin (items 8-17)
JNCC

Professor Michael Winter
Natural England

Mr Marcus Yeo
JNCC

Apologies

Professor Ian Bateman
Independent member

Mr Colin Armstrong
DAERA

Mr Ian Ross
Scottish Natural Heritage

1 Chairman's opening remarks

- 1.1 Professor Gilligan welcomed Professor Michael Winter (Natural England) to the meeting as an observer.
- 1.2 Professor Gilligan updated the Committee about the current status of upcoming vacancies.
- 1.3 Professor Gilligan confirmed that statutory requirements in relation to the size of the Committee (including the number of independent members) would continue to be met. Professor Gilligan had discussed the skills requirements of new members with Defra, including expertise in marine conservation, international issues, information technology and business development.
- 1.4 The Committee felt that the protracted uncertainty over replacing members and initiating extensions would have an impact on the governance of the Committee.
- 1.5 Professor Gilligan thanked members for their attendance at the meeting the previous day to discuss Defra's 25-year Environment Plan. Professor Gilligan felt that the meeting had afforded a useful opportunity to discuss JNCC's role in supporting implementation of the plan.

2 Declaration of interests

- 2.1. Professor Kaiser declared an interest in a tool that Bangor University has shared with JNCC. The tool has been developed for *Seafish* and enables greater understanding of how different fishing gear impact on seabed within Marine Conservation Zones. The Chair agreed that this did not represent a conflict of interest.

3 Confidential minutes of the December 2016 meeting (official-sensitive) (JNCC 17 01)

- 3.1 The minutes of the December meeting were approved.

4 Matters arising (JNCC 17 02)

- 4.1 There were no matters arising for this meeting.

- 4.2 On the report of outstanding actions from the December 2016 meeting in Annex 1, members were informed that the action relating to the future ambition for open data had now been completed. The Committee endorsed the ambition proposed by the Chief Scientists Group, contained in Annex 2.
- 4.3 The Committee was informed that Dr Havard would be joining the Marine Protected Areas sub-group representing Natural Resources Wales.

5 Chief Executive's report on topical issues (official-sensitive) (JNCC 16 37)

6 Report from Marine Protected Areas (MPA) sub-group (oral)

- 6.1 Dr Brown reported on the latest meeting of the Marine Protected Areas (MPA) sub-group which was a teleconference on 14 February to consider draft advice on the remaining offshore sites in the third tranche of MCZ designations. Advice on the main suite of remaining potential sites had been submitted in November 2016.
- 6.2 The sub-group considered a suite of potential new sites to complete the MCZ network, and raised several points for consideration, all of which were addressed by staff. Members considered that the work was generally robust and well documented and recommended the paper for onward transmission.
- 6.3 The sub-group considered drafts for highly mobile species, for which there was just one offshore site, Lyme Bay Deeps for White-beaked Dolphin. Members raised several concerns on the paper, including consideration of the site as a conservation measure for the very localised and small population and the extent to which this measure would conserve the wider population. Also, issues were raised regarding the impacts of climate change, sonar and eco-tourism on the population. A further iteration of the paper was subsequently presented, and via e-mail, the sub-group agreed that the advice paper could go forward to the JNCC Chair for approval for onward transmission to Defra and Natural England.
- 6.4 Dr Brown noted that his role as Chair of the sub-group would shortly come to an end. Dr Brown paid tribute to the work of sub-group members and staff over the years.
- 6.5 Professor Gilligan thanked Dr Brown for his excellent chairmanship of the sub-group and noted the need for a replacement to be found. In considering new sites, Professor Gilligan noted the need to maintain effective relationships with disappointed parties, by explaining the criteria for assessment.

7 Report from ARAC on 1 March

- 7.1 Professor Galbraith gave the Committee a presentation on the key issues discussed at the ARAC meeting on 1 March.
- 7.2 The meeting had focussed on a number of matters and the Committee was informed that:
1. time recording processes in JNCC will be changed in 2017/18 to allow staff to record time at project level;
 2. an email account for the ARAC Chair has been established to allow staff confidential access to report any fraud or whistleblowing cases;
 3. JNCC would continue to press APHA and Defra for resolution of the problems with the UNICORN system for CITES licensing. ARAC had asked to see the contingency plans in place should the problems with UNICORN not be resolved quickly;
 4. an update of the governance framework document would be presented to ARAC once it is at the final draft stage. The Joint Committee would be asked to approve the document in June as part of the governance options paper;
 5. ARAC had agreed priorities for internal audit in 2017/18 including audits in the areas of evidence quality assurance, data quality, key financial controls and contract management of research projects (in relation to income generation);
 6. two audits had been completed since the last meeting in November. The key financial controls audit had received substantial assurance (the highest level of assurance) and HR processes a substantial rating for recruitment and a moderate assurance for time recording. One audit recommendation was raised in relation to staff flexitime sheets and the monitoring of balances by managers. This was rejected by management as the risk was not sufficient to justify the resources needed to implement and monitor the process. ARAC agreed with management's view;
 7. for 2016/17 the draft opinion of the head of internal audit is substantial assurance over JNCC's framework of governance, risk management and control. This represented significant hard work on behalf of staff to maintain sound systems of governance and internal control. ARAC asked that the final report be less formulaic and more tailored to JNCC to reflect the judgements used in arriving at the opinion;
 8. emerging risks had been discussed including succession planning for the Committee and the current changes in membership which could be de-stabilising for a period. Going forward, ARAC agreed to look at one or two risks in more detail and feed their findings up to the Joint Committee;
 9. ARAC had received a report on information and cyber security risks from the Senior Information Reporting Officer (SIRO), Steve Gibson. ARAC noted the one incident and two near misses in the report. None had been deemed serious. A more detailed report on cyber security in JNCC would be provided in June;
 10. ARAC had discussed a paper on the options for procuring internal audit services from 1 April 2017. The Chief Executive will make a final decision in the coming few weeks; and

11. the performance of the company contracted to undertake internal audit this year has been poor with many performance indicators missed. Poor performance had been reported to Defra's Chief Internal Auditor. The contract is due to end on 31 March (official sensitive)

- 7.4 The Committee noted the report from ARAC. The Committee asked that management contact the country nature conservation bodies' internal audit teams to assess their capacity for undertaking JNCC's internal audit.

Action point(s)
AP01 Mrs Quince to liaise with country nature conservation body internal audit teams to assess their capacity to undertake JNCC's internal audit in 2017/18.

8 Risk management in JNCC (JNCC 17 04)

- 8.1 Mrs Quince presented the paper, which provided the Committee with a draft significant risks register for 2017/18 and a revised risk appetite statement. Mrs Quince explained that the draft significant risks register had been compiled by the Executive Management Board in January. The revised risk appetite statement had been refined by a task and finish group of a cross-section of staff.
- 8.2 In discussion on the draft significant risks register the Committee made the following comments:
 - i. the first risk should be re-worded to clarify the meaning of the term 'limited flexibility and control' and to focus the risk on the management of change;
 - ii. the residual rating of the EU exit risk is likely to be greater than currently shown;
 - iii. in relation to evidence quality, induction of new staff would help provide clarity on the standards required by JNCC in relation to scientific evidence. This was particularly important with the move to a more dispersed working model;
 - iv. resourcing risks could be reduced through managing expectations with sponsors. Whilst a multi-year funding agreement would be unlikely to be agreed by Governments, it would be helpful for JNCC to take a multi-year view;
 - v. an additional risk on succession planning for the Joint Committee should be considered to reflect the current situation regarding appointment of members; and
 - vi. an additional risk on the UNICORN system should be considered in light of the discussion at ARAC;
- 8.3 Mr Yeo noted that the risks around the UK's exit from the EU were largely beyond the 12-month horizon of the 2017/18 risk register. The risks associated with income generation were higher than shown in the current risk register, so the rating will be amended.

- 8.4 The Committee agreed that it would be helpful for ARAC to consider different ways of categorising the risks. The Committee agreed to make more use of ARAC ‘drilling down’ on the detail of risks to prepare for discussion at Committee.
- 8.5 The Committee was advised that ARAC had considered the risk appetite statement the previous day and one member who sits on a range of boards had indicated that in his view JNCC’s statement on risk was ‘best in class’.
- 8.6 In discussion on the revised risk appetite statement the Committee made the following comments:
- i. there is a distinction between partnerships and wider relationships. JNCC should have a low risk appetite for partnership working but could take greater risks in relation to some other relationships, for example by making bolder statements about our aspirations for nature conservation;
 - ii. the risk appetite across the suite of risks feels about right based on JNCC’s overall role; and
 - iii. future revisions of the document could include additional sub-headings and a greater use of bullet points.

Action point(s)
<p>AP02 ARAC to consider different ways of categorising significant risks.</p> <p>AP03 Mr Yeo to amend the significant risks register to reflect comments made by the Committee. The revised register to be agreed by ARAC in June and presented to the Committee with the Q1 performance report.</p>

9 Performance report for Quarter 3 (JNCC 17 05)

- 9.1 Mr Yeo presented the paper which provided a summary of performance for the third quarter of 2016/17. Mr Yeo informed members that the underspend would be higher than documented in the paper. As far as possible underspend would be added to JNCC’s reserves. Performance at the end of quarter 3 was generally satisfactory, but completion of some success measures, especially in the Evidence Directorate, had proved challenging due to high staff turnover and reliance on partner delivery.
- 9.2 The Committee made the following comments in discussion on the performance information:
- i. in relation to the transition plan, the Committee agreed the importance of undertaking a skills audit in the next few months. On external communications, outputs from the task and finish group were expected at the end of March. It was agreed that Committee members should contribute to the preparation of a paper on external communications for the September Joint Committee meeting;

- ii. regular papers on income generation would be a helpful addition to the Joint Committee's forward programme;
- iii. many of the success measures in the evidence area were dependant on partners. The Committee felt that going forward, success measures could be worded where possible to reflect work within JNCC's gift; and
- iv. on significant risks, the red risks flagged up the main challenges currently facing JNCC.

Action point(s)
<p>AP04 Committee members to provide input to a paper on external communications for the September Joint Committee meeting.</p> <p>AP05 Professor Weeks to present a paper on income generation for the June Joint Committee meeting.</p>

10 Draft strategy and strategic plan (2017-21) and business plan for 2017/18 (Official-Sensitive)

11 Delivering fisheries advice in a shifting seascape (Official-Sensitive) (JNCC 17 07)

12 Interim arrangements for renewable energy casework advice delegation to Scottish Natural Heritage (SNH) (Official-Sensitive) (JNCC 17 08)

13 UK exit from the EU (Official-Sensitive) (JNCC 17 09)

14 JNCC 2016 people survey (JNCC 17 10)

14.1 Mr Yeo introduced the item explaining that the paper presents the results of a people survey undertaken in JNCC in November using the standard civil service methodology. The results of the survey are mixed with some positive aspects but some improvements needed. A draft action plan has been agreed by the Executive Management Board with early execution of the plan essential to maintain momentum and staff confidence.

14.2 The Committee made the following points in discussion:

- i. implementing the plan quickly and communicating what had been achieved would help overcome any concerns staff have over management's commitment to addressing issues raised in the survey;

- ii. improving training opportunities, introducing continuing professional development and developing staff as scientists would help deal with high staff turnover; and
- iii. the Committee has a key role in leading the organisation. Members agreed to create opportunities for better engagement with staff.

15 Joint Committee self-assessment: End of year discussion on work objectives 2016/17 (JNCC 17 11)

15.1 Mrs Quince introduced the item explaining that the paper provided the agreed work objectives for 2016/17 in Annex 1. To compile a brief report for the June meeting, the Committee was asked to provide feedback on their contributions towards achievement of the objectives, alongside considering any changes to the objectives for 2017/18.

15.2 The Committee's discussion on the work objectives for 2016/17 is tabulated in Annex 1 to these minutes.

15.3 The Committee agreed to remove Dr Walker from the income leads table.

Action point(s)
AP08 Professor Weeks to arrange a workshop for Committee members on income generation.

16 Joint Committee forward programme (JNCC 17 12)

16.1 The Committee noted the forward plan for 2017/18.

17 Any other business

17.1 Dr Havard informed the Committee that Matthew Quinn had now left the Welsh Government and had been replaced by Andrew Slade.

Annex 1

Table 1 Joint Committee working objectives for 2016/17

Performance objective areas	Tasks	Responsibility	March 2017 update and comments
<p><u>Working objective 1</u></p> <p><i>JNCC Review</i></p>	<ul style="list-style-type: none"> • Provide input to the final stages of the JNCC Review taking into account the interests of the organisation and the need to maintain service delivery and meet governance obligations. • Support EMB and staff in implementing any changes arising from the review. • Ensure arrangements are in place in the CNCBs to enable collaboration in implementing changes where relevant. 	<ul style="list-style-type: none"> • Committee collectively • Committee collectively, led by Chair • CNCB members 	<ul style="list-style-type: none"> • Objective partially completed. Amend the focus to implementation of agreed changes for 2017/18.
<p><u>Working objective 2</u></p> <p><i>Strategic direction</i></p>	<ul style="list-style-type: none"> • Finalise the strategy following the conclusion of the JNCC Review and input to the development of a 3-year strategic plan and a 1-year business plan. • Communicate the JNCC strategy to Defra, devolved administrations and other relevant organisations using members' professional networks. • Agree a forward programme of business for Committee, taking into account strategic priorities and sponsor requirements 	<ul style="list-style-type: none"> • Committee collectively • All members • Committee collectively 	<ul style="list-style-type: none"> • Title to be amended to 'Change implementation and horizon scanning'. • Tasks to include overseeing implementation of the strategy. • Regular reports from management on how the strategy is being delivered.
<p><u>Working objective 3</u></p> <p><i>Risk management</i></p>	<ul style="list-style-type: none"> • Share intelligence to identify risks and opportunities, including emerging agendas of government administrations and other key stakeholders, using members' professional networks. • Set JNCC's risk appetite and reflect this in decision-taking. 	<ul style="list-style-type: none"> • All members • Committee collectively 	<ul style="list-style-type: none"> • No changes.
<p><u>Working objective 4</u></p> <p><i>Delivery management</i></p>	<ul style="list-style-type: none"> • Agree a format for quarterly corporate performance reports. • Review corporate performance quarterly and help to identify and address any problems 	<ul style="list-style-type: none"> • Committee collectively • Committee collectively 	<ul style="list-style-type: none"> • Delete first task; no further changes.
<p><u>Working objective 5</u></p> <p><i>External relations</i></p>	<ul style="list-style-type: none"> • Use opportunities outside of JNCC to promote the organisation, its value and activities. • Facilitate collaboration between JNCC, CNCBs and other partners. • Be proactive in communicating JNCC's work to sponsors, emphasising the value offered. 	<ul style="list-style-type: none"> • All members • CNCB members • All members 	<ul style="list-style-type: none"> • Make more use of Committee members.
<p><u>Working objective 6</u></p> <p><i>Income diversification</i></p>	<ul style="list-style-type: none"> • Alert JNCC to potential new business opportunities. • Help establish business relationships to enable opportunities to be realised and share experience of good practice elsewhere. 	<ul style="list-style-type: none"> • All members • Specific members of the Joint Committee who can provide a lead (suggestions at Table 2) 	<ul style="list-style-type: none"> • Hold a Committee workshop to stimulate this work area.

Performance objective areas	Tasks	Responsibility	March 2017 update and comments
<p>Working Objective 7</p> <p><i>Advice and CEO direction</i></p>	<ul style="list-style-type: none"> • Serve as an effective sounding board for the CEO by providing advice and challenge on strategic and operational issues. • Quality assure and agree proposals provided by the executive on scientific matters. 	<ul style="list-style-type: none"> • Committee collectively/ Chair • Committee collectively or as delegated to sub-groups or individuals 	<ul style="list-style-type: none"> • 'Quality assure' to be replaced with 'scrutinise'. • Additional tasks to be added: Staff engagement sessions associated with Committee meetings.
<p>Working Objective 8</p> <p><i>Governance</i></p>	<ul style="list-style-type: none"> • Ensure any procedural and compliance issues are properly dealt with. • Successful recruitment of Committee members with skills and experience to match needs identified in the competency framework. 	<ul style="list-style-type: none"> • Chair • Chair 	<ul style="list-style-type: none"> • No changes.
<p>Working objective 9</p> <p><i>Committee cohesion</i></p>	<ul style="list-style-type: none"> • Work in a cohesive and supportive manner with Committee colleagues ensuring good working relationships and a culture of trust are maintained. 	<ul style="list-style-type: none"> • Committee collectively 	<ul style="list-style-type: none"> • No changes.