



Joint Nature Conservation Committee 126th Meeting Minutes Confirmed

Date: 11 March 2021

Time: 08.30

Venue: Virtually via MS Teams

Present

Professor Mel Austen
Independent member

Mr Charles Banner
Independent member

Professor Ian Bateman
Independent member

Lord Blencathra
Natural England

Professor Colin Galbraith
Chair

Dr Hilary Kirkpatrick
Council for Nature Conservation and the Countryside

Professor Stephen Ormerod
Natural Resources Wales

Professor Marian Scott
Independent member

Professor Michael Winter
Natural England

In attendance

Dr Jessa Battersby (item 13)
JNCC

Mr Chris Brooks
JNCC

Dr Peter Brotherton (item 13)
Natural England

Dr Alexandra Cunha (item 14)
JNCC

Dr John Goold
JNCC

Dr Gemma Harper
JNCC

Dr Elly Hill (item 13)
JNCC

Dr Tim Hill
Natural England

Professor Christine Maggs
JNCC

Dr Sara McGuckin
Northern Ireland Environment Agency

Ms Aoife Martin
NatureScot

Mrs Tracey Quince
JNCC

Mr Nigel Reader
Independent member of ARAC. (item 9)

Ms Eileen Stuart

NatureScot

Ms Helen Wilkinson
Natural Resources Wales

Dr Steve Wilkinson
JNCC

Mr Marcus Yeo
JNCC

Dr Susan Zappala (item 14)
JNCC

Apologies

Members

Ms Cath Denholm
NatureScot

Sir David Henshaw
Natural Resources Wales

Attendees

Ms Helen Anderson
Department of Agriculture, Environment and Rural Affairs

Mr Colin Armstrong
Department of Agriculture, Environment and Rural Affairs

Ms Ceri Davies
Natural Resources Wales

1. Closed session

- 1.1 There are no minutes for this item.

2. Chair's opening remarks

- 2.1 Professor Galbraith welcomed everyone to the 126th meeting, which was taking place as a virtual meeting in response to the Covid-19 pandemic. He thanked members for their congratulations on his recent appointment as Chairman. Members approved recording the meeting for minuting purposes.
- 2.2 Professor Galbraith welcomed Ms Aoife Martin (standing in for Ms Denholm) to her first meeting.
- 2.3 Professor Galbraith confirmed the changes to the roles assigned to some members, especially in relation to chairing sub-committees, which had been described in an intersessional paper in February (JNCC 21 01). Recruitment of two new independent members, to replace himself and Professor Bateman, who is scheduled to leave the Committee later in the year, would be initiated shortly. Members were asked to email Professor Galbraith with skills they would like the new members to have.

- 2.4 Professor Galbraith advised members that in order to update membership, Dr Cantlay (Chair of NatureScot) had recently resigned from the Joint Committee and as a Director of JNCC Support Co. A second NatureScot member would be appointed once the recruitment of new NatureScot Board members was completed. Natural Resources Wales (NRW) is also recruiting new Board members, and it is expected that one of the new members will be appointed as a member of the Committee in due course.
- 2.5 Professor Galbraith advised members that Professor Bateman would be leading work on JNCC's science strategy on behalf of the Committee, working with himself and with Professor Maggs.
- 2.6 Professor Galbraith welcomed Dr Gemma Harper to her first meeting. Dr Harper will take up her role as Interim Chief Executive from 1 April. She gave a brief résumé of her career and interests.

3. Declaration of interests

- 3.1 No new declarations were reported. Professor Galbraith advised that he had recently stepped down from his role as Chair of the RSPB Scottish Advisory Committee and as a member of the UK governing Council of RSPB, and as a member of the Scottish Advisory Committee for the Woodland Trust.
- 3.2 Professor Galbraith emphasised the importance of keeping declarations up to date and members were reminded to advise Mrs Morgan of any new declarations.

4. Confidential minutes of the December 2020 meeting (JNCC 21 02)

- 4.1 The minutes of the December meeting were confirmed with one amendment to item 19 'Any other business' where members requested a sentence be added to formally thank Professor Gilligan for his time with JNCC.

Action point(s)
AP01 Mrs Elliott to add a sentence to item 19 'Any other business' formally thanking Professor Gilligan for his time with JNCC.

5. Matters arising (Official) (JNCC 21 03)

- 5.1 There were no matters arising for this meeting. The Committee **noted** the report of outstanding actions in Annex 1.

6. Chief Executive's report on topical issues (Official-sensitive) (JNCC 21 04)

6.1 This item was taken in confidence.

7. Update on JNCC's response to the Covid-19 pandemic (Official-sensitive) (JNCC 21 05)

7.1 This item was taken in confidence.

8. Report from Committee sub-groups (Official-sensitive) (Oral)

8.1 This item was taken in confidence.

9. Report from ARAC on 10 March (Official) (Oral)

9.1 In summarising the key issues discussed at the ARAC meeting on 10 March, Mr Reader (Independent member of ARAC), made the following points.

- i. The internal audit operational plan would be completed by the end of March. The final audit in the plan, Covid-19 response, was in draft and would be provided to ARAC intersessionally. Two recommendations had been raised relating to updates to the business continuity plan and capturing all risk mitigation measures. The audit had achieved a substantial rating.
- ii. A Defra review of remote working impacts was due to start shortly and JNCC would be given sight of the report.
- iii. ARAC approved the 2021/22 audit plan which includes five audits (one postponed from 2020/21). The total number of audit days is 48.5 and the cost of internal audit services will rise to £29,902. This is an increase of £5,700.
- iv. Intended audits for 2021/2022 include communications, scientific capability, strategic HR, financial management and control and a joint audit with core Defra and Natural England on Natural Capital Ecosystem Assessment relating to the 25-year environment plan.
- v. ARAC were informed that GIAA policy was changing from 2022/23 when all organisations would be required to take a minimum of 60 audit days per year. This would represent a significant increase in cost and in staff time to support the audit work for JNCC. Further discussions between the Executive and GIAA are required ahead of 2022/23 to agree how to tailor this policy change for JNCC.
- vi. ARAC noted the ongoing action to address significant risks and that target risks ratings had now been added. ARAC discussed the heightened risks around staff morale and wellbeing and recruitment and retention following the decision by Defra HR not to support the pay flexibility business case.
- vii. ARAC were informed that one of the key constraints to JNCC moving into Fletton Quays was the anticipated increase in running costs. A proposal had recently been received for JNCC to transfer its property interests to Defra and for Defra to provide workspace at Fletton Quays for no additional cost. The details of this offer were awaited and would be needed before

- ARAC or JNCC could take a view on the issues involved. The planned move to Fletton Quays was currently set for December 2022.
- viii. ARAC noted the Executive's current intention to go ahead with the office move and that further discussion would take place with Joint Committee members. ARAC stressed that the Executive should not underestimate the upheaval the move would have on staff and that good change management principles would need to be applied.
 - ix. At the end of quarter 3 assurance across the organisation is good. Emergency preparedness continued to be an area requiring work. Team Leaders had provided updated business continuity plans and the Governance Manager was using these to update the organisation-wide plan. Feedback from staff on the business continuity assessment document would be used to review and improve the process in 2021/22. An assurance map had now been created which would provide the Executive with an organisational assurance picture and identify any gaps. A key message from ARAC was to keep the process as simple and as efficient as possible.
 - x. JNCC's data breach had been investigated and forensic analysis had been unable to find direct evidence of intrusion by a third party. The investigation did however raise some recommendations to further enhance JNCC's data security, including one related to disclosure and barring checks which would be introduced for all volunteers. ARAC requested that this change extend to any non-executive members of JNCC and any sub-committees. ARAC noted the additional annual cost of £25k to contract a security expert to carry out system checks.
 - xi. ARAC noted the compliance report and the issues identified in a recent office fire risk assessment. There were now seven mental health first aiders in JNCC. A Health and Safety assistant had been engaged on a fixed term contract to write new H&S procedures. ARAC requested that staff be reminded of the importance of near miss reporting whilst working at home. The Equality, Diversity and Inclusion policy had been reviewed and would be considered by ELT in April.
 - xii. ARAC received a report on the performance of internal audit and were pleased to note that the Executive was content with the service provided by GIAA. After conducting several very helpful audits, Ms Hannah Plowman had now stepped down from her role as Head of Internal Audit and Mr Dayo Olusesi replaces her from 1 April. It was considered that one audit in this year's plan could have been better executed. The issues had been discussed with GIAA and lessons had been learnt.
 - xiii. As this was Marcus Yeo's final ARAC meeting, members thanked him and acknowledged the excellent working relationship between ARAC and the Executive during his tenure as JNCC CEO.

9.2 In discussion, the Committee made the following comments:

- i. There was a need to consider what assurance was needed in total for JNCC and that it was proportionate. Whether 60 days of internal audit is appropriate for an organisation of JNCC's size should be part of that discussion.
- ii. Clarity over the move to Fletton Quays was urgently required. The timing of critical decisions and whether the space would work for a more dispersed working model were key factors. Guarantees over the long-term

funding of accommodation costs by Defra and any implications on other areas of JNCC's budget should be made clear. The Committee asked that the Executive prepare a paper for the June meeting (or for a bespoke inter-sessional meeting of JNCC if decisions were required before June), which considered three key factors.

- senior management judgement on the implications of the move and how delivery would be ensured in the lead-up to, and through the move itself.
 - timing of the move and the decision-making sequence.
 - the overall cost of the move and the cost of running the organisation in a different way, taking into account blended working.
- iii. Members thanked the Data and Digital Solutions Team for dealing with the recent cyber security issue and the proportionate response taken to the recommendations contained in the security consultant's report.

Action Point (s)
AP03 Mr Brooks to prepare a paper on Fletton Quays for the June or earlier meeting, which considers the three key factors in 9.2 (ii) above.

10 Risk management in JNCC (Official) (JNCC 21 06)

10.1 Mrs Quince introduced the item, explaining that this was the Committee's annual consideration of how risk is managed in the organisation. ARAC had discussed the paper at its meeting yesterday. Mrs Quince asked that members focus their discussion on the draft significant risks register for 2021/22 (Annex 1 of the paper), which members helped to build back in January at an intersessional meeting. This was also an opportunity for members to raise any additional risks they felt were relevant before the register was finalised. Mrs Quince explained that the risk appetite statement remained largely unchanged since Committee saw it last year, with the exception that the risk appetite matrix had been colour coded to aid understanding of risk levels. An executive summary to articulate key points of the statement had been developed and communicated to staff. Reports of the risk drill downs undertaken in the past 12 months had been annexed to the paper. These were provided for members' information. Mrs Quince explained that risk drill downs were a good way to engage members in the processes around risk and asked for volunteers outside of ARAC to undertake the next drill downs proposed in the paper.

10.2 In discussion, the Committee made the following comments on the risk register:

- i. staff wellbeing and morale was the number one risk for 2021/22 and there was a need for the Executive to carefully manage this area.
- ii. whilst divergence in priorities, approaches, and structures between the four nations was a key risk, members queried whether the residual rating should be red given the mitigation in place and planned. Committee agreed to add the work of the Chief Scientists Group in overseeing the interagency working groups as an additional mitigation measure for this risk.

- iii. the residual impact of insufficient funding might be red rather than amber.
- iv. the leadership changes risk should be separately owned by Dr Harper and Professor Galbraith.
- v. for the risk on “failure to take advantage of opportunities for international action”, Committee asked that the Executive consider increasing the residual rating to amber.

10.3 The Committee considered the risk appetite as presented to be appropriate but asked that the executive consider the following points:

- i. increasing the appetite for risk in the commercial area to realise more opportunities.
- ii. decreasing the appetite for risk in the relationship’s category.
- iii. adding some wording to the statement to emphasise the need for JNCC to keep pace with changes in the external environment.

Action Point (s)
<p>AP04 Mr Yeo to amend the significant risks register for 2021/22 to reflect members’ comments in 10.2.</p> <p>AP05 Mrs Quince to amend the risk appetite statement to reflect members’ comments in 10.3.</p> <p>AP06 Professor Galbraith and Dr Harper to discuss with Dr Kirkpatrick how best to engage with counterparts in Northern Ireland.</p>

11. Report from the Chief Scientists Group (CSG) (Official-sensitive) (JNCC 21 07)

11.1 This item was taken in confidence.

12. External factors affecting JNCC (Official-sensitive) (JNCC 21 08)

12.1 This item was taken in confidence.

13. JNCC input to the global biodiversity and climate change conferences in 2021 (Official-sensitive) (JNCC 21 09a) (JNCC 2109b)

13.1 This item was taken in confidence.

14. Air pollution: taking a new breath at JNCC (Official-sensitive) (JNCC 21 10)

14.1 This item was taken in confidence.

15. Update on JNCC's investment in the NBN Trust (Official-sensitive) (JNCC 21 11)

15.1 This item was taken in confidence.

16. Performance report for Q3 2020/21 (Official-sensitive) (JNCC 21 12)

16.1 This item was taken in confidence.

16 Business plan for 2021/22 (Official-sensitive) (JNCC 21 13)

17.1 This item was taken in confidence.

18 Joint Committee working objectives (Official) (JNCC 21 14)

18.1 Mrs Quince introduced the item, explaining that the March meeting affords the opportunity to reflect on the past year of the Committee's work and for members to discuss their contribution towards achievement of the working objectives. Mrs Quince explained that the objectives form the basis of an annual appraisal for independent members of the Joint Committee. A new set of working objectives would be devised for 2021/22 and circulated intersessionally between the March and June meetings for approval. The agreed set would also be presented to the June meeting alongside the report on the 2020/21 objectives.

18.2 Mrs Quince advised that Joint Committee effectiveness surveys were currently undertaken triennially. ARAC had previously undertaken an assessment of its performance annually but had recently agreed to change the frequency of reviews to biennially. It was therefore proposed that to enable any actions arising from such reviews to be aligned, the Joint Committee change the frequency of its reviews to biennially. This would mean the next Joint Committee survey would take place in July 2022.

18.3 Members felt that that they had done a reasonable job in meeting the objectives for 2020/21 and agreed to send in their comments on performance for last year to Mrs Quince via email so a report could be compiled. Committee agreed to add an objective for 2021/22 on the Super Year 2021 and associated activities.

18.4 Committee **agreed** to provide intersessional comments to Mrs Quince on their input to the working objectives for 2020/21, alongside any changes to the current working objectives for 2021/22. Committee **agreed** to undertake their effectiveness survey biennially.

Action point(s)

AP11 Members to send comments to Mrs Quince on their input to the working objectives for 2020/21, alongside any changes to the current working objectives for 2021/22.

19 Joint Committee forward programme (Official) (JNCC 21 15)

19.1 Committee discussed the paper and suggested the following topics as potential additional items for meetings in 2021:

- i. Professor Gilligan and Mr Yeo to join the Committee for dinner in Edinburgh in September. Members noted that the September meeting in Edinburgh (assuming face to face meetings were practical by that point), was an opportunity to make links with stakeholders prior to COP26 in November in Glasgow; and
- ii. discuss in September the future balance between online and in-person Committee, and Sub-Committee meetings, taking into account lessons learnt through the pandemic; and
- iii. revisit some areas of work discussed at previous engagement events to see how the work had developed.

19.2 Committee discussed and **noted** the forward programme.

Action point(s)

AP12 Mrs Elliott to invite Professor Gilligan and Mr Yeo to the Committee dinner in Edinburgh in September.

20 Any other business

20.1 Dr Kirkpatrick asked that consideration be given in the coming months to holding a future Committee meeting in Northern Ireland.

20.2 On behalf of the Committee, Professor Galbraith thanked Mr Yeo for his valuable contribution to Committee meetings and for his work as JNCC CEO for the past twelve years. Members wished Mr Yeo a long and happy retirement.