



Joint Nature Conservation Committee 122nd Meeting Minutes Confirmed (official-sensitive)

Date: 12 March 2020

Time: 08.45

Venue: Hotel Felix, Whitehouse Lane, Huntingdon Road, Cambridge, CB3 0LX

Present

Professor Mel Austen
Independent member

Mr Charles Banner
Independent member

Lord Blencathra
Natural England

Ms Cath Denholm
Scottish Natural Heritage

Professor Colin Galbraith
Independent member

Professor Chris Gilligan
Independent Chair

Dr Hilary Kirkpatrick
Council for Nature Conservation and the Countryside

Professor Stephen Ormerod
Natural Resources Wales

Professor Marian Scott
Independent member (on the telephone)

Professor Michael Winter
Natural England

In attendance

Mr Chris Brooks
JNCC

Dr Tim Hill
Natural England

Professor Christine Maggs
JNCC

Professor Kathryn Monk
Natural Resources Wales

Mr Bev Nichols (Item 19 via Skype)
JNCC

Mrs Tracey Quince
JNCC

Mr Paul Rose
JNCC

Mrs Sally Thomas
Scottish Natural Heritage

Dr Steve Wilkinson
JNCC

Dr James Williams (item 13 via Skype)
JNCC

Mr Marcus Yeo
JNCC

Apologies

Members

Professor Ian Bateman
Independent member

Attendees

Ms Helen Anderson
Department of Agriculture, Environment and Rural Affairs

Dr Mike Cantlay
Scottish Natural Heritage

Sir David Henshaw
Natural Resources Wales

Mr Colin Armstrong
Department of Agriculture, Environment and Rural Affairs

Ms Ceri Davies
Natural Resources Wales

Dr John Goold
JNCC

Dr Sara McGuckin
Northern Ireland Environment Agency

1. Closed session

- 1.1 There are no minutes for this item.

2. Chairman's opening remarks

- 2.1 Professor Gilligan welcomed everyone to the 122nd meeting and noted the pressures of meeting under the inevitable concerns associated with the coronavirus epidemic that would be discussed further during the meeting.
- 2.2 Professor Gilligan remarked on the engagement event the previous day, noting the excellent presentations and constructive discussion with UNEP-WCMC staff.
- 2.3 Professor Gilligan advised members that this would be his last meeting since his term as Chair of JNCC was scheduled to conclude at the end of May. Professor Gilligan noted the impressive work of the Committee over the past six years, with Committee members working constructively and with dynamism to raise the profile of JNCC.
- 2.4 Professor Gilligan congratulated Ms Denholm on behalf of the Committee on her appointment as Executive Director of the Equality and Human Rights Commission.

3. Declaration of interests

- 3.1 No new declarations were declared.
- 3.2 Members were reminded to keep their declarations up to date and advise Mrs Elliott of any new declarations.

4. Confidential minutes of the November 2019 meeting (JNCC 20 01)

- 4.1 The minutes of the November meeting were discussed and **agreed** with no further amendments.

5 Matters arising (JNCC 20 02)

- 5.1 There were no matters arising for this meeting. The Committee **noted** the report of outstanding actions in Annex 1.
- 5.2 Members' attention was drawn to Annex 2 of the paper which contained an action plan addressing issues arising from the science audit undertaken in February 2019. The Committee were informed that the action plan was a 'live' document which would be updated as required.

6 Chief Executive's report on topical issues (Official-sensitive) (JNCC 20 03)

- 6.1 This item was taken in confidence.

7 Report from ARAC on 11 March (Official)

- 7.1 In summarising the key issues discussed at the ARAC meeting on 11 March, Professor Galbraith informed the Committee that:
- i. a payroll audit had been added to the internal audit programme at short notice to address concerns. An oral update on findings had been given at the meeting. Audit assurance was 'limited' which meant there were significant weaknesses in current systems. Internal processes to identify errors and address them quickly were being adapted;
 - ii. Professor Galbraith had undertaken a risk drill down in three areas: devolution and divergences of conservation practice; EU exit and government policy change; and new legislation. No significant weaknesses had been identified, but some actions to improve mitigation had been proposed;
 - iii. the draft annual assurance opinion had been discussed and was currently 'moderate', with findings from the payroll audit still to be considered. A moderate opinion had been received in 2019/20. ARAC noted a significant improvement in implementation of audit recommendations over the past 12 months to achieve the target of 100%;
 - iv. the picture going forward was encouraging with all actions and recommendations from risk drill downs and evidence quality assurance audits logged in one place;
 - v. the draft internal audit plan for 2020/21 had been discussed and agreed with a programme of three audits, two in the governance area and one in

the finance area. ARAC had a forward look to the 2021/22 plan and potential audit areas;

- vi. significant risks had been discussed, in particular Coronavirus. ARAC agreed to add the Coronavirus risk to the risk register for 2020/21. ARAC were assured that business continuity plans were in place and regular updates to team plans would be made by Team Leaders over the next few days and weeks;
- vii. ARAC noted that assurance across the organisation at quarter 3 was good but noted the disconnect between the 'good rating' on organisational values and the 10% of staff reporting bullying and harassment in the people survey. ARAC asked management to consider the root cause of the problem and report back on findings;
- viii. a draft of the Governance Statement for 2019/20 had been discussed. This includes the annual assurance statement from ARAC;
- ix. a report on cyber security and data protection had been discussed. ARAC noted the risks around IT infrastructure associated with the move to new Peterborough office accommodation and the current problems engaging with the Project Board. ARAC asked that management define a whole user requirement for JNCC for discussion with relevant parties involved in the project;
- x. In the compliance area, ARAC had received an update on a legal case relating to the deployment and retrieval of electronic tags on red-throated divers. ARAC asked to be kept informed of the progress of the case. ARAC noted management's impending review of the Equality and Diversity policy and had asked for a presentation at a future meeting. ARAC was pleased to see that JNCC was hoping to secure ISO accreditation in environmental reporting; and
- xi. in closed session, ARAC had discussed a report on the performance of internal audit over the past 12 months. Good performance was noted, with some minor improvements required on the format and clarity of audit reports. The New Head of Internal Audit had performed well, delivering the audit plan on time and to budget.

7.2 The Committee **noted** the report, congratulating staff on achieving 100% implementation of audit recommendations to deadline.

8. Report from the International Reporting sub-group (Oral)

- 8.1 Professor Ormerod informed members that the sub-group had not met since the last Joint Committee meeting but would continue to support the Committee in optimising its role in international reporting.
- 8.2 In discussion of International Reporting and noting references to JNCC-led work in the Engagement Event with UNEP-WCMC from the previous day, the Committee acknowledged the valuable work of Dr Williams in this area.

9 Report from the Marine Protected Areas (MPA) sub-group (Oral)

- 9.1 Professor Austen informed members that the MPA sub-group had met via Skype on 25 February to discuss JNCC's response to the Scottish deep-sea marine reserve public consultation. The sub-group had agreed that it was happy to endorse the JNCC analysis and response, subject to minor comments. The sub-group had subsequently seen the log of changes to the response and is happy to endorse the revised document, subject to further edits in consultation with Marine Scotland.
- 9.2 The Committee **noted** the report and **agreed** that staff in Scottish Natural Heritage (SNH) and Natural Resources Wales (NRW) should routinely receive sub-group papers prior to meetings.

Action point(s)
AP01 Dr Goold to ensure that MPA sub-group papers are circulated to key staff in SNH and NRW.

10 Report from the Wider Markets and Income Generation sub-group (Oral) (Official-sensitive)

- 10.1 This item was taken in confidence.

11 Report from the Chief Scientists Group (Official-sensitive) (JNCC 20 04)

- 11.1 This item was taken in confidence.

12 NBN and biological recording (Official-sensitive) (JNCC 20 05)

- 12.1 This item was taken in confidence.

13 Convention on Migratory Species (CMS) CoP13: a changing negotiation landscape (Official)

- 13.1 Dr Williams gave a presentation on the 13th Conference of the Parties to the Convention on Migratory Species which had recently taken place in India. Dr Williams explained that this was the first international conference JNCC had attended since the UK had left the EU. Dr Williams informed members that 130 parties take part in the Convention, mostly in Europe, Africa, South America and Oceania.

13.2 Dr Williams explained that the EU continue to cast votes on behalf of the UK during the EU exit Transition Period. Prior to 31 January, the UK had not attended EU technical meetings but had been able to provide comments on several rounds of EU position papers. After 31 January, the UK had not had sight of EU papers and had received no communication on changes since the papers had been last reviewed. The presentation conveyed how different the interactions with EU colleagues had been.

13.3 The Committee **noted** the ‘new normal’ being established for international conferences and thanked Dr Williams for a clear presentation.

14 Risk management in JNCC (Official) (JNCC 20 06)

14.1 Mrs Quince introduced the item explaining that the main focus of the discussion should be on the draft significant risk register for 2020/21. Members’ comments at the teleconferences in February had been taken into account when compiling the draft register, as well as views from the Executive Leadership Team. Mrs Quince explained that it was important for members to be content with the selection of the significant risks, the way they are described, and the mitigation actions identified.

14.2 Mrs Quince explained that previously the Committee had been keen to further engage ARAC in an advisory capacity and the paper updated members on the work undertaken on risk drill-downs and how they had been used by ARAC to provide assurance to the Joint Committee.

14.3 In discussion the Committee made the following comments:

- i. the Coronavirus (Covid-19) outbreak should be added to the draft significant risk register for 2020/21;
- ii. the risk of direct and indirect legal challenge was increasing and therefore should be included in the corporate risk register; and
- iii. the risk appetite statement was an excellent document, but its success relied on staff putting it into practice. The Committee agreed to add the wording ‘good collaborator’ to the reputation section.

14.4 In conclusion the Committee **endorsed** the significant risk register for 2020/21, subject to 14.3 (i) above and **noted** the corporate risk register subject to the inclusion of a risk on legal challenge. The Committee **discussed** the risk appetite statement, noting the statement to be exemplary, and **noted** the risk drill down ARAC had undertaken in 2019/20 to examine the soundness of the risk management processes underpinning two financial risks on the significant risks register.

Action point(s)
AP06 Mr Yeo to provide a narrative and mitigation measures for the risks associated with the Coronavirus (Covid-19) outbreak and circulate to members for comment.

AP07 Mrs Quince to add the risk of legal challenge to the corporate risk register.

AP08 Mrs Quince to add the wording 'good collaborator' to the reputation section of the risk appetite statement.

15 External factors affecting JNCC (Official-Sensitive) (JNCC 20 07)

15.1 This item was taken in confidence.

16 Performance report for quarter 3 2019/20 (Official-sensitive) JNCC 20 07)

16.1 This item was taken in confidence.

17 JNCC strategy to 2025 (Official-sensitive) (JNCC 20 09)

17.1 This item was taken in confidence.

18 Business plan for 2020/21 (Official-sensitive) (JNCC 20 10)

18.1 This item was taken in confidence.

19 Update on UK exit from the EU (Official-sensitive) (JNCC 20 11)

19.1 This item was taken in confidence.

20 Joint Committee forward programme (Official) (JNCC 20 12)

20.1 Committee **noted** the forward programme and asked that an update paper on NBN and a paper on CSG future priorities be added to the June agenda.

Action point(s)

AP10 Mrs Quince to add an update paper on NBN and a paper on CSG future priorities to the June agenda

21 Any other business

21.1 No business was discussed.