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## **JOINT NATURE CONSERVATION COMMITTEE**

### **FMPR - UPDATE ON PROGRESS MADE**

#### **Paper by Sue McQueen**

#### **1. Introduction**

- 1.1 At the September 2003 meeting Committee received an update on various aspects of the FMPR implementation project. It also considered and endorsed a proposed approach to accountabilities as a basis for discussion with devolved administrations and Defra. This paper provides information about the current position of various aspects of the work and associated issues.

#### **2. Project and Risk Management**

- 2.1 Keith Little, who has coordinated the FMPR project to date, has recently completed his two-year fixed-term post. Sue McQueen has taken on the role as part of a wider change management role integrating work on the FMPR with ongoing strategy development and implementation.
- 2.2 The risks associated with the project have recently been reviewed by the project team and two Management Team members who are not closely involved in the project. The greatest risks that Committee could assist in managing are as follows:
  - i *The level of funding made available to the JNCC to meet the rising pay bill resulting from country agency pay settlements and the cost of harmonising terms and conditions for staff working for JNCC. At a recent meeting country agency Resource Directors echoed concern about future funding levels based on Government signals that modest grant-in-aid settlements should be expected. The JNCC will need the support of the country agencies in obtaining adequate funding settlements from Defra and the devolved administrations to implement the FMPR recommendations effectively.*
  - ii. *The degree of staff satisfaction with new organisational arrangements which will affect the proportion of staff opting to transfer from country agency employment to the JNCC. The Committee and its FMPR sub-group will be asked to include this amongst the criteria for evaluating different options for new organisational arrangements varying from company formation to terms and conditions of employment.*
  - iii *The reliance on external stakeholders to deliver, or assist in delivering, key aspects of the project. In addition to Government's lead on the*

legislative changes required, country agency staff input is needed in a range of areas to undertake tasks or act as consultees. Resource Directors have confirmed that demands on staff in SNH and English Nature have increased as a result of the relocation to Inverness and Haskins review respectively. Close liaison will be necessary to enable country agency input to JNCC changes to be prioritised. It may also be necessary to identify whether some tasks that were anticipated to be resourced by the country agencies will need to be undertaken by the Support Unit instead.

### **3. Legislative Changes**

- 3.1 The Cabinet Office has accepted that a Regulatory Reform Order is a suitable vehicle for seeking the changes to the Environmental Protection Act 1990 that the Government requires to implement a number of FMPR recommendations.
- 3.2 Defra has drafted a consultation document setting out the proposal and intends to begin the twelve-week consultation period on 11<sup>th</sup> December. The Steering Group was invited to comment on the document and a number of suggested changes have been incorporated. At the time of writing the Support Unit is discussing with Defra a small number of outstanding concerns on the document.

### **4. Accountability Arrangements**

- 4.1 In September, Committee endorsed a proposed framework for new accountability arrangements as a basis for consultation. This would involve the country agency Chief Executives, in their roles as Accounting Officers, delegating many of their responsibilities for the JNCC to the JNCC's Managing Director. English Nature's Chief Executive would take a lead Accounting Officer role on behalf of the three agencies.
- 4.2 Since September, the devolved administrations have been consulted and have broadly endorsed the proposals. The outcome of a similar meeting with Defra in early December will be reported orally at the meeting.
- 4.3 The detailed arrangements, such as delegation limits, will be developed during the coming months and built into a new Financial Memorandum and Management Statement (FMMS). Country agencies, Defra and the devolved administrations will be consulted on the detail and Committee will be asked to endorse the FMMS in June 2004. Committee will be asked to agree some aspects of the FMMS before this by correspondence, notably the pay remit clearance process.

## **5. Company Formation**

- 5.1 In September Committee considered proposals for membership of the CLG and asked for them to be brought back to this meeting as part of a complete package of proposals for the structure and governance of the CLG.
- 5.2 Development of other aspects of the CLG, namely the objects of the company and membership of the 'Board of Directors', has continued within the Support Unit and with Resource Directors. Legal advice is currently being sought on a number of issues relating to the options developed.
- 5.3 The Committee sub-group will meet in February in order to enable firm proposals to be considered in advance of the March Committee meeting.

## **6. Staffing Arrangements**

- 6.1 Good progress has been made across all aspects of work relating to future staffing arrangements, including development of Trade Union arrangements, non pay-related terms and conditions, staff transfer arrangements and procurement of a HR information system.
- 6.2 Resource Directors have been consulted on the broad principles and boundaries for the creation of a single set of terms and conditions. This was followed by a constructive workshop involving management and the TUS to informally explore views on current and future pay structures and systems. The content of the pay remit is now being worked up.
- 6.3 The timescales available for developing and obtaining clearance for the pay remit and gaining TUS agreement to the new pay structure and system are tight but achievable assuming all parties are committed to achieving them. It is intended to seek Committee's endorsement of the pay remit in March and to have finalised negotiations by September in order for staff to be provided with the information needed to exercise their options by December 2004.
- 6.4 As noted in paragraph 4.3, it will therefore be necessary to establish an agreed process for clearing pay remits within the next few weeks.