



Changes to governance arrangements

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Joint Nature Conservation Committee

Changes to governance arrangements

Paper by Kirsty Meadows

1. Introduction

- 1.1. In November 2013, the Joint Committee agreed a number of operational changes to simplify and increase the effectiveness of governance arrangements.
- 1.2. In discussion, Joint Committee raised several questions around wider governance arrangements and requested further clarification on the following:
 - i. the role of the inter-agency Chief Scientists Group in advising Committee;
 - ii. the representation of country conservation bodies on Committee sub-groups;
 - iii. succession planning for the Audit and Risk Assurance Committee and Joint Committee.

2. The role of the Chief Scientists Group

- 2.1. The Chief Scientists Group comprises the directors with responsibility for science and evidence in the country conservation bodies and JNCC. The group meets quarterly with intersessional catch-up teleconferences. The group agrees priorities, provides resources, signs-off joint working, assesses the implications of divergent approaches and agrees to common lines of advice. Terms of reference are attached at Annex 1.
- 2.2. The relationship between the Chief Scientists Group and Joint Committee is not a formal one but there has always been a close and beneficial relationship between the two groups. Chief Scientists generally attend Committee meetings to support Members.
- 2.3. It is important that the Chief Scientists Group maintains its independence to take collective decisions on behalf of the country conservation bodies and across the full remit of their work (which is wider than JNCC's remit). This prohibits the Chief Scientists Group from being a formal sub-group of Committee but does not exclude the Chief Scientists Group from playing a full role in advising Committee either on request or proactively. This role could be usefully and very easily enhanced if the Chief Scientists Group's advice to Committee was more clearly attributed to the Group within Committee papers and discussions.
- 2.4. Chief Scientists could also provide an effective point of contact with the scientific advisory committees of the country bodies on some issues and

could raise their own profile in various ways including through the provision of more collective advice to governments.

- 2.5. The Chief Scientists Group is currently expanding these ideas within a “ways of working” document which was agreed a year ago and will be updated soon in response to the lessons learnt from the first year of implementation.

3. Country conservation body membership of Committee sub-groups

- 3.1. There are good reasons why country conservation bodies may sometimes feel that their Committee members are not best placed to sit on a Committee sub-group and so may wish to nominate an alternative member of their non-executive board/council. For example, when the Committee’s MPA sub-group was established it was recognised that sub-group members would require marine expertise to fulfil the terms of reference and country body members of Committee did not necessarily have this expertise. If a similar situation arose in respect of any other Committee sub-group this flexibility would again be proposed.
- 3.2. It is not recommended that sub-group membership should be extended to potentially include staff from the country conservation bodies for the following reasons:
 - i. Committee sub-groups undertake business that Committee decides should be retained at a non-executive level and not be delegated to staff. This is generally because the decisions relating to the business, whether taken by the sub-group itself, or by the full Committee on advice provided by the sub-group, a) have strategic implications, b) could be novel, risky or contentious, or c) concern scrutiny of the executive. Any staff on sub-groups would have decision-making authority in relation to these decisions but accountability would fall to the residual non-executive members and to Committee.
 - ii. mechanisms are always put in place to ensure the expertise of staff is used by Committee sub-groups. Any sub-group whose terms of reference concern UK co-ordination work is supported by an inter-agency staff group which provides information and advice to the sub-group. This provides an effective mechanism for staff expertise in JNCC and the country conservation bodies to feed into Committee sub-groups.

4. Succession planning for Committee and the Audit and Risk Assurance Committee

- 4.1. Mr Duke, Chair of the Audit and Risk Assurance Committee, will give an oral update to the Joint Committee following a succession planning discussion for the Audit and Risk Assurance Committee at its meeting on 24 March.
- 4.2. In respect of succession planning for Joint Committee, the turnover in Committee membership has been, and will continue to be, a substantial issue in the coming year:
 - i. one of the independent member positions has been vacant for over a year, as the appointment process has been delayed by the Triennial Review and other factors;

- ii. seven of the remaining 13 Joint Committee positions are recent appointments or are due to be replaced before September 2014.
- 4.3. The lack of continuity in membership presents substantial risks to the effectiveness of the Committee and its sub-groups and to relationships within the country nature conservation bodies and the devolved administrations.
- 4.4. The membership issues will be discussed as a matter of priority following the formal appointment of the new Chair on 1 June 2014. It is proposed to hold an induction session adjacent to the June Committee meeting for new members. Defra intend to start the appointment process for the next two independent vacancies after the new Chair has been appointed.

Annex 1: Terms of reference for the Chief Scientists Group

1. Operating principles

- 1.1 The Chief Scientists will normally meet quarterly on a rotational basis in each of the countries (or by video conference if required). The meetings will be chaired by the 'host' officer and the minute taker will be the chair of the succeeding meeting. In general, there will only be one representative from each organisation although a substitute can be nominated in exceptional circumstances. The JNCC marine director will attend meetings with significant marine content. The Chief Scientists will also continue to exchange information on a regular basis between formal meetings.
- 1.2 Secretariat services to the group in terms of production of papers, setting agendas, co-ordinating intersessional work, organising discussion groups and disseminating information will be undertaken predominantly by JNCC, assisted by other officers as appropriate.
- 1.3 Minutes will be circulated to Chief Executives after each meeting and non-confidential papers will be available through the JNCC website.
- 1.4 Requests for work by agency Chief Executives will be submitted to the Chief Scientists Group from Chief Executives' meetings or by individual Chief Executives via their own Chief Scientists.
- 1.5 JNCC will provide feedback to the Chief Scientists Group on relevant items following each meeting of Joint Committee.

2. Specific terms of reference

- 2.1 Decide where collaborative working across JNCC and/or country conservation bodies is required, give the work direction and ensure that it is adequately resourced. This will include current work to develop essential common standards for surveillance and monitoring, conservation management, international reporting etc.
- 2.2 Establish task and finish groups as and when necessary to take work forward on behalf of Chief Scientists.
- 2.3 Through the Inter-Agency Science Management Group (IASMG) oversee the work programmes and outputs of inter-agency working.
- 2.4 Develop, agree and promote common country conservation body messages and lines when necessary.
- 2.5 Identify key strategic science and evidence issues which need consideration by the agency Chief Executives and/or Joint Committee.
- 2.6 Exchange information on research and science issues and programmes within the agencies, to promote alignment of these programmes, exchange best practice, avoid duplication of effort and to spot opportunities for further collaborative working.