

Department for Environment, Food and Rural Affairs

Triennial review of the Environment Agency and Natural England: Response form

December 2012

We are interested in hearing your views on the core questions highlighted in the discussion document. Please use this form to provide your responses to these questions. Responses can be returned to us by email (preferable) or post. We are happy to receive supplementary information, which can be submitted alongside your completed form. Full details of how to submit responses are provided below.

The closing date for responses is **4th February 2013**.

Please provide your response to each of the questions in the spaces provided (there are no restrictions on length and all boxes can be expanded). None of the questions are mandatory, however we would be grateful if you could complete all questions. Responses should be supported by strong, relevant evidence.

How to submit your response

Please send your response (alongside any other supporting information you wish to submit) by email (preferable) or post to:

- EA-NEreview@defra.gsi.gov.uk
- Triennial Review Team, Defra, Area 6D, Nobel House, 17 Smith Square, London SW1P 3JR

Confidentiality

Your response to this document may be made publicly available in whole or in part at the Department's discretion. If you do not wish all or part of your response (including your identity) to be made public, you must state in the response which parts you wish us to keep confidential. Where confidentiality is not requested, responses may be made available to any enquirer, including enquirers outside the UK, or published by any means, including on the internet.

If you do not want your response - including your name, contact details and any other personal information – to be publicly available, please say so clearly in writing when you send your response. Please note, if your computer automatically includes a confidentiality disclaimer, that won't count as a confidentiality request.

Please explain why you need to keep details confidential. We will take your reasons into account if someone asks for this information under freedom of information legislation. But, because of the law, we cannot promise that we will always be able to keep those details confidential.

1. Please provide your contact details

Name	Tom Hunt
Organisation / Company	Association of Local Environmental Records Centres
Job Title	National Coordinator
Department	
Address	St. William's College 5 College Street York YO1 7JF
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Please tick this box if you would like to receive information about the progress of the review.	<input checked="" type="checkbox"/>

2. Please provide some information about you or your organisation

If you are responding on behalf of an organisation, please send one response per organisation.

2.1 Are you responding on behalf of an organisation?	
No – I am a private individual	<input type="checkbox"/>
Yes – <i>please answer questions 2.2 and 2.3</i>	<input checked="" type="checkbox"/>
2.2 What is your organisation's name?	
Association of Local Environmental Records Centres	
2.3 What type of organisation do you work for?	
Private sector	<input type="checkbox"/>
Public sector	<input type="checkbox"/>
Charity or civil society	<input type="checkbox"/>
European body/industry	<input type="checkbox"/>
Trade/business/Industry association or body	<input checked="" type="checkbox"/>
Other (please give details)	

3. Do the functions and/or form of the Environment Agency and Natural England continue to be appropriate, in terms of delivering the Government's ambition on the environment and flood and coastal risk management?

The United Kingdom has specific international environmental commitments, as well as domestic ones, and as such requires delivery bodies in order to meet these commitments. In the area of biodiversity, it is clear that Defra and a Defra sponsored body are required to provide the lead, even if to some extent the overall responsibility lies with all government, as well as private business and civil society.

EA and NE are able to provide the necessary lead on distinct areas of biodiversity policy and ALERC are delighted to be able to work with them. In this respect, both bodies continue to be appropriate and necessary.

ALERC represents Local Environmental Records Centres (LRCs) who, collect digitise and share biodiversity records from local individual naturalists and local natural history groups in support of Defra's Evidence and Analysis function. Both EA and NE access these records in a number of ways for a variety of reasons; for example to track invasive species on water courses or to track distribution of species of conservation concern. Both EA and NE also have a long standing history of supporting, guiding and leading LRCs. NE in particular have worked with LRCs and volunteer natural history recorders to develop systems and services such as the National Biodiversity Network Gateway, as well as helping steer LRCs by sitting on their steering groups. As a result, both EA and NE are able to access the data they need efficiently online through the NBN Gateway.

As an individual voice for nature within the Defra family, NE plays a very important role in partnering small local organisations, like LRCs, and helping them provide the evidence needed to effectively execute national policy.

Since the removal of NE's regional administration layer, it has become apparent that NE are less able to direct LRCs towards the data products and services that they require. Whilst it is recognised that the removal of a layer of administration provides a certain level of cost saving, some of this saving will be lost if NE are not able to communicate adequately with LRCs in order to develop the data products that suit their needs. This needs to be rectified.

4. What changes could be made to provide better quality outcomes for the environment, economy and society?

In your response, you may wish to consider aspects such as scope for increased collaboration; involving other organisations; alternative delivery models e.g. civil society or private sector; functions that could be performed more effectively by other organisations.

By procuring services from LRCs, EA and NE are already giving themselves access to a large volunteer output of biodiversity records. It has been estimated that some LRCs utilise more than £46 000 worth of volunteer time a year. Looking into the future, the key for the Defra bodies will be to find a way to maintain and augment this volunteer output in order to make the most of civil society. Civil society and volunteers have come into sharp focus in recent years as the potential benefits that come from using the existing network of willing volunteers have become more evident in austere times. However there is a danger that all government agents, including the Defra bodies, see volunteers as a way of providing free or cheap services that used to be paid for by public funds. Any third sector organisation (including LRCs) will be able to point out that this won't work. Volunteers do not want to be treated as free labour, and will react against any attempts that they feel are doing so. Put simply, working with the volunteer community must never be a top down process.

However, that is not to say that volunteers and civil society can't play a greater role in achieving the goals of the Defra bodies. The Defra Fund for Biodiversity Recording in the Voluntary Sector, administered by NE, could be a good example of this, although the results of it will not be known until 2014. LRCs are closely involved in the projects supported by this fund and are working with their local volunteer community in order to reach certain outputs. This fund will also provide a lot for volunteer naturalists themselves by enhancing their skill sets.

Looking to the future, in order to get the most out of volunteer biodiversity recorders, the Defra bodies must adhere to the following principles:

- The requirements from the volunteer community should be made clear to volunteers and voluntary sector organisations (LRCs in this case).
- A set of milestones for meeting these requirements should be mapped out.
- The comments and suggestions from volunteers and LRCs must be heeded before the commencement of any projects or contracts with volunteer biodiversity recording volunteers.
- Where volunteers cannot meet the needs of the Defra bodies, contingency plans must be made and publicised.
- The benefits of projects to the volunteer community themselves should also be made clear.
- Detailed evaluation of projects should be undertaken and include comments from volunteers and LRCs.

Regarding closer working between the Defra bodies; both bodies are now embarking on a joint contract with LRCs, which has the potential for a certain amount of cost saving. However, for this to be a success going into the future, a set of challenges needs to be met. The main issue that needs to be taken into account is how to deal with the fact that both bodies cannot currently guarantee to make their requirements for the contract known at the same time. If not handled properly, this will actually reduce efficiency, rather than increase

it, as it will hold back one of the bodies from entering into a new agreement with LRCs.

Therefore, ALERC supports closer working between EA and NE, including joint contracts and projects where possible, but with caveats. In order to make sure this doesn't result in inefficiency, there must be systems in place to make sure both bodies are able to set out their requirements and make negotiations in good time.

A major challenge to the effective collaborative working between EA, NE and their LRC partners is communication. For example, it has been known for NE staff to request work that amounts to a 10% increase over and above the work that was originally detailed in the annual agreement with LRCs. This is not a problem where NE annual budgets are able to cover the surplus, but when this is not the case, either work will go uncompleted, or LRCs complete it at their own cost. Either way, this is an avoidable inefficiency, as even when requests for work are turned down, they take time to make as well as time to respond to. Much of the confusion surrounding what requests NE staff are able to make under the terms of the contract with LRCs is caused by the removal of the regional layer of administration, which whilst it saves certain costs, can create other costs for both the NE and their contractors (in this case LRCs) in the form of requests for work that are not covered by the terms of the agreement.

A system or procedure needs to be put in place that deals with this issue. In times previous, an NE representative would sit on the steering group of an LRC and act as a very important liaison officer, interfacing between NE and the LRC in question. Should all contact be lost between local NE representatives, then there will be an increase in the level of inefficiency in the NE and LRC relationship, and in the worst case scenario, NE will not be able to access the biodiversity data it needs for effective decision making.

5. Of the range of options for reform proposed to the current delivery arrangements, which do you think are the most appropriate – if any – to achieve better quality outcomes for the environment, economy and society on a sustainable basis and why?

EA and NE should not be joined into one body. Both organisations have distinct roles, and it is feared that Natural England's advocacy of biodiversity could be drowned out by apparently larger economic considerations such flood prevention and mitigation. Instead, EA and NE should be structured to work more closely to share some administrative function, harmonise their evidence base and interact with local groups.

5.1 Do you have a strong preference for any of the options proposed?

Scenario 1?

(Significant ongoing reform but no major restructuring to current institutional structures)



Scenario 2? (Single environmental body)	<input type="checkbox"/>
An alternative? (Please explain in your response to question 6 your ideas for an alternative delivery option)	<input type="checkbox"/>

6. Do you have any further suggestions for alternative delivery options which would achieve better quality outcomes for the environment, economy and society on a sustainable basis, and if so, how would they operate?

7. Do you have any other comments that you would like to make?