

Natural England Board

Meeting 8
12 December 2007



Paper No: **NEB PU08 08**

Title: **Partnership Agreement**

Sponsor: **David Young , Executive Director Strategy and Performance**

1. Purpose

1.1. To seek Board approval for the Partnership Agreement with Defra.

2. Recommendation

2.1 That the Board approve the Partnership Agreement.

3. Background

- 3.1. Following the establishment of Natural England it was recognised that the relationship between Defra and Natural England would need to change significantly in some areas to reflect Natural England's status as an independent NDPB.
- 3.2. There was a strong desire on both sides to start the new relationship on a constructive basis. It was therefore proposed that a Partnership Agreement be developed to outline our mutual expectations of how the relationship would work.
- 3.3. A draft Partnership Agreement has been developed and on a practical level has been used as the basis for our relationship for several months. With the arrival of a new Director General it has been agreed that we should formalise the Partnership Agreement.
- 3.4. The Partnership Agreement does not change any of the existing governance arrangements which are set out in the legislation, Management Statement, Financial Memorandum or Statutory Guidance. It does however outline how we will work together to make the relationship work.
- 3.5. The Partnership Agreement is an informal document, intended to give practical advice to staff in both organisations. It will be a valuable resource for induction training as it covers a range of areas of our interactions with Defra. These include our respective roles and responsibilities, how direction setting and planning occur, co-decision making and practical issues such as meeting schedules.
- 3.6. The Partnership Agreement commits Natural England to working closely with Defra in a number of areas, in particular the development of our Corporate Plan. It also outlines Defra's expectations in relation to supporting the Minister in monitoring and reviewing Natural England's performance.

- 3.7 The Partnership Agreement goes significantly further than is formally required by Defra in a number of areas, particularly our involvement in policy development. It has proved a useful tool to date and is expected to continue to be refined as our relationship develops.

1 **Annex 1**

3 **A policy – delivery partnership : Defra and Natural England**

5 **The purpose of this document**

6 This document is complementary to Natural England’s Management Statement, Financial Memorandum
7 and Statutory Guidance. It does not repeat formal material on governance and accountabilities. It focuses
8 on clarifying roles, relationships, ways of working and partnership values which do not find an easy home
9 in the Management Statement. It is agreed between the Minister and the Chairman of Natural England. It
10 is a public document.

12 **Aim of the partnership**

14 Defra’s aims are broader than Natural England’s, so the aim of the partnership is defined in terms of
15 Natural England’s purpose:

16 *To ensure that the natural environment is conserved, enhanced and managed for the benefit of*
17 *present and future generations, thereby contributing to sustainable development.*

19 *Including:*

20 *(a) promoting nature conservation and protecting biodiversity,*

21 *(b) conserving and enhancing the landscape,*

22 *(c) securing the provision and improvement of facilities for the study, understanding and*
23 *enjoyment of the natural environment,*

24 *(d) promoting access to the countryside and open spaces and encouraging open-air*
25 *recreation, and*

26 *(e) contributing in other ways to social and economic well-being through management of*
27 *the natural environment.*

29 Achieving this purpose requires coordinated action by a large number of partners. Defra has a range of
30 relationships with them. It sponsors the Environment Agency and the National Park Authorities, and
31 partially funds the Regional Development Agencies. It has a strong working relationship with the
32 Forestry Commission – a non-Ministerial Government Department. Natural England is closely aligned
33 with the Forestry Commission and has a Memorandum of Understanding with it and the Environment
34 Agency. Natural England has project based relationships with many local authorities and voluntary
35 bodies. This Partnership Agreement focuses solely on the Defra-Natural England relationship, but many
36 of the principles can be adopted in the wider family.

38 **Direction of travel**

40 Defra is:

- 41 • becoming smaller
- 42 • focusing on the strategic
- 43 • delegating delivery functions to Defra sponsored NDPBs
- 44 • devolving delivery more generally to regionally based organisations such as Regional Development
45 Agencies

47 Defra recently reviewed the policy – delivery relationship and prepared a Delivery Strategy. The
48 conclusions are summarised in annex 1.

50 **Roles in a nutshell**

- 52 • Defra and Natural England share evidence and understanding;

- 53 • Defra Ministers make political decisions on policies and priorities and create the legislative and
- 54 policy environment with advice from Natural England;
- 55 • Natural England proposes how to deliver its statutory purpose effectively and efficiently, taking into
- 56 account Ministerial priorities; The Secretary of State approves and resources;
- 57 • Natural England implements;
- 58 • Natural England reports on performance in a way which meets both its own needs and those of Defra;
- 59 • Defra and Natural England jointly monitor and evaluate implementation to feed into new policy and
- 60 better delivery.

61
62 **Characterising the difference in roles**

63
64 The following is not comprehensive (it does not list every way in which the aims of the partnership can be

65 achieved) and it is not exclusive (the appearance of an item on one side does not imply that the other side

66 has no role at all in it). Its purpose is to characterise the difference in the roles of Defra and Natural

67 England by focusing on the most important areas.

68
69 The table does not attempt to tease out the respective roles of Natural England and the JNCC in relation to

70 international nature conservation issues.

71

<i>Defra</i>	<i>Natural England</i>
<p><u>Legislation</u> Enact and maintain primary and secondary legislative framework needed to secure aims of partnership</p> <p><u>Outcomes, policies and resources</u> Involve Natural England at the earliest stages of strategic policy development</p> <p>Make timely political decisions on priorities</p> <p>Express Government priorities clearly and consistently</p> <p>Anticipate need for change</p> <p>Secure Government funding and make firm three year settlements</p> <p>Pass on end year flexibility to Natural England as set out in the Financial Memorandum</p> <p><u>Influence through others</u> Secure support in the policies and programmes of other Government departments</p> <p>Secure support in the policies and programmes of the EU and other international institutions</p>	<p>Periodically review and advise on need for changes. Contribute to the legislative processes with evidence and advice.</p> <p>Provide impartial analysis of strategic policy options.</p> <p>Advise on the need for change and provide evidence on the need for and use of resources.</p> <p>Develop and communicate tactical (or delivery) policies.</p> <p>Demonstrate outstanding value for money</p> <p>Secure additional resources for delivery from other sources such as lottery, charities and companies Advocate the need for action by Government through policies and programmes which support the aims of the partnership</p> <p>Secure support in the policies and programmes of regional and local bodies</p> <p>Work with landowners, business, the voluntary and community sector to achieve the aims of the partnership</p> <p>Champion the natural environment in England and inspire public support for the aims of the partnership</p>

<i>Defra</i>	<i>Natural England</i>
<p><u>Evidence and innovation</u> Develop and share the evidence base in the context of Defra’s Evidence and Innovation Strategy</p> <p>Share the interpretation of evidence, wherever possible</p> <p>Scan horizon to inform policy evolution</p> <p>Evaluate existing policies in close partnership with delivery bodies (and customers and stakeholders)</p> <p>Ensure that data on the natural environment is publicly available in principal repositories such as ONS</p> <p><u>Implementation</u> Monitor delivery performance to discharge Secretary of State’s accountability to Parliament and electorate</p> <p>Challenge Natural England to deliver more value for money</p>	<p>Develop and share the evidence base and contribute to Defra’s Evidence and Innovation Strategy</p> <p>Share the interpretation of evidence, wherever possible</p> <p>Challenge Government and other stakeholders with long term and innovative thinking</p> <p>Evaluate existing policies in close partnership with Defra (and customers and stakeholders)</p> <p>Advise Defra on the likely success and value for money of different policies</p> <p>Secure continuous improvement through innovation</p> <p>Deploy regulation, enforcement, incentive, advice and influence in the most effective way to achieve the objectives and targets set out in the agreed corporate plan.</p> <p>Supply timely and regular information to Defra on performance and give early warning of problems</p>

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Responsibilities in more detail, linked to the policy cycle

In addition to expressing the roles of Defra and Natural England, this section gives more information about the respective roles of the lead policy division in Defra and the sponsor division.

There are several references here to Natural England’s “corporate and business plan”. In accordance with Treasury best practice, Natural England has a three year corporate plan, rolled forward each year. The first year of the plan is worked up in more detail to form a business plan. However it is a single document, hence the description “corporate and business plan”.

Horizon scanning, stewardship

Both lead policy divisions and Natural England need to undertake horizon scanning. This is a key area where the different perspective of Natural England’s Board will add value and where they have a role to

87 challenge Defra. However unnecessary duplication and overlap should be avoided by sharing early
88 thinking on horizon scanning projects, as well as all results.

89
90 Lead policy divisions need to maintain sufficient knowledge and understanding of developments in their
91 policy area to support Ministers and act as an “intelligent customer” for Natural England and other
92 delivery partners.

93
94 Sponsor division is not knowledgeable on all aspects of Natural England’s work and relies on advice and
95 support from lead policy divisions. However Sponsor division will take an overview in this area and ask
96 difficult questions about coherence and value for money.

97
98 **Setting direction, strategic aims, objectives, outcomes, prioritisation**
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100 The principal dialogue in these areas takes place every two years, aligned to Spending Reviews, utilising
101 Natural England’s corporate planning process. However analysis of new policy options and changes to
102 priorities can take place at any time.

103
104 Natural England’s work contributes to a wide range of Defra targets and programmes. Defra will provide
105 Natural England (and other NDPBs) with opportunities to contribute to setting Defra’s strategic priorities.

106
107 Sponsor division is responsible for coordinating and facilitating communication, especially during
108 corporate plan review, since this is when Defra and Natural England need structured contact across a wide
109 front. This role extends to the other bodies whose objectives are secured through Natural England’s
110 programmes – especially the Environment Agency, the Forestry Commission and English Heritage. At
111 other times, the role of the sponsor division is to keep out of the way unless problems or opportunities are
112 spotted.

113
114 Defra officials are responsible for advising Ministers on strategic policy options and directions, taking
115 account of Natural England’s advice on effectiveness and deliverability. Lead policy division staff will
116 work with Natural England to ensure that strategic policies are designed so that they can be delivered cost
117 effectively. This relationship will normally be between individual policy lead divisions and the lead
118 Natural England team. The lead Natural England team will be responsible for ensuring any wider
119 consultation necessary within the agency to ensure a coherent agency view; the Defra lead policy
120 division, with the assistance of the sponsor division if necessary, will be responsible for any wider
121 consultation within Defra.

122
123 There will be a range of contexts in which Natural England undertakes analytical and advisory work.
124 There will be differences, for example, between:

- 125 ○ advice to Defra and other departments on the impact and effectiveness of options during policy
126 development
- 127 ○ advocacy of Natural England’s vision and priorities to the public and stakeholders
- 128 ○ challenge to Government and others on their performance in conserving and enhancing the
129 natural environment

130
131 Both parties need to understand which mode any communication is in. The diversity of transactions rules
132 out the use of Chinese Walls. The Management Statement provides for a Service Level Agreement
133 governing professional advice, but success in this area will rely largely on all Defra and Natural England
134 staff being alert to the issue and raising it in their day to day dealings when appropriate.

135
136 Natural England is one of Government’s principal experts on the conservation, enhancement and
137 management of the natural environment. Ministers and officials need to have confidence in its impartial
138 and professional advice when developing policy options.

139
140 Where new policy options have a strategic impact on the future shape or nature of Natural England’s
141 business or its resource requirements, the lead policy division should involve the sponsor division at an
142 early stage.

143
144 Lead policy divisions, and the sponsor division in relation to Natural England’s corporate affairs, are
145 charged with reflecting Natural England’s views on policy, and the best way to deliver it, in the advice
146 they give to Ministers. They are responsible for ensuring that Natural England’s views, and especially
147 their advice on delivery, are fairly represented to Ministers. Where there are differences of opinion or
148 emphasis which cannot be resolved, lead policy divisions will not draft around the problem but will set
149 out the differences fairly. Where advice originates from Natural England or where a decision relies
150 heavily on their advice, the resulting submission will be shared with Natural England.
151
152 Natural England has the right to advise Ministers directly, irrespective of the position of Defra officials.
153 However it is hoped that following the practice set out above will make that a rare occurrence as it is
154 wasteful of resources and does not facilitate the Minister’s decision to force him to choose between the
155 advice of his officials and the advice of Natural England.
156
157 Natural England officers will ensure that Defra officials are involved at the earliest stage of considering
158 changes which might affect its principal delivery functions, such as the agri-environment programme.
159 The views of officials – and, if necessary, of Ministers – will be made known to Board members before
160 their consideration of such issues.
161
162 In relation to Natural England’s promotional and advocacy roles, Natural England officers will keep
163 Defra officials sufficiently well informed to avoid surprises.
164
165 It is the responsibility of both the lead policy division and Natural England to ensure that the financial
166 implications of advice to Ministers and Board are fully understood and to set out the evidence on which
167 the implications are based.
168
169 There is a strong presumption against any ring fencing within Natural England’s budget. Sponsor
170 division has a key role in facilitating communication between lead policy divisions and Natural England
171 to ensure that resources match aspirations at the time of corporate plan making. Natural England has a
172 responsibility to advise Defra in advance if a major reallocation of resources is to be made in year.
173
174 In relation to Spending Reviews, there are two routes which need the attention of lead policy divisions:
175 • for major new policy proposals, the lead policy division is responsible for advising Ministers, with
176 associated advice from Natural England if they are implicated in delivery. As options are developed,
177 Natural England will offer advice on the impact of specific proposals and on the capacity of the
178 organisation to deliver.
179 • advice to Ministers on the corporate plan being prepared by Natural England. This will contain
180 continuing programmes and there will be scope for some growth/contraction to reflect evolving
181 priorities. Sponsor division will coordinate lead policy divisions’ advice on the plan.
182
183 Natural England’s corporate and business plan will be based on Natural England’s strategic outcomes and
184 show its contribution to Defra’s strategic outcomes (including its PSA targets and Vision for the Natural
185 Environment) and the PSA targets of other departments. The plan describes how Natural England will
186 deliver its objectives in the short to medium term. There needs to be a close relationship between lead
187 policy divisions’ business plans and Natural England’s corporate and business plan so that end-to-end
188 delivery of strategic outcomes is planned and monitored.

Delivery – planning, targets, implementation

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192 Delivery is the responsibility of Natural England. This includes day-to-day monitoring of delivery of
193 policies and continuous improvement activity in performance and process.
194

195 Implementation of a strategic policy will be most effective if it is conducted on the basis of a clear
196 understanding of accountabilities. This will vary according to the nature of the programme. For
197 example:
198

- 199 ○ If Natural England is responsible for achieving a Defra PSA target, the outcomes and targets set
200 in the approved corporate plan will be backed up by a Service Level Agreement or similar
201 document setting out in detail what the programme will deliver, how and by when. Defra's
202 Senior Responsible Owner may chair a joint project board.
203
204 ○ In other areas – say, a Natural England project to develop innovative new solutions to
205 environmental enhancement – the expression of objectives and targets in the corporate plan will
206 usually suffice without further elaboration.
207

208 (see Management Statement for fuller discussion)

209
210 It is important that key performance indicators are agreed early as part of the corporate and business plan.
211 Sponsor division will facilitate, but lead policy divisions should ensure that their discussions with Natural
212 England about delivery extend to the measurement of performance. Shared performance data is a critical
213 feature of a good policy – delivery partnership.
214

215 Other departments and non-Defra agencies (such as English Heritage) will play an important role in both
216 Defra's and Natural England's delivery relationships. There should be regular discussion of these
217 relationships to avoid overlap and ensure consistency of messages.
218

219 Much of Natural England's 'delivery' is measured in changes to the policies and programmes of others
220 through influence. Defra, along with other Government departments, will sometimes be the focus of
221 Natural England's advocacy.. This core work needs to be covered adequately in the corporate plan and
222 framework for performance management to allow lead policy divisions to identify opportunities for
223 coordinated activity. Target groups – elected representatives, pressure groups, professional officers, the
224 media, children, the public – must not be confused by unclear or duplicated messages on the natural
225 environment. Equally target groups should be made aware of different options and choices available.
226

227 **Appraisal, review, feedback and accountability**

228

229 In order to inform both the setting of targets and wider strategy development, the sponsor division needs
230 to understand the performance management framework within Natural England. Natural England will
231 share its performance information with the sponsor division, who will share the relevant parts with lead
232 policy divisions. Decisions on in-year performance management are solely for Natural England, but the
233 sponsor division, advised by lead policy divisions, retains a stewardship role on performance. By
234 monitoring and challenging Natural England's performance management activity, normally on a formal,
235 quarterly basis, the sponsor division provides the Departmental Board and Ministers with an assurance
236 that Natural England is delivering effectively and efficiently.
237

238 This continuing involvement in performance management will also ensure that Ministers and
239 Management Board can be well briefed for the biennial performance discussions with Defra's major
240 delivery bodies, an agreed recommendation of the Governance of Delivery Review.
241

242 If the sponsor division believes that Natural England is not delivering the agreed corporate plan (and this
243 cannot be resolved successfully), it has a responsibility to draw this to the attention of Ministers. But the
244 sponsor division has no decision making authority or accountability for how Natural England delivers the
245 corporate plan. The sponsor division would normally seek to address such issues by recommending
246 modification to the target structure or levels for the future, during corporate plan discussions.
247

248 The sponsor division's responsibility here, in discussion with lead policy divisions, is to identify what is
249 working well and where the current suite of strategy and associated delivery mechanisms is not producing
250 satisfactory outcomes for Defra (particularly in relation to delivery of PSA targets).
251

252 There is an equal need for both lead policy divisions and Natural England to evaluate the success of
253 policies and programmes and feed it back into policy development and better delivery. Appraisal and

254 evaluation will be progressed in a coordinated programme with major policy evaluations run as joint
255 projects.

256

257 **Principles for co-decision making**

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259 Certain formal decisions require both Natural England and a Defra Minister to consider evidence and
260 decide. Examples include an Order made by Natural England which must be confirmed by Defra or a
261 decision by Natural England to recommend that Defra makes an Order. The principles which govern
262 such co-decisions must respect the statutory position of both parties. They are:

263

264 • a map of co-decision making areas will be drawn up and an assessment made of the risk presented to
265 good decision making by the lack of evidence or the contested nature of evidence. Wherever
266 practical, attempts will be made to reach a common understanding of the evidence in advance of
267 cases arising.

268

269 • the aim will be for both parties to have the same intelligence about where cases might arise over the
270 coming 12 months. This will never be perfect because orders are often a response to a crisis.
271 However it will often be known where problems are brewing and this intelligence will be shared
272 regularly.

273

274 • both parties recognise that they bring a different decision making framework to bear.

275 ○ Natural England makes decisions on the basis of its purpose, set out in the NERC Act:

276

277 *“Natural England’s general purpose is to ensure that the natural environment is conserved,
278 enhanced and managed for the benefit of present and future generations, thereby
279 contributing to sustainable development.”*

280

281 and the Explanatory Notes say:

282 *“The reference in subsection (1) to sustainable development indicates that Natural
283 England is meant to seek solutions which, while achieving environmental benefits, also
284 provide long-term economic and social benefits, and avoid untoward economic and
285 social impacts.”*

286

287 ○ The Minister makes decisions on behalf of Government as a whole and brings its entire
288 economic, social and environmental agenda to bear.

289

290 [note that this is a generic statement. The statutory basis of the power being exercised may constrain
291 how Natural England and/or the Minister makes a particular decision]

292

293 • both parties understand that the Minister will want to receive advice from his officials which reviews
294 both the policy and the scientific advice and recommendation received from Natural England. It is
295 valid and responsible for Defra officials to seek a second opinion on scientific matters from either
296 within or outside the Service. However this will always be done in partnership with Natural England
297 so that a scientific consensus can be reached if possible.

298

299 • if a consensus cannot be reached on the evidence, it will be revealed and explained fully to Ministers.
300 It will not be drafted around.

301

302 • once a case goes live, immediate steps will be taken to seek a consensus on the evidence between
303 Natural England, Defra and – if possible – other stakeholders. This will happen in parallel with
304 policy development, where necessary.

305

306 • however fast moving a case is, Natural England will share its evolving policy position with Defra
307 officials so that areas of agreement and disagreement can be identified as early as possible. Defra
308 officials will respect being taken into Natural England’s confidence and have its statutory

309 independence at the forefront of their mind when deciding how to react to the information received.

310

311 • effective co-decision making will be greatly aided by clarity in the case for action – clarity in:

312

- the current situation

313

- how and why it is changing and the consequences of that change

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- the constraints – legal and practical

315

- the objectives of the proposed action

316

- evidence that the action will achieve the desired objectives

317

- the wider impacts of the proposed action and how they might be mitigated

318

- consideration of alternatives to the proposed action

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320 **EU and International relationships**

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322 Natural England has a legitimate interest in international and European matters that are relevant to its

323 statutory remit. Increasingly, Natural England’s delivery brief will, in part, be framed by the UK’s

324 international and UK obligations. Natural England will, therefore, wish to be involved in influencing the

325 shape of those policies for the future, whether it is the formulation of a UK negotiating position or

326 through direct contact with international or European institutions. In many instances, Government itself

327 will look to Natural England to proactively support Government’s own position and views in its contacts

328 with these bodies either through the provision of impartial scientific advice or through advocacy with its

329 network of contacts.

330

331 However, Natural England’s status as a statutory NDPB and its founding legislation mean that:

332

- Natural England’s role is limited to England and it must not imply that it represents a UK view or speaks on behalf of the UK Government or Defra;

335

- Natural England will not seek to undermine the Government’s position in EU or international negotiations;

338

- even when there are not active negotiations taking place, Natural England must be careful not to damage the UK’s position when advocating a policy approach to EU or international organisations that is inconsistent with the Government’s.

342

343 It follows that Natural England will, in this area, need to liaise closely with a wide range of other

344 Government Departments and their agencies, including those of the Devolved Administrations and

345 Northern Ireland Office.

346

347 In relation to Natural England’s international and UK wide nature conservation functions, the statutory

348 position is that Natural England can only exercise them jointly with Scottish Natural Heritage, the

349 Countryside Council for Wales and the Council for Nature Conservation and the Countryside through the

350 Joint Nature Conservation Committee. It therefore follows that on nature conservation issues Natural

351 England must always act through or in co-operation with JNCC and its position must fully reflect that

352 agreed by the Joint Committee or by Defra in consultation with the Devolved Administrations and DOE

353 Northern Ireland.

354

355 In order to maximise its effectiveness and avoid misunderstandings, Natural England will need to have

356 ongoing communication and discussion with relevant policy leads in Defra and other Government

357 Departments so that both policy leads and Natural England understand each others’ perspective and can

358 take account of each others’ views.

359

360 There will be occasions when Natural England and policy leads will not agree on the way forward. Where

361 discussion at a domestic level fails to reconcile any differences, Natural England should adopt a ‘no

362 surprises’ approach, consistent with the Partnership Agreement and inform the policy lead in advance of

363 any European or international events, meeting or contacts that it will be unable to actively support official

364 UK policy. Similarly, policy leads in Government Departments will be expected to keep Natural England
365 appraised of the developing UK policy line or negotiating position.

366
367 In certain circumstances Natural England may find it useful to involve its sponsor team in Defra in such
368 matters in order to facilitate constructive communications with staff in policy teams within Defra or other
369 Government Departments and, as a matter of good practice, keep them informed of any issues which are
370 likely to come to the attention of Defra.

371 372 **Ministers' Correspondence and PQ's**

373 374 **Parliamentary Questions**

375
376 Responses to Parliamentary PQs are co-ordinated by the Parliamentary Team in the Defra Customer
377 Contact Unit. CCU will ask Natural England to contribute to all PQs which are relevant to its purpose and
378 also commission input from relevant policy teams within Defra. CCU will approach one central contact
379 within Natural England's HQ. All such PQs will be copied, for information, to the NE Sponsor Team and
380 NE should ensure the sponsor team is copied in on its contributions.

381
382 The timetables for response are dictated by the parliamentary timetable and are thus non negotiable. This
383 timetable will not allow for NE to see the final draft reply being submitted to Ministers so it is important
384 that any input is 'quality assured' by NE before it submits to the CCU.

385 386 **Parliamentary Correspondence**

387
388 Correspondence from MPs and Peers received by Defra which relates purely to Natural England
389 operational issues will be acknowledged by the Customer Contact Unit and referred to Natural England's
390 Chief Executive for reply. In most circumstances it will be appropriate for any reply to be sent by Natural
391 England's Chair. The initial letter and reply should be copied to the lead policy division, the sponsor team
392 and the CCU.

393
394 Correspondence from MPs and Peers received by Defra which relates to both policy issues and Natural
395 England operational issues matters will receive a reply from Defra Ministers on the policy issue and be
396 copied by the Customer Contact Unit and to Natural England's Chief Executive in order that Natural
397 England can provide a contribution on the operational aspects. CCU will ensure that a copy of the
398 Ministers reply is sent to Natural England and the Sponsor Team.

399 400 **General Correspondence**

401
402 General correspondence received by Defra will be dealt with in a similar way to Parliamentary
403 Correspondence with CCU passing letters which deal with purely NE Operational matters to a central
404 contact in NE so that NE may reply directly to the correspondent.

405
406 Where the letter covers both policy and NE operational issues, CCU will coordinate a reply, seeking
407 contributions from both to the relevant policy team and NE via the central contact.

408 409 **Evidence to Committees and Consultation Responses**

410
411 Natural England will often be invited to submit evidence to Parliamentary Select Committees or respond
412 to consultations initiated by Government Departments, including Defra. Natural England will as a matter
413 of good practice provide copies of such documents to the NE Sponsor Team in Defra. Where NE knows
414 of other policy leads in Defra with an interest, they should be copied direct, although Sponsor Team will
415 also consider copying to others.

416 417 **Complaints**

418

419 Any complaints from the public about NE will be referred initially to Natural England's Chief Executive
420 and will be handled through Natural England's own complaints procedures. If a complainant is not
421 satisfied and approaches the Department after exhausting all the NE complaints procedures, the Sponsor
422 Team will consult NE before advising Ministers.

423

424 **Invitations/events**

425

426 Natural England will frequently seek Ministerial involvement in events or invite them to visit NE offices
427 or projects. In some cases these will be organised in conjunction with Defra policy leads and in others
428 may form part of a Government Office organised programme of events in a region. The NE Sponsor
429 Team should be copied in any such approach to Ministers and should be provided with a copy of the draft
430 programme.

431

432 **Classified material**

433

434 Natural England can be sent Restricted material when it is relevant to its purpose. Defra officials must
435 make sure that it is clearly marked as such. Natural England must make sure that all staff likely to receive
436 it understand its significance and how to handle it, including in relation to Freedom of Information.

437

438 Restricted material should not be incorporated into Natural England documents – such as Board papers –
439 without the agreement of the sponsor division.

440

441 The Chairman and Chief Executive of Natural England may receive material of higher classification
442 from, for example, a Private Office. However any lead policy branch contemplating sending higher
443 classification material to a staff member of Natural England should check with sponsor division.

444

445 **Training and development**

446

447 One of the most effective ways to cultivate good partnership working between Defra and Natural England
448 would be through a joint programme of training and development.

449

450 This might include a structured programme of training events, work experience and secondments which
451 will give all staff who work in the partnership an opportunity to develop their understanding and skills.

452

453 **Relationship management**

454

455 In addition to day to day contact, the Defra – NE relationship will be managed through a structured series
456 of meetings with Ministers and senior staff. It is laid out in annex 2.

457

458 **MoU's and SLA's**

459

460 Memoranda of Understanding and Service Level Agreements have an important role to play adding detail
461 and transparency to NE's relationship with Defra and other bodies. However they should be used
462 sparingly to avoid making officers' lives too complex. All MoU's and SLA's should be annexed to this
463 Partnership Agreement so that all parties know where to look.

464

465 The following are in force and will be found in annex 3:

- 466 • NE, Environment Agency and Forestry Commission
- 467 • NE, Environment Agency and Department for Communities
- 468 • NE, Defra on access to Technical Advice
- 469 • NE, Animal Health on joint working

470

470 **Some shared values for the policy – delivery relationship**

- 471
- 472 ○ *involve the other partner early* and remember that a 5 min ‘phone call can convey much more
- 473 relevant information than being copied into 50 emails.
- 474
- 475 ○ *no surprises* especially on matters which may get media attention.
- 476
- 477 ○ *think about roles and accountabilities* and escalate issues for resolution if they are unclear.
- 478
- 479 ○ *share data and analysis*
- 480
- 481 ○ *capture good practice in handling issues and agree it for the future* because there is no
- 482 substitute for experience.
- 483
- 484 ○ *... but don’t rely too much on process* because the quality of the human relationships will be
- 485 more important than written agreements
- 486
- 487 ○ *be active* in improving understanding, inviting partner staff to seminars, site visits, away days
- 488 etc.
- 489
- 490 ○ *be honest* Tell the other partner when it is not working for you, don’t moan behind their back.
- 491
- 492 ○ *review*. Find time to sit down together at regular intervals and review how it is going.

Annex 1 The policy – delivery partnership (from Defra’s Delivery Strategy)

What policy does

- Develop policy advice to Ministers.** Identify desired outcomes, hold the vision, respond to:- stakeholder and customer views, deliverers’ experience, international and EU negotiation, views of other Defra Directorates, OGDs, Devolved Administrations, RDAs and LAs, the evidence base and customer segmentation.
- Consult and brief Ministers,** deal with PQs, Ministers’ correspondence, press releases, speeches on policy issues.
- Commission R&D** in support of policy, assimilation of R&D for basing future policy.
- Construct business cases** for future resourcing.
- Budget management/financial accountability**
- Ensure delivery arrangements are fit for purpose,** promote efficiency and effectiveness, review arrangements at intervals, confirm or terminate.
- Promote and maintain governance arrangements** for delivery agents, monitor performance against agreed outputs.
- Instruct Legal Dept** on legislation and SIs.
- engage stakeholders, understand end-customers, monitor public opinion.**

Partnership

- deliverers inform policy development and decision-making.*
- outcomes and targets agreed with deliverers before publication.*
- policy rationale understood and championed by both.*
- Deliverers empowered to get on with delivery, held to account by monitoring, audit, inspection.*
- strong two-way communication with deliverers reporting back regularly to policy on the achievement of outcomes.*

What delivery does

- Deliver products and services** to direct customers.
- Develop delivery and operational policy** for the agency.
- Develop new schemes,** scheme literature, publicity
- Process design and process improvement for schemes.** Operational guidance, liaison with international partners.
- Compliance, corporate governance, financial and business planning,** accountability for delivery.
- Customer focus:** charter deadlines, service standards, relationships with and feedback from direct customers.
- Advise Ministers on specialist policy areas;** handle PQs, Ministers’ correspondence, speeches, news releases on delivery issues.

Annex 2 Natural England – Defra Governance Framework

Defra	Natural England	Meeting schedule	Purpose
Secretary of State	Chair	Biannual Needs basis	To discuss the Government’s policy and programme priorities for the natural environment
Secretary of State Minister DG NEG	Chair Chief Executive	Biannual	To review Natural England’s delivery against the corporate plan.
Minister	Natural England Board	Annual (February)	To discuss Natural England’s Strategic Direction
	Chair Chief Executive	Needs basis	To provide advice on particular issues related to the natural environment.
Permanent Secretary	Natural England Board	Annual	To discuss Defra’s strategy.
	Chief Executive	Six monthly Needs basis	To discuss cross Defra issues and the Defra – Natural England relationship
Director General NEG	Natural England Board	Annual (December)	To discuss Defra’s priorities for the natural environment
	Chief Executive	Quarterly Needs basis	To discuss Natural England’s progress and delivery. To discuss particular Defra -Natural England issues.
Director RDPE and Natural England Sponsorship	Executive Director Strategy and Performance	Monthly Needs basis	To manage the Defra – Natural England relationship To maintain an overview of Defra -Natural England issues
	Executive Directors	As in partnership agreement related to the annual business cycle. Needs Basis	To develop Corporate Plan, Business Plan and work on agreed areas of collaboration. To discuss particular Defra -Natural England issues
Head of Sponsorship	Directors	Needs basis	To discuss particular Defra – Natural England issues.

Sponsorship team leader and Head of Finance LLS	Executive Director Finance and Corporate Services	Monthly	To review expenditure profile
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Annex 3 – Memoranda of Understanding and Service Level Agreements

- NE, Environment Agency and Forestry Commission
- NE, Environment Agency and Department for Communities
- NE, Defra on access to Technical Advice
- NE, Animal Health on joint working

[to be added]