

# Non-Financial Scheme of Delegation

**1 This document is for** the Board Members of Natural Resources Wales and all Natural Resources Wales employees involved in, or responsible for, making decisions relating to the functions, powers, duties and business activities of the organisation.

**2 What is this document about?** The Scheme ensures that all the duties and activities of Natural Resources Wales are delegated to an agreed level of authority or specific post holder. It allows the Board and Chief Executive Officer to delegate decision making responsibility for non-financial matters. Where powers are delegated, employees are enabled to do their jobs according to their terms of employment or job description. It is based on risk profile and scaled appropriately through four main levels and explains the circumstances where decisions may be referred to or called-in by Welsh Ministers. The Scheme has an important role in helping the public understand the way our decisions are made.

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### 3 What does the Scheme contain?

The Non-Financial Scheme of Delegation (NFSoD or 'the Scheme') does not deal with the delegation of financial authority. For the delegated authority relating to financial matters please refer to the Financial Scheme of Delegation.

The NFSoD has two distinct parts. Part 1 sets out the corporate governance framework, the status of body and an overview of the accountability arrangements. This part must be reviewed annually by the Board together with the Schemes of Delegation. Part 2 sets out Natural Resources Wales' business and delegated powers across four levels. Level 1 reserves the highest level decisions to the Chair and Board and sets out those responsibilities delegated to the Chief Executive Officer Officer. Level 2 are those responsibilities delegated to the Executive Team who in turn set out the responsibilities delegated to level 3 (national and regional) and level 4 (operational and local). This is summarised in **table 1**.

**Table 1 - Corporate Governance Framework and Scheme of Delegation**

PART 1 Corporate Governance Framework	PART 2			
	Board and Executive Level 1	Executive Team Level 2	National and Regional Level 3	Operational and local Level 4
			Directorate Schemes of Delegation	
Welsh Ministers	Responsibilities reserved to the Chair and Board	Executive Team	National and Regional scheme	Operational / local scheme
Board (chair and NEDs)	Responsibilities delegated to the Chief Executive Officer Officer		Via existing schemes and interim Directorate level arrangements The intention is to develop a single Natural Resources Wales scheme in due course	
Committees and advisory groups				
CEO and Executive Team				
Regional managers / regions				
Operational / local				

### 4 How will the Scheme be used?

The Scheme supports organisational accountability as well as integrated and transparent decision making. It also has an important relationship to our customer service standards as customer care and the delivery of statutory responsibilities must be the focus of the way in which we make decisions. The delegated authority levels set out in the Scheme are an important component of internal instructions, manuals and guidelines covering all aspects of the organisation. Some of these supporting documents require publication if it '... would assist public understanding of the way decisions are made ...'<sup>1</sup>. The commitment to make certain documents available to the public is set out in our **Publication Scheme**.

<sup>1</sup> ICO, FOI, definition document for WGSBs Oct 2008 – p.4

Overall responsibility for an activity or decision is at the highest level shown in the Scheme. The Chief Executive Officer, the Executive Team and key managers of the Leadership, Delivery and Support Groups may delegate responsibility to others within their remit as set out in the Corporate Governance Framework. Where authority has been delegated there may be occasions and circumstances where decisions need to be escalated back to a more senior Scheme level. It may also be the case that a particular process warrants a panel approach to advise on how to reach a particular decision but in these circumstances the decision will rest with the delegated authority and not the panel itself.

Whilst the NFSoD adopts a risk-based approach to delegations, it is also important not to stifle autonomy and our ability to be 'fleet of foot'. Job descriptions, performance management, quality assurance and scrutiny roles will play a crucial role – as will learning and development programmes. At lower levels of delegation unit managers will need to consider officer experience and technical knowledge, local sensitivities, line manager and officer confidence in the ability to assess and make decisions.

## 5 What does it mean at the national level?

At the strategic level the main business of Natural Resources Wales can be simply expressed and **Table 2** shows the main powers and responsibilities reserved to the Board and those delegated to the CEO and Executive Team.

Each responsibility is generally subject to tests of significance (public, political or reputational) and risk (frequency, likelihood) and impact. A significant impact could be based on resources, changes in organisational structure and impact on external stakeholders, the environment, people, economy or knowledge.

Each subject is further defined at the national, regional or local level schemes of delegation. For example 'legal proceedings / legal advice' includes (but not exclusively) notification, Orders, recovery of costs, imposition, variance, revocation, Byelaws, appeals, determination, enforcement and the sale or purchase of land, property or other assets.

One or more of five main tasks will be undertaken at level 1 showing the flow of responsibility through to decision making by either the Board or the CEO:

- CA - Consider, approve (where others are mainly responsible for preparation and recommendation through delegated responsibility for the exercise of that function)
- DA - Determine, approve (where there is high level of direct involvement in shaping and preparing the determination)
- PR - Prepare, recommend (for consideration and approval or determination and approval by others)
- MHR - Maintain, hold, review (responsibility for oversight and improvement)
- D - Delegate (where responsibility for the exercise of that function is given to another)

**Table 2 - Powers reserved to the Board and delegated to the Chief Executive (Level 1) showing high level delegations to Directorates (Level 2) [simplified]** Financial matters are set out in the Financial Scheme of Delegation

Subject		Level 1 - Board & CEO			Level 2 – Executive Team						
		Board	Committee	Chief Executive Officer	ED KSP	ED NS	ED Ops (N & S)	ED ODHR	ED F&CS	HoG	HoT
1	Corporate governance framework	DA, MHR	Audit & risk	PR / D					PR	PR	
2	Performance Delivery Framework	CA, MHR (with WG)		PR / D	PR						
3	Corporate plan	CA		PR / D	PR						
4	Annual Operational plan including budget	CA		PR / D	PR				PR		
5	Corporate strategy and policy	CA		PR / D						PR MHR	
6	Significant national processes, procedures etc		Audit & risk	CA / D	PR	PR	PR	PR	PR	PR	
7	Annual Report	CA		PR / D					PR	PR	
8	Risk management	MHR	Audit & risk	CA/ MHR/D	CA/D	CA/D	CA/D	CA/D	CA/D	CA/D	
9	Corporate Performance & improvement	MHR	Audit & risk	PR / D	PR						
10	Staff performance management	MHR		CA / D				PR			
11	Significant national positions - casework	MHR		CA / D	DA / PR	DA / PR	DA / PR				
12	Key Executive appointments, T&S harmonisation & significant changes thereafter	MHR	RemCom	CA / DA				PR			
13	FoI Publication Scheme, significant publications, reports, consultations, comms plans	MHR		DA / D						PR	
14	Customer care & stakeholder management	MHR		PR / D	PR	PR	PR	PR	PR	PR	

15	MoUs, SLAs, Concordats			DA	PR	PR	PR	PR	PR	PR	
16	Financial Matters, Grant claims, sale & purchase of land			DA / D		PR			PR		
17	Administration of Board & Register of Interests	CA		PR / D						PR	
18	Legal proceedings & legal advice	CA		PR / D	PR	PR	PR	PR	PR	PR	
19	Delegation in event of absence	MHR		DA	PR	PR	PR	PR	PR	PR	
20	Directorate & Regional Schemes of Authorisation	MHR		CA / D	PR MHR	PR MHR	PR MHR	PR MHR	PR MHR	PR MHR	
21	Health and Safety	MHR		CA/D				PR			
22	Security (inc. information security)	M		CA/D	PR				PR	PR	

## 6 What does it mean for me?

The basis for delegated authority within Directorates – our day to day work – will continue to be those that we are familiar with. The majority of our Legacy Bodies Non-Financial Schemes of Delegation still apply at these levels because they are applied and enforced using various supporting systems that we will continue to use. Some of these systems require harmonisation or new systems establishing as the organisation develops. Over this period of time Natural Resources Wales will need to adopt an agile Scheme that can be modified and updated as necessary – subject to the roles shown in **Table 2**.

It is important to note that those that functions that have transferred across from Welsh Government including protected species and marine licensing and some aspects of marine incident control and response are included in this transitional Scheme.

The three Non-Financial Schemes of Delegation for Environment Agency Wales, Countryside Council for Wales, Forestry Commission Wales and the functions listed in the Transfer Order are presented in **annexes 4 to 7**. They have been colour coded as a nominal way of assigning the responsibility to a Directorate.

The intention is to develop a single Natural Resources Wales scheme in due course.

Specific subjects have **new** processes such as Planning Development Control and permitting. This Scheme, the 'Essentials Guide' [\[insert relevant links\]](#) and the relevant areas of 'Doing My Job' [\[insert relevant links\]](#) operate above any arrangements contained in the legacy or transferred schemes. As a result these teams will need to operate within specific and agreed changes to ensure that we can meet our commitments to customers. For example to provide input with one voice for 'cradle to grave' planning and development casework whilst undertaking our roles and functions in a transparent and, as far as is appropriate, in an integrated manner.

We all should make ourselves familiar with our roles and responsibilities as set out in the Essentials Guide and the relevant desk instructions for our team in 'Doing My Job'. It is our responsibility and that of our unit / team and line managers to make sure that we have the skills, knowledge and support to enable us to do our jobs within our authorised level of delegation.

## List of Annexes or Schedules to the Non-Financial Scheme of Delegation

No.	Item description
<b>Part 1 - Corporate Governance Framework</b>	
1	Corporate Governance Framework – an overview of the status of the body and accountability arrangements
<b>Part 2 - Natural Resources Wales' business and delegated powers</b>	
2	<b>Level 1</b> Board reserved powers and powers delegated to Chief Executive Officer
3	<b>Level 2</b> Directorate Schemes of Authorisation: Executive Director National Services; Executive Director Knowledge, Strategy and Planning; Executive Director Finance and Corporate Services; Executive Director Operations (north); Executive Director Operations (south); Executive Director OD and people management (interim); Head of Transition; Head of Governance.
4	<b>Levels 2, 3 and 4</b> Legacy body: Environment Agency Wales Non-Financial Scheme of Delegation
5	<b>Levels 2, 3 and 4</b> Legacy body: Countryside Council for Wales Non-Financial Scheme of Delegation
6	<b>Levels 2, 3 and 4</b> Legacy body: Legacy body: Forestry Commission Wales Non-Financial Scheme of Delegation
7	<b>Levels 2, 3 and 4</b> Relevant extracts from the Non-Financial Schemes of Delegation of Transferred functions

## Annex 1: PART 1 – CORPORATE GOVERNANCE FRAMEWORK

### TO BE REVIEWED ANNUALLY WITH THE SCHEMES OF DELEGATION

1. Corporate Governance Framework – an overview of the status of the body and accountability arrangements	
1.1 Welsh Ministers	<p>Statutory Framework – basis for operation</p> <p>Ministerial accountability – performance delivery framework</p> <p>Call-in's / Referrals – Natural Resources Wales own activity</p> <p>Appeals based on Natural Resources Wales decisions</p> <p>Other powers reserved by Welsh Minister's</p> <p>Sale of Welsh Ministers land (threshold)</p>
1.2 Board (Chair and NEDs)	<p>Code of conduct</p> <p>Roles and relationship to Welsh Ministers and the Executive Team</p> <p>Responsibilities – as determined by Welsh Ministers</p> <p>Register of interests</p> <p>Gifts, rewards and hospitality</p>
1.3 Committees and advisory groups	<p>Governance committees - Audit and Risk Assurance; Remuneration</p> <p>Statutory committees – Flood Risk Management Wales; Dee Joint Consultative Committee, Site Protection</p> <p>Board level stakeholder engagement – Board Advisory Groups? Issue based 'task &amp; finish'?</p>
1.4 Executive Team (CEO and EDs)	<p>Code of conduct</p> <p>Roles and relationship to Board</p> <p>Responsibilities – authority as delegated by the Board – CEO; Executive Team; Directorates</p> <p>Register of interests</p> <p>Gifts, rewards and hospitality</p>
1.5 Regional managers / regions	<p>Roles</p> <p>Responsibilities</p>

	Reporting lines
1.6 Operational / local	Roles Responsibilities Reporting lines

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## Annex 2: PART 2 – NATURAL RESOURCES WALES’ BUSINESS AND DELEGATED POWERS

Level 1 Board reserved powers and powers delegated to Chief Executive Officer		
Subject	Powers reserved to the Chair and Board	Powers delegated to the Chief Executive Officer
1. Corporate governance framework	<p>The Chair together with the Non-Executive Directors form the Board. The Chair and Board members are appointed by Welsh Ministers.</p> <p>The Chair is responsible for:</p> <ul style="list-style-type: none"> <li>• Strategic Leadership – nominate ‘champion roles’ of individual Non-Executive Directors and to lead the development and implementation of Natural Resources Wales’ Corporate Strategy;</li> <li>• Effective Co-operation – providing advice and assistance in Natural Resources Wales’ key relationships with Welsh Ministers, senior officials, Chairs of stakeholder organisations and in its activity with the media;</li> <li>• Corporate Governance – leading by example by adhering to the Nolan Principles and promoting the efficient and effective use of resources including staff throughout the organisation. Presides at Board meetings, ensuring that Board meetings are held regularly (period), to procedure and quorum and are accurately minuted. The Chair will ensure that the Board’s effectiveness is reviewed once a year and may, at the approval of Welsh Ministers, involve external, independent review.</li> </ul> <p>The Board is responsible for:</p> <ul style="list-style-type: none"> <li>• The determination and approval of powers and functions delegated to the Chief Executive Officer and</li> </ul>	<p>The Chief Executive Officer together with the Executive Directors form the Executive Team. The Chief Executive Officer’s appointment is approved by Welsh Ministers.</p> <p>The Chief Executive Officer is responsible:</p> <ul style="list-style-type: none"> <li>• For the day to day management of Natural Resources Wales and effective leadership and co-ordination to exercise Natural Resources Wales’ functions. Where a matter is not specifically reserved to the Board, the Chief Executive Officer has the authority to act;</li> <li>• As Accounting Officer for Natural Resources Wales as established in the Financial Scheme of Delegation and Statement of Accounting Officers’ responsibilities;</li> <li>• For the authorisation of Executive Director(s) and any other Natural Resources Wales staff to exercise the responsibility for any of Natural Resources Wales’ functions as established in the Non-Financial Scheme of Delegation; and,</li> <li>• For presiding at Executive Team meetings, ensuring that Board meetings are held to an agreed schedule, to procedure and quorum and are accurately minuted. The Chief Executive Officer will ensure that the Executive Team’s effectiveness is reviewed once a year.</li> </ul> <p>The Chief Executive Officer is responsible for:</p>

Subject	Powers reserved to the Chair and Board	Powers delegated to the Chief Executive Officer
	<p>Executive Team and Natural Resources Wales employees;</p> <ul style="list-style-type: none"> <li>• Providing information, advice and assistance to Welsh Ministers as may be required regarding the Statutory Framework for Natural Resources Wales and its functions and other matters relating to Natural Resources Wales' property or to the discharge or proposed discharge of its functions;</li> <li>• Financial matters - as established in the Financial Scheme of Delegation;</li> <li>• The determination and approval of functions delegated to a committee or sub-committee to exercise any of Natural Resources Wales' functions. To ensure that such authorisation is given in writing to the members or employees and a copy is sent to Welsh Ministers. Includes the Audit and Risk Assurance Committee and Remuneration Committee details. And for,</li> <li>• The maintenance and review of the Corporate Governance Framework, with amendment from time to time to ensure efficient and effective corporate performance.</li> </ul>	<ul style="list-style-type: none"> <li>• The authorisation of any Natural Resources Wales employees to exercise the responsibility for any of Natural Resources Wales' functions as established in the Non-Financial Scheme of Delegation;</li> <li>• The preparation and recommendation to the Board of information, advice and assistance to Welsh Ministers regarding the Statutory Framework for Natural Resources Wales and its functions and matters relating to Natural Resources Wales' property or to the discharge or proposed discharge of its functions;</li> <li>• Financial matters - as established in the Financial Scheme of Delegation;</li> <li>• The preparation and recommendation of the functions of any committee or sub-committee, its members or employees, procedures and quorum to the Board;</li> <li>• Authorisation of the Leadership Group, a committee, sub-committee, member or employee to exercise any of the Body's functions and approving the Terms of Reference for any such Group or Committee that exercises the responsibilities of the Chief Executive Officer or Executive Team;</li> <li>• Maintenance, holding and review of members and employees of Natural Resources Wales who are authorised to authenticate the application of the organisation's official seal; and the,</li> <li>• Preparation and recommendation of changes to the Corporate Governance Framework as required following annual review of its efficiency and effectiveness – the Chief Executive Officer will nominate a responsible Executive Team member.</li> </ul>

Subject	Powers reserved to the Chair and Board	Powers delegated to the Chief Executive Officer
<b>2. Performance Delivery Framework</b>	<p>The Board is accountable to Welsh Ministers for the agreement of the Performance Delivery Framework and may be supplemented with guidance from Welsh Ministers with respect to the manner in which Natural Resources Wales should exercise its functions subject to responsibilities and resources.</p> <p>The Board is responsible for the consideration and approval of the Performance Delivery Framework and for its maintenance and regular review (period)</p>	<p>The Chief Executive Officer is responsible for the negotiation of the Performance Delivery Framework with senior Welsh Government officials and of its preparation, review and recommendation to the Board.</p> <p>The Chief Executive Officer will nominate an Executive Director responsible for preparing and recommending, maintenance and regular review (period) of the Performance Delivery Framework.</p>
<b>3. Corporate plan</b>	<p>The Board is responsible for the consideration and approval of the Corporate Plan and for its publication, maintenance and regular review (period)</p>	<p>The Chief Executive Officer is responsible for the preparation of the Corporate Plan and for its recommendation to the Board.</p> <p>The Chief Executive Officer will be responsible for regular review of the Corporate plan and the provision of monitoring reports to the Board (period)</p> <p>The Chief Executive Officer will nominate an Executive Director responsible for preparing and recommending, maintenance and regular review (period) of the Corporate Plan.</p>
<b>4. Annual Operational Plan including Budget</b>	<p>The Board is responsible for the consideration and approval of the annual Operational Plan.</p> <p>The Board is responsible for the consideration and approval of any significant variations in income or expenditure (as established in the Financial Scheme of Delegation).</p> <p>[Significant in terms of the exercise of Natural Resources Wales functions and impact on environment, economy, community or knowledge – and is applicable where</p>	<p>The Chief Executive Officer is responsible for the preparation of the annual Operational Plan (including budget as established in the Financial Scheme of Delegation) and of its recommendation to the Board.</p> <p>The Chief Executive Officer is responsible for approving any significant variations in programmes, plans or projects and for seeking approval for any significant variations in income or expenditure (as established in the Financial Scheme of Delegation).</p>

Subject	Powers reserved to the Chair and Board	Powers delegated to the Chief Executive Officer
	significant is used thereafter].	<p>[Significant in terms of the exercise of Natural Resources Wales functions; public &amp; political interest; impact on reputation; impact on environment, economy, community and/or knowledge – and is applicable in one or more contexts where significant is used thereafter].</p> <p>The Chief Executive Officer will nominate an Executive Director responsible for preparing and recommending, maintenance and regular review (<b>period</b>) of the Annual Operational Plan.</p> <p>The Chief Executive Officer will nominate Executive Directors responsible for the preparation of directorate operational plans to deliver the Corporate Plan.</p>
<b>5. Corporate strategy and policy</b>	The Board is responsible for the consideration and approval of significant new policy or changes to existing policy.	<p>The Chief Executive Officer is responsible for overseeing a sound corporate strategy and policy framework and for the recommendation of significant new policy or changes to existing policy to the Board.</p> <p>The Chief Executive Officer will nominate an Executive Director responsible for obtaining approval of the Corporate Strategy, new corporate policy, significant amendments and reviews.</p> <p>The Chief Executive Officer will nominate an Executive Director responsible for preparing and recommending corporate policies where it is relevant to the exercise of their delegated function.</p>
<b>6. Significant national processes and procedures</b>		<p>The Chief Executive Officer is responsible for the consideration and approval of significant new or changes to existing national processes and procedures.</p> <p>The Chief Executive Officer will nominate an Executive Director responsible for preparing and recommending</p>

Subject	Powers reserved to the Chair and Board	Powers delegated to the Chief Executive Officer
		significant new or changes to existing national processes and procedures where it is relevant to the exercise of their delegated function.
<b>7. Annual report and accounts</b>	The Board is responsible for the consideration and approval of the annual report on how Natural Resources Wales has discharged its functions during that year and send a copy to Welsh Ministers as soon as possible after a period of 12 months ending with 31 March. This includes the statement of accounts as established in the Financial Scheme of Delegation.	<p>The Chief Executive Officer is responsible for the preparation and recommendation to the Board of the annual report on how Natural Resources Wales has discharged its functions during that year as soon as possible after a period of 12 months ending with 31 March. This includes the statement of accounts as established in the Financial Scheme of Delegation.</p> <p>The Chief Executive Officer will nominate an Executive Director responsible for preparing and recommending the Annual Report.</p>
<b>8. Risk management</b>	The Board is responsible for maintenance, holding and review of overall risk management arrangements and the consideration of regular reports (period)	<p>The Chief Executive Officer is responsible for the consideration and approval of risk management arrangements, the Business Continuity Plan and the recommendations of Audit and Risk Assurance Committee reports and for providing regular (period) reports for Board consideration.</p> <p>The Chief Executive Officer is responsible for the effective and efficient implementation of internal risk control and assurance.</p> <p>The Chief Executive Officer will delegate day to day risk management to the appropriate Executive Team member for the relevant exercise of their delegated functions and for the preparation of internal risk control and assurance reviews to the Board.</p>
<b>9. Corporate performance</b>	The Board is responsible for the maintenance, holding and review of Natural Resources Wales' internal audit,	The Chief Executive Officer is responsible for the preparation of the suite of corporate targets and for the

<b>Subject</b>	<b>Powers reserved to the Chair and Board</b>	<b>Powers delegated to the Chief Executive Officer</b>
<b>assessment and improvement</b>	performance assessment and for the consideration of improvement plans. (period)	<p>recommendation of improvement plans to the Board on a regular basis. (period)</p> <p>The Chief Executive Officer will nominate an Executive Director responsible for the preparation and recommendation of the corporate performance assessment framework and the preparation of internal audit reports to the Board.</p>
<b>10. Staff performance management</b>	The Board is responsible for the maintenance, holding and review of Natural Resources Wales' staff performance management system and improvement plans through the consideration of regular (period) monitoring reports from the Chief Executive Officer.	<p>The Chief Executive Officer is responsible for any significant variances from the approved corporate plan and celebrating significant successes or tackling failures.</p> <p>The Chief Executive Officer is responsible for internal issues of significance such as senior appointments, structural change and accommodation or location changes.</p> <p>The Chief Executive Officer will nominate an Executive Director responsible for the preparation and recommendation of the staff performance management framework to the Board.</p>
<b>11. Significant national positions - casework</b>	The Board is responsible for the maintenance, holding and review of Natural Resources Wales' position on significant casework through the consideration of regular (period) reports from the Chief Executive Officer.	<p>The Chief Executive Officer is responsible for appropriate and effective resolution of significant national casework positions for the effective exercise of Natural Resources Wales' functions.</p> <p>The Chief Executive Officer is responsible for the consideration and approval of information, advice and assistance regarding the any 'call in' of decisions relating to permitting decisions by Welsh Ministers.</p> <p>The Chief Executive Officer will nominate an Executive Director responsible for maintaining a review schedule of 'high public interest' casework with regular (period)</p>

<b>Subject</b>	<b>Powers reserved to the Chair and Board</b>	<b>Powers delegated to the Chief Executive Officer</b>
		<p>reports provided to the Chief Executive Officer and the Board.</p> <p>The Chief Executive Officer will nominate an Executive Director responsible for preparing and recommending significant casework for determination and approval including any circumstances of referral to or 'call-in' by Welsh Ministers.</p>
<p><b>12. Key Executive appointments, Terms &amp; Conditions harmonisation and significant changes thereafter</b></p>	<p>The Board is responsible for the appointment of the Chief Executive Officer (subject to approval by Welsh Ministers) and for the recommendation to Welsh Ministers to appoint a non-executive member to be deputy chairperson.</p> <p>The Board is responsible for the recommendation of contract terms, remuneration, allowances, pensions and gratuities of Natural Resources Wales employees to the Remuneration Committee for the consideration and approval of Welsh Ministers.</p> <p>The Board is responsible for the maintenance, holding and review of Natural Resources Wales staff terms and conditions which adopt best practice for equality and diversity, recruitment and retention and as a learning organisation showing the commitment and values of Natural Resources Wales as an employer.</p>	<p>The Chief Executive Officer is responsible for preparing and recommending the Executive Team structure for consideration and approval by the Board.</p> <p>The Chief Executive Officer is responsible for the consideration and approval of significant appointments including national positions below Executive Director (Leadership Group) where these have a significant impact on the exercise of the organisation's functions.</p> <p>The Chief Executive Officer may delegate the responsibility for Directorate national positions to the appropriate Executive Director.</p> <p>The Chief Executive Officer is responsible for the determination and approval of harmonised staff terms and conditions (and significant changes thereafter).</p> <p>The Chief Executive Officer will nominate an Executive Director responsible for preparing and recommending harmonised staff terms and conditions (and significant changes thereafter).</p> <p>The Chief Executive Officer is responsible for making recommendations on the remuneration of Executive Directors to the Remuneration Committee.</p> <p>The Chief Executive Officer will nominate an Executive</p>

Subject	Powers reserved to the Chair and Board	Powers delegated to the Chief Executive Officer
		<p>Director responsible for preparing and recommending suitable resources and facilities for the Board to maintain capacity and knowledge relevant to Natural Resources Wales' functions to discharge their duties effectively.</p>
<p><b>13. Freedom of Information Publication Scheme and significant publications, reports, consultations, communication plans</b></p>	<p>The Board is responsible for the maintenance, holding and annual review of the Freedom of Information Publication Scheme.</p> <p>The Board is responsible for the consideration and approval of Strategic Communication plans.</p>	<p>The Chief Executive Officer is responsible for the determination and approval of the Freedom of Information Publication Scheme and communication plans, press releases, external consultation responses and publications/external reports of national significance.</p> <p>The Chief Executive Officer is responsible for the determination and approval of formal written responses and evidence to Welsh Government (and Secretary of State on occasion) and NAW Inquiry Committees (and Westminster Select Committees on occasion) on issues of national importance, public, political or reputational significance.</p> <p>The Chief Executive Officer will nominate an Executive Director responsible for preparing and recommending the Freedom of Information Publication Scheme and for oversight of the management of requests for access to information (ATI) made under the Freedom of Information Act, Data Protection Act and Environmental Information Regulations 2004 and requests to re-use information under the Public Sector Information Regulations.</p> <p>The Chief Executive Officer will nominate an Executive Director responsible for preparing and recommending communication plans, press releases, external consultation responses and publications/external reports of national significance.</p>

Subject	Powers reserved to the Chair and Board	Powers delegated to the Chief Executive Officer
<p><b>14. Customer care and stakeholder management</b></p>	<p>The Chair is responsible for the preparation of responses in the event of complaints against Non-Executive Director members.</p> <p>In the event of complaints against the Chair, the Deputy Chairperson and / or Audit and Risk Assurance Committee will be responsible for the preparation of responses for approval by Welsh Ministers.</p> <p>The Board is responsible for the maintenance, holding and regular review (period) of customer service standards and level of performance including oversight of services Natural Resources Wales may exercise a charge for.</p> <p>The Board is responsible for the maintenance, holding and regular review (period) of the complaints procedure.</p>	<p>The Chief Executive Officer is responsible for the determination and approval of customer service standards and the effective and efficient management of key stakeholders and levels of customer care across the organisation.</p> <p>The Chief Executive Officer will nominate an Executive Director responsible for the preparation, determination and approval of customer service standards and their successful implementation.</p> <p>The Chief Executive Officer is responsible for the preparation, determination, approval and regular review (period) of a clear and effective complaints policy and procedure.</p> <p>The Chief Executive Officer is responsible for the preparation of an annual report to the Board on levels of customer care, commendations, complaints, their handling and outcomes.</p> <p>The Chief Executive Officer will nominate an Executive Director responsible for the preparation, regular review and performance improvement of the organisations approach to commendations and complaints.</p> <p>The Chief Executive Officer will delegate day to day stakeholder management and customer care to the appropriate Executive Director for the relevant exercise of their delegated functions.</p>
<p><b>15. MoUs, SLAs, Concordats</b></p>		<p>The Chief Executive Officer is responsible for the determination and approval of legally binding Service Level Agreements with Forestry Commission Great</p>

Subject	Powers reserved to the Chair and Board	Powers delegated to the Chief Executive Officer
		<p>Britain and the Environment Agency.</p> <p>The Chief Executive Officer is responsible for the determination and approval of non-legally binding arrangements with public sector bodies or not for profit organisations including Memoranda of Understanding, Service Level Agreements and Concordats that relate nationally or involve significant impact.</p> <p>The Chief Executive Officer is responsible for obtaining approval of and providing a recommendation to the Board for partnerships, programmes or projects of national significance or involve significant impact eg FCERM.</p> <p>The Chief Executive Officer will delegate the preparation, consideration and approval to the appropriate Executive Director for the relevant exercise of their delegated functions for partnerships, programmes or projects and non-legally binding arrangements with public sector bodies or not for profit organisations including Memoranda of Understanding, Service Level Agreements and Concordats that are not of national significance or involve significant impact on the organisation.</p> <p>The Chief Executive Officer is responsible for the determination and approval of overarching Information Sharing Arrangements and will delegate the preparation and recommendation of such arrangements to the appropriate Executive Director.</p> <p>The Chief Executive Officer is responsible for the determination and approval of decisions relating to the formation of charitable trusts. The Chief Executive Officer may then delegate the responsibility to the</p>

Subject	Powers reserved to the Chair and Board	Powers delegated to the Chief Executive Officer
		appropriate Executive Director for the maintenance, holding and review for the over-arching arrangements.
<b>16. Financial Matters, Grant claims, sale &amp; purchase of land</b>	As set out in the Financial Scheme of Delegation.	<p>As set out in the Financial Scheme of Delegation.</p> <p>The Chief Executive Officer is responsible for the determination and approval of grant claims of national significance of impact and the sale or purchase of land or property of significance.</p> <p>The Chief Executive Officer may set criteria by which the appropriate Executive Director has responsibility for exercising these functions in relation to cases not of national significance.</p>
<b>17. Administration of Board &amp; Register of Interests</b>	<p>The Chair is responsible for the cycle of Board meetings, the composition of the agenda and the approval of minutes.</p> <p>The Board is responsible for the maintenance, holding and review of the register of gifts, rewards, hospitality with a biannual review of the decisions made to authorise the acceptance of appropriate offers in exceptional circumstances and address entries of concern – as made by Chief Executive Officer and Chief Executive Officer secretariat.</p>	<p>The Chief Executive Officer will delegate responsibility to the appropriate Executive Director for the provision of the Board secretariat, the recommended cycle of Board meetings, the composition of the agenda, preparation of draft minutes and the overall maintenance of efficient arrangements and effective functioning of the Board.</p> <p>The Chief Executive Officer is responsible for the maintenance, holding and review of the register of gifts, rewards, hospitality, quarterly review, and authorisation of acceptance of appropriate offers in exceptional circumstances, address inappropriate entries – as made by Directors, the Board and Chief Executive Officer secretariat</p> <p>The Chief Executive Officer will delegate responsibility to each member of the Executive Team for the maintenance, holding and review of the register of gifts, rewards, hospitality, quarterly review, and authorisation of acceptance of appropriate offers in exceptional circumstances, address inappropriate entries – as made</p>

Subject	Powers reserved to the Chair and Board	Powers delegated to the Chief Executive Officer
		by all staff under that Directorate or geographical area.
<b>18. Legal proceedings and legal advice</b>	<p>The Board is responsible for the determination and approval of decisions, where they are of national significance or impact, relating to:</p> <ul style="list-style-type: none"> <li>• the decision to institute, defend or appeal civil proceedings brought by or against the organisation and arising out of a national matter; and the,</li> <li>• settlement of civil proceedings arising out of a national matter and not involving a claim for damages or compensation.</li> </ul> <p>The Board is responsible for the consideration and approval of legal advice from in-house legal team (whether or not relating to proceedings) in relation to the above.</p>	<p>The Chief Executive Officer is responsible for providing Board a recommendation to the and for obtaining the approval of the Board for the:</p> <ul style="list-style-type: none"> <li>• Decision to institute, defend or appeal civil proceedings brought by or against the organisation and arising out of a national matter; and the,</li> <li>• Settlement of civil proceedings arising out of a national matter and not involving a claim for damages or compensation.</li> </ul> <p>The Chief Executive Officer is responsible for informing the Board of actual or potential litigation or need for legal advice after assessment significance and potential impact.</p> <p>The Chief Executive Officer will delegate responsibility to the appropriate Executive Director for the oversight of the responsibility on all employees for obtaining legal advice from the in-house legal team (whether or not relating to proceedings). The member of staff seeking the advice is taken to be seeking the advice for their immediate team, their line manager and senior managers; and for any relevant project or programme the staff member is working in, and line managers of those involved in that project or programme.</p>
<b>19. Delegation in the event of absence</b>	<p>With Welsh Ministers the Chair has approval to determine and approve other members of the Board to exercise their authority in accordance with this Scheme.</p>	<p>The Chief Executive Officer is authorised to appoint another officer of Natural Resources Wales to act on their behalf either generally or in relation to specific matters and in the absence of any member of the Executive Team.</p>

Subject	Powers reserved to the Chair and Board	Powers delegated to the Chief Executive Officer
<p><b>20. Directorate and Regional Schemes of Authorisation</b></p>	<p>The Board is responsible for the maintenance, holding and regular review (<b>period</b>) of powers and functions delegated to the Chief Executive Officer and Executive Team and Natural Resources Wales employees as set out across the Directorate and Regional Schemes of Authorisation and set out in the Statutory Framework and Corporate Governance Framework.</p>	<p>The Chief Executive Officer is responsible for the consideration and approval of the powers and functions delegated to the Executive Team and Natural Resources Wales employees as set out across the Directorate and Regional Schemes of Authorisation and set out in the Corporate Governance Framework.</p> <p>The Chief Executive Officer will delegate the responsibility to the appropriate Executive Director for the harmonisation of the Non-Financial Scheme of Delegation and its continuous improvement within the Statutory Framework and Corporate Governance Framework.</p> <p>The Chief Executive Officer will set out the general areas of responsibility for members of the Executive Team giving each Executive Director the delegated authority to take decisions in respect of all matters within their areas of responsibility as desirable for the effective management of their Directorate provided that they:</p> <ul style="list-style-type: none"> <li>• Comply with the Statutory Framework and all corporate policy; <b>[annex]</b></li> <li>• Act in furtherance of, and not in conflict with, the Performance Delivery Framework and Corporate Strategy; and, <b>[annex]</b></li> <li>• Do not commit resources which are not provided for in current or future years by providing an assurance statement to the Chief Executive Officer as Accounting Officer as to the good governance of organisational resources.</li> </ul> <p>Each Executive Director is responsible for the preparation and maintenance of a Scheme of Delegation</p>

<b>Subject</b>	<b>Powers reserved to the Chair and Board</b>	<b>Powers delegated to the Chief Executive Officer</b>
		within their directorate or regional areas of responsibility as set out at Level 2 (the Directorate Scheme of delegation).

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## Annex 3: LEVEL 2 – EXECUTIVE TEAM / DIRECTORATE SCHEMES OF DELEGATION

### Level 2 Directorate Scheme of Delegation

#### Executive Team

1. The Executive Directors have their general areas of responsibility set out below in respect of their Directorates. They are responsible for obtaining any relevant approvals from the Chief Executive Officer or the Board as may be necessary and are responsible for monitoring, evaluation, reporting and review.
2. Subject to those areas set out at Level 1, they have delegated authority to take decisions in respect of all matters within their areas of responsibility as desirable for the effective management of their Directorate provided that they:
  - Comply with the Strategic Framework and all corporate policy;
  - Act in furtherance of, and not in conflict with, the Performance Delivery Framework and Strategic Plan; and,
  - Do not commit resources which are not provided for in current or future years by providing an assurance statement to the Chief Executive Officer as Accounting Officer as to the good governance of organisational resources.
3. Each Executive Director is responsible for the preparation and maintenance of a Scheme of Delegation within their Directorate or regional area of responsibility.
4. The Scheme must be reviewed as part of business planning process to ensure alignment to organisational structure and work programme in advance of each financial year. This must include arrangements for deputising; Terms of Reference for any group where the group chair reports at Director level **[annex]**; and nominated members of staff including:
  - risk manager & maintenance of risk register;
  - Access to information officer to manage responses by directorate or region;
  - budget manager;
  - IT business manager;
  - gifts, rewards and hospitality register for all staff;
  - asset information owner;
  - business continuity leads; and,
  - officers with lead responsibility for other areas of work or authority for directorate or regional decision making.

5. The Scheme must be reviewed to ensure a continued fit with the 'principles' section on 'firewalls', separation of duties and transparency regarding self-permitting to ensure that organisational design is fit for purpose.

## Executive Director National Services

### Role and Positioning where interfacing with other Directorates

- Regulator, competent authority and statutory/impact assessment unit (including Strategic Environmental Assessment, Environmental Impact Assessment and Habitats Regulation Assessment) for all Natural Resources Wales (from both Knowledge, Strategy & Planning and Operations) and external applications.
- Business development based on strategy mandated from Knowledge, Strategy & Planning and where Natural Resources Wales is the 'business' then projects are taken forward by Operations who are the 'Applicant'.
- Business Unit services provided as an 'Agent' on behalf of Operations who act as the 'Client'. Full service from Business Units will include professional project management and will be authorised to act by the 'Client'. Operations will always be the 'Applicant' just as they will always be the 'Landowner'.

#### Activities include:

- Permits, Licences, Consents and Statutory Assessments (SEA, HRA) incl for Natural Resources Wales activity
- Technical advice
- Business development, legal and property
- Business unit services incl. forest operations, capital projects and civil engineering
- Flood risk and Incident Management
- Customer contact
- Analytical services
- Specialist compliance

#### Delegated specific authority from Level 1 for:

##### Heads of Service:

- Head of Enterprise
- Head of technical services & customer care
- Head of flood and operational risk management

Supports Board Advisory Group on **Enterprise**

Incident control for high risk and fast moving incidents both within and outside the civil contingencies framework

#### Nominated officers (to complete):

- Risk manager & maintenance of risk register -

- Access to information officer to manage responses by directorate or region -
- Budget manager -
- IT business manager -
- Gifts, rewards and hospitality register for all staff -
- Asset information owner -
- Business continuity leads -

## **Executive Director Knowledge, Strategy and Planning**

### **Role and Positioning where interfacing with other Directorates**

- Establishes and develops the evidence base to be used by Natural Resources Wales
- Uses evidence base and shared (policy) outcomes with Welsh Government to help develop the business strategy and allocation of resources through corporate planning
- As part of strategy development develops programmes, including spatial plans that are mandated to Operations and National Services to deliver. Prepares the evidence and information for Strategic Environmental Assessment and Habitats Regulation Assessment as the 'Responsible Authority' or 'Appropriate Authority' on these Natural Resources Wales plans and programmes as necessary
- Participates in WG policy development as a partner and provides evidence, advice and information on strategic plans of other authorities including Welsh Government

#### **Activities include:**

- Establishment and development of Natural Resources Wales Evidence base incl spatial and other data, information, knowledge
- Research and science liaison/commissioning
- National spatial planning – Natural Resources Wales and advice to others
- SEA/HRA preparation on Natural Resources Wales plans
- WG policy input
- Development of shared outcomes with WG and

#### **Delegated specific authority from Level 1 for:**

Heads of service:

- Head of evidence, knowledge & advice
- Head of sustainable communities
- Head of natural resources planning
- Head of business, regulation & economics
- Head of corporate planning and performance
- Chief information officer

Supports Board Advisory Group on **Economics and Knowledge**

<p>Performance framework</p> <ul style="list-style-type: none"> <li>• Business Strategy and Corporate Planning</li> <li>• Modelling and mapping functions</li> </ul>	
<p><b>Nominated officers (to complete):</b></p> <ul style="list-style-type: none"> <li>• Risk manager &amp; maintenance of risk register -</li> <li>• Access to information officer to manage responses by directorate or region -</li> <li>• Budget manager -</li> <li>• IT business manager -</li> <li>• Gifts, rewards and hospitality register for all staff -</li> <li>• Asset information owner -</li> <li>• Business continuity leads -</li> </ul>	
<p><b>Executive Director Finance and Corporate Services</b></p> <p><b>Refer to Financial Scheme of Delegation</b></p>	
<p><b>Activities include:</b></p>	<p><b>Delegated specific authority from Level 1 for:</b></p>
<ul style="list-style-type: none"> <li>• Financial management and control</li> <li>• Budget setting</li> <li>• ICT</li> <li>• Security</li> </ul>	<ul style="list-style-type: none"> <li>Head of procurement</li> <li>Head of corporate assets</li> <li>Head of financial services</li> <li>Head of business finance</li> <li>Head of information and communications technology</li> </ul>
<p><b>Nominated officers (to complete):</b></p> <ul style="list-style-type: none"> <li>• Risk manager &amp; maintenance of risk register -</li> <li>• Access to information officer to manage responses by directorate or region -</li> <li>• Budget manager -</li> <li>• IT business manager -</li> </ul>	

- Gifts, rewards and hospitality register for all staff -
- Asset information owner -
- Business continuity leads -

## Executive Director Operations – North and South

### Role and Positioning where interfacing with other Directorates

- The landowner and land manager and includes acting as proposer for designations based on programme or spatial plan set by Knowledge, Strategy & Planning. Always acts as ‘Applicant’. In some circumstances is the project manager for Natural Resources Wales operational activity. For National Business Unit Services acts as the ‘Client’.
- The local place-based adviser for non-Natural Resources Wales statutory processes (planning authority) and other non-statutory advisory/extension work. **Where Natural Resources Wales is ‘Applicant’ then Natural Resources Wales statutory advice to be incorporated into initial discussions/application for planning permission with transparent process.** Acts as the ‘nature conservation body’ in relation to Habitats Regulation Assessment and as the ‘countryside authority’ and ‘forestry body’ in relation to Strategic Environmental Assessment and Environmental Impact Assessment for external applications. Prepares locally required Habitats Regulation Assessment and Environmental Impact Assessment for Natural Resources Wales plans, programmes and projects as appropriate.
- Compliance, sampling and monitoring for all Natural Resources Wales and non-Natural Resources Wales permits and other reporting responsibilities and enforcement for breaches and illegal activity. **Fully transparent process developed for any compliance/enforcement related to Natural Resources Wales activity.**

#### Activities include:

- Natural Resources Wales and non-Natural Resources Wales land and water management including forest and nature reserve management, recreation, education
- Local statutory and non-statutory consultee (Planning and Development control)
- Designation proposer
- Compliance and enforcement (permitted and illegal)
- Navigation

#### Delegated specific authority from Level 1 for:

##### Heads of service North:

- Operations Manager NW
- Operations Manager NE
- Operations Manager N
- Ecosystems planning and partnerships manager N

##### Heads of service South:

- Operations Manager SE

<ul style="list-style-type: none"> <li>• Telemetry</li> <li>• Incident management and pollution control</li> <li>• Sampling - water, air, environmental quality</li> <li>• Fish management</li> <li>• Flood awareness and information</li> </ul>	<ul style="list-style-type: none"> <li>• Operations Manager SW</li> <li>• Operations Manager MW</li> <li>• Operations Manager S</li> <li>• Ecosystems planning and partnerships manager S</li> </ul> <p>Supports Board Advisory Group on <b>Community and Environment</b></p> <p>Co-ordinates responses to high risk and fast moving incidents both within and outside the civil contingencies framework</p> <p>Network of local and regional operational staff</p> <p>Estate vehicles and equipment</p> <p>Operational services including Health and safety</p>
<p><b>Nominated officers (to complete):</b></p> <ul style="list-style-type: none"> <li>• Risk manager &amp; maintenance of risk register -</li> <li>• Access to information officer to manage responses by directorate or region -</li> <li>• Budget manager -</li> <li>• IT business manager -</li> <li>• Gifts, rewards and hospitality register for all staff -</li> <li>• Asset information owner -</li> <li>• Business continuity leads -</li> </ul>	
<p><b>Executive Director (Interim) Organisational Development and People Management</b></p> <p><b>Role and Positioning where interfacing with other Directorates:</b></p> <ul style="list-style-type: none"> <li>• xyz</li> </ul>	
<p><b>Activities include:</b></p>	<p><b>Delegated specific authority from Level 1 for:</b></p>
<ul style="list-style-type: none"> <li>• OD and change management</li> <li>• People management</li> </ul>	<p>Heads of service:</p> <ul style="list-style-type: none"> <li>• Head of people services</li> </ul>

<ul style="list-style-type: none"> <li>• Employee relations</li> <li>• Learning and development</li> <li>• Health safety and welfare</li> </ul>	<ul style="list-style-type: none"> <li>• Head of OD and learning</li> <li>• Senior HR business partner</li> <li>• Senior HR business partner</li> </ul> <p>Supports Board Advisory Group on <b>Transition</b></p> <p>Transfer of staff to Natural Resources Wales</p>
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<p><b>Nominated officers (to complete):</b></p> <ul style="list-style-type: none"> <li>• Risk manager &amp; maintenance of risk register -</li> <li>• Access to information officer to manage responses by directorate or region -</li> <li>• Budget manager -</li> <li>• IT business manager -</li> <li>• Gifts, rewards and hospitality register for all staff -</li> <li>• Asset information owner -</li> <li>• Business continuity leads -</li> </ul>
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**Head of Transition**

**Role and Positioning where interfacing with other Directorates**

<p><b>Activities include:</b></p> <ul style="list-style-type: none"> <li>•</li> </ul>	<p><b>Delegated specific authority from Level 1 for:</b></p>
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<p><b>Nominated officers (to complete):</b></p> <ul style="list-style-type: none"> <li>• Risk manager &amp; maintenance of risk register -</li> <li>• Access to information officer to manage responses by directorate or region -</li> <li>• Budget manager -</li> <li>• IT business manager -</li> <li>• Gifts, rewards and hospitality register for all staff -</li> <li>• Asset information owner -</li> </ul>
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- Business continuity leads -

## Head of Governance

### Role and Positioning where interfacing with other Directorates

- Acts as the conduit for referrals of significant / exceptional cases to Board (or committee) and handles 'call-in's' of permit applications and permitting decisions to Welsh Ministers

#### Activities include:

- Board secretariat
- Corporate policy framework
- Communications
- Corporate Governance
- Risk management
- Audit and Risk Assurance

#### Delegated specific authority from Level 1 for:

- Audit and Risk Assurance Committee(s)
- Internal audit
- FOI, complaints and dealings with external regulatory / ombudsman functions
- Senior Information Risk Owner

#### Nominated officers (to complete):

- Risk manager & maintenance of risk register -
- Access to information officer to manage responses by directorate or region -
- Budget manager -
- IT business manager -
- Gifts, rewards and hospitality register for all staff -
- Asset information owner -
- Business continuity leads -

**Annex 4: Levels 2, 3 and 4. Legacy body: Environment Agency Wales Non-Financial Scheme of Delegation**

**Annex 5: Levels 2, 3 and 4. Legacy body: Countryside Council for Wales Non-Financial Scheme of Delegation**

**Annex 6: Levels 2, 3 and 4. Legacy body: Forestry Commission Wales Non-Financial Scheme of Delegation**

**Annex 7: Levels 2, 3 and 4 – Relevant extracts from the Non-Financial Schemes of Delegation of Transferred functions**

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