

Agenda

Title of meeting: NRW Board Meeting Day 2 - Public Session

Date of meeting: 26th May 2022

Time of meeting: 9.30-15.50

Venue:

Microsoft Teams:

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[+44 29 2105 5545,,333792432#](#) United Kingdom, Cardiff

Phone Conference ID: 333 792 432#

Time

Item

**9.30
(5 mins)**

1. Open Meeting

- Welcome
- Declaration of Interests
- Explain conduct of meeting

Sponsor and Presenter: Sir David Henshaw (Chair)

Summary: To NOTE any declarations of interest.

**9.35
(5 mins)**

2. Review Minutes and Action Log
2A. Review Minutes from Public 24th March meeting
2B. Review Public Action Log

Sponsor and Presenter: Sir David Henshaw (Chair)

To APPROVE the minutes of the previous meeting and the action log.

**9.40
(10 mins)**

3. Update from the Chair

Sponsor and Presenter: Sir David Henshaw

Summary: To NOTE the Chair's update to the Board.

**9.50
(20 mins)**

4. Report from the Chief Executive

Sponsor and Presenter: Clare Pillman, Chief Executive

Summary: To NOTE the current position and update the Board on key activities.

Paper ref: 22-05-B09

**10.10
(30 mins)**

5. Update Report of Committees

Sponsors and presenters: Committee Chairs

Audit and Risk Assurance Committee – no meeting held

Evidence Advisory Committee – no meeting held

Finance Committee – 14th April and 28th April

Paper ref: 22-05-B10

Flood Risk Management Committee – 7th April

Paper ref: 22-05-B11

People and Remuneration Committee – No meeting held

Protected Areas Committee – No meeting held

Summary: To NOTE the updates from the Board committees, both within and outside of any meetings held.

**10.40
(10 mins)**

6. Proposed Changes to the Statutory and Legal Scheme (SaLS)

Sponsor: Prys Davies, Executive Director of Corporate Strategy and Development

Presenter: Clare Jones, Lead Specialist Advisor, Governance

Summary: To APPROVE changes to the SaLS for the Regulatory Business Board

Paper ref: 22-05-B12

**10.50
(20 mins)**

Break

**11.10
(60 mins)**

7. Forestry Strategy

Sponsors: Ceri Davies, Executive Director of Evidence, Policy and Permitting; Sarah Jennings, Executive Director of Communications, Customer and Commercial

Presenters:

a) Ruth Jenkins, Head of Natural Resource Management Policy

b) Miriam Jones-Walters, Specialist Advisor, Land Stewardship

c) Andrew Wright, Senior Specialist Advisor, Plant Health and Research Knowledge Transfer, Land Stewardship with Dominic Driver, Head of Land Stewardship; Elsie Grace, Head of Sustainable Commercial Development

Summary:

a) To APPROVE the proposal for a Forestry Regional Advisory Committee

Paper ref: 22-05-B13

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- b) To **APPROVE** Section 83 for maintaining the area of woodland on the WGWE and the Service Level Agreement with the Welsh Government for the NRW Estate.

Paper ref: 22-05-B14a

- c) To **DISCUSS** the follow on from the strategic discussion on the Welsh Government Woodland Estate (WGWE) and

Paper ref: 22-05-B14b

12.10
(80 mins)

Lunch

13.30
(60 mins)

8. Strategic Discussion on Flood Risk Management

Sponsor: Ceri Davies, Executive Director of Evidence, Policy and Permitting
Presenter: Jeremy Parr, Head of Flood and Incident Risk Management

Summary: To DISCUSS the strategic approach to Flood Risk Management

Paper ref: 22-05-B15

14.30
(15 mins)

9. Wellbeing, Health and Safety Annual Report 2021-22

Sponsor: Prys Davies, Executive Director of Corporate Strategy and Development
Presenter: Charlotte Morgan, Wellbeing, Health and Safety Manager

Summary: To APPROVE the Wellbeing, Health and Safety Annual Report 2021-22.

Paper ref: 22-05-B16

14.45
(5 mins)

10. Board Forward Look

Sponsor: Sir David Henshaw
Presenter: Natalie Williams, Team Leader, Board Secretariat

Paper ref: 22-05-B17

14.50
(5 mins)

11. AOB

For approval by correspondence:

- a) **Changes to the SaLS for the Corporate Services Business Board**
Paper ref: 22-05-B18

- b) **NRW's Modern Slavery Statement**
Paper ref: 22-05-B19
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14.55 **Break**
(10 mins)

End of Public Board meeting

15.05 **12. Public Q&A Session**
(45 mins)

15.50 **Close Meeting**

Unconfirmed Minutes

Title of meeting:	NRW Board Meeting – Public Session Attendees in person and via Microsoft Teams
Date of meeting:	24 th March 2022
Present Board Members:	Sir David Henshaw, (Chair) Clare Pillman, Chief Executive Prof Steve Ormerod, Deputy Chair Karen Balmer (Teams, morning only) Catherine Brown (Items 1 to 12) Julia Cherrett Geraint Davies Paul Griffiths Zoë Henderson Mark McKenna Prof Peter Rigby
Present Executive Team Members:	Rachael Cunningham, Executive Director of Finance and Corporate Services Ceri Davies, Executive Director of Evidence, Policy and Permitting Prys Davies, Executive Director of Corporate Strategy and Development Sarah Jennings, Executive Director of Communications, Customer and Commercial Gareth O’Shea, Executive Director of Operations
Additional Attendees Present:	Colette Fletcher, Head of Governance & Board Secretary (All items) Caroline Hawkins, Corporate Planning, Performance & Strategic Assessment Manager Item 6 (Teams) Sarah Williams, Head of Corporate Strategy and Programme Management Office Item 6 (Teams) Sue Ginley, Lead Specialist Advisor, Corporate Planning & Performance Item 6 (Teams) Julia Allen, Lead Specialist Advisor, Human Resources Item 7 (Teams) Charlotte Morgan, Wellbeing, Health and Safety Manager Item 8 and 12 (Teams) Fen Turner, Lead Specialist Advisor, Natural Resources & Wellbeing Strategy Item 9 Bill Purvis, Health, Education Access and Recreation Manager Item 9 Ruth Jenkins, Head of Natural Resource Management Item 9 Catrin Hornung, Head of Communications and External Relations Item 11 Naomi Lawrence, Head of Customer Experience Item 11 Heledd Evans, Digital Services Team Leader Item 11 (Teams) Martin Parkinson, Head of ICT Item 11 (Teams) Christopher Collins, Head of Knowledge and Evidence Item 11 (Teams) Dominic Driver, Head of Land Stewardship Item 12 (Teams) Elsie Grace; Head of Sustainable Commercial Development Item 12 (Teams)

Gavin Bown, Head of Mid Wales Operations Item 12 (Teams)
Paul Johnston, Sales & Marketing Manager Item 12 (Teams)
Adrian Hodkinson, Health & Safety Executive Item 12 (Teams)
Sarah Wood, Biodiversity and Ecosystem Resilience Manager Item 13 and 16 (Teams)
Nadia De Longhi, Head of Regulation and Permitting Item 13 (Teams)
Adam Cole-King, Lead Specialist Advisor, Biodiversity Policy Item 13 and 16 (Teams)
Patrick Lindley, Lead Specialist Advisor, Terrestrial Habitats and Species Item 13 and 16 (Teams)
Katherine Morris, Principal Advisor, Legal Services Item 13 (Teams)
Sian Williams, Head of North West Wales Operations Item 16 (Teams)
Ben Wilson, Principal Advisor, Fisheries Item 16 (Teams)

**NRW
Observers:**

Mike Evans, Head of Operations, South Wales Central
Kate Evans, Public Affairs & Private Secretary
Luke Henry, Project Manager, ICT
Ben Dickinson, Service Change and Configuration Manager
Ian Johns, Principal Technical Architect (Item 11)
Phil Mostyn, Lead Specialist Advisor, Wellbeing, Health and Safety (Item 12)
Jessica Poole, Lead Specialist Advisor, Regulatory Approaches (item 13)
Ian Williams, Team Leader, Species (Birds) Permitting (Item 13)
Rachel Jarvis, Lead Specialist Advisor, Regulatory Approaches (Item 13)
Danielle Phillips, Chwarae Teg

**Public
Observers:**

Kim Waters – Welsh Rivers Union
Rachel Evans – Countryside Alliance
Steve Griffiths – BASC
Glynn Evans – BASC
Gareth Wardell
Ruth Tudor
Douglas Knox, Forestry and Land Scotland (Item 11)
Rachel Hodson – Welsh Government (Item 12)
Julian Hughes – RSPB (Item 12)
Additional members of the public

Declarations:

Prof Steve Ormerod – Previous Council Chair (2012-2017) and current Vice-President of the RSPB; Chair of NRW Fish-eating Birds Group; Member of two wildlife trusts; Member of various learned societies and professional institutes that deal with wildlife matters, including birds (British Trust for Ornithology, British Ecological Society, Chartered Institute of Ecology and Environmental Management). Has published over 70 scientific papers on birds - including their role as predators.
Geraint Davies – Game & Wildlife Conservation Trust, RSPB, Farmers Union of Wales, National Farmers Union Cymru, National Trust,
Julia Cherrett – British Association for Shooting and Conservation, part time beater on a local shoot (unpaid)
Karen Balmer – RSPB, Grants Recipient, National Trust
Catherine Brown – RSPB, Wildlife Trust, National Trust
Zoe Henderson – Countryside Alliance, North Wales Wildlife Trust
Peter Rigby – National Trust
Clare Pillman – Wildlife Trust, National Trust, Proposed new national park
Sir David Henshaw – Proposed new national park

Apologies: Prof Calvin Jones
Dr Rosie Plummer
Karen Balmer (from 1pm)
Prof Steve Ormerod (12.15 – 2.00)
Catherine Brown (Items 13 to 16)

Secretariat: Jocelyn Bengner
Natalie Williams

Item 1. Open Meeting

1. The Chair opened the meeting and welcomed everyone. Declarations of interest were made as noted above. Declarations had been considered in advance and it had been concluded that no Board members were required to be excluded from the discussions. The Chair explained the conduct of the meeting and the process that would be followed for any questions not dealt with during the public Q&A session.

Item 2. Review Minutes and Action Log

2A. Review Minutes from Public 28th January meeting

2. The minutes from the public January meeting were reviewed and agreed.

2B. Review Public Action Log

3. The action log was reviewed and noted.

Item 3: Update from the Chair

4. Various meetings continued to take place, including the Green Recovery Group and routine committee meetings.
5. The following Board Committee Chair appointments were agreed in advance by correspondence: Julia Cherrett to Chair the People and Remuneration Committee (PaRC); Paul Griffiths to act as interim Chair of the Flood Risk Management Committee (FRMC) until the current Board member recruitment was completed; Sir David Henshaw to continue as interim Chair of the Finance Committee (FC). Thanks were offered to Zoe Henderson for her work as Chair of PaRC.
6. The Chair noted with regret that Catherine Brown would stand down from the Board from 31st October. Congratulations were offered to Catherine on her appointment to the Chair of the Enforcement Conduct Board. The Board thanked Catherine for all her work for NRW.

APPROVED: Changes to the Committee Chairs were approved.

Item 4: Report from the Chief Executive

7. The paper was taken as read and the following items were highlighted.
8. There had been a world shift since the last Board meeting, particularly regarding the situation in Ukraine. The effect on staff, networks and supply chain issues were being considered and reviewed by the Executive Team (ET).

9. The judge in the judicial review of the Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021 had dismissed the National Farmers Union (NFU) claim in its entirety.
10. The Executive Director of Evidence, Policy and Permitting (EPP) updated the Board on the outcome of the Law Commission Report on regulating coal tip safety, initiated following the Tylorstown tip slip during Storm Dennis. The recommendations from the Report were shared. The Report also recognised that coal tips were just one of the industrial legacy issues to be dealt with and recommendations were made on this issue. The Welsh Government (WG) would consider the Law Commission Report, and a White Paper was likely later in the year on how to implement this. NRW had duties and responsibilities around environmental activity in addition to the coal tips on the NRW Estate and had been working with both WG and the Law Commission to feed into the consultation.
11. Martin Parkinson, Head of ICT, and the current Chair of the Leadership Team Group (LTG), would be coming offline while chairing that group to work with the Executive Team, Leadership Team, and the Governance team on work to transform the governance and effectiveness for these groups. Recruitment would take place for a new Head of ICT.
12. Board members welcomed the work on the online Public Register and requested that thanks were passed on to the team for their work on this. It was noted that this was an important element of accountability and research through access to NRW's knowledge base.

ACTION: Secretariat to pass on Board thanks to the Customer team for their work on the online Public Register.

Item 5: Update Reports of Committees

13. Catherine Brown as the Chair of the Audit and Risk Assurance Committee (ARAC) updated the Board on the meeting held on 10th March. A substantial discussion was held on the Risk Register. A deep dive on the risk on non-compliance took place with progress noted as being made. A discussion on the emerging risks on Ukraine and the cost of living resulted in a recommended Board discussion on this. An update was provided on the progress on reducing the risk relating to contracts. This had been very helpful and it was encouraging to see the steps being taken on this. There were some concerns on the use of Memorandums of Understanding, but ET were reviewing this, and an audit would follow in the next few months. Three audit reports and two follow ups were reported and ARAC were encouraged to see improvements in the response to audits. Thanks were offered to the Internal Audit team and management team on the follow up work to audit reports. Workforce planning had received an unsatisfactory audit opinion, which was a concern to ARAC, although it was recognised that PaRC had been engaged in discussions. ARAC remained concerned about the gap between the Coal Board and NRW's records on spoil tips. Work was being undertaken to reconcile this and ARAC were continuing to monitor.
14. Zoe Henderson as the Chair of the People and Remuneration Committee (PaRC) updated the Board on the meeting held on 2nd March. PaRC had been joined by the new Interim Head of Organisational Development (OD), who was already making a big difference. PaRC had not been surprised by the audit opinion on Workforce Planning as there had not been a Head of OD in post for some time. The Management Information was considered with a focus on recruitment challenges and considering how to manage short term budgets and Fixed Term Appointees (FTAs). A group was considering this in detail in order to make suggestions on moving forward. The total number of staff in the

organisation plus the number of vacancies were reviewed and the importance of ensuring the correct resourcing and focus of People Services was highlighted. A session was held on Wellbeing, Health and Safety. A deep dive took place on mental health absences, and it was noted that some training had been put in place for managers on mental health but recognised that there was more work to do on this. Progress was being made in succession planning but there would be a need to continue to focus on this area.

15. Board members commented on the challenges in recruitment and the Human Resources (HR) function. It was noted that recruitment had been raised to a strategic level risk and work was taking place on addressing this. The Chief Executive offered thanks on behalf of ET to Zoe Henderson for her work as Chair of PaRC.
16. Prof Peter Rigby as the Chair of the Evidence Advisory Committee (EAC) provided an update on work since the meeting held on 18th January. The next meeting was scheduled for 7th June. Work was being undertaken on recruitment to the Committee to expand the base of expertise, particularly in the areas of forestry and marine. Excellent recruits were in process, however, this was not yet finalised.
17. Sir David Henshaw as the Chair of the Finance Committee (FC) updated the Board on the meetings held on 10th February and 11th March. An update on the current year's performance had been received. The Finance team had indicated that this should be on target by the year end. Forestry and accountability had been discussed and there would be a continued focus on this. The workforce and controls were considered. A discussion took place on the Baseline and the important work on this around identifying priorities. The proposals on charging were accepted and an update was provided on grants. The annual effectiveness review was undertaken. At the meeting on 11th March the draft Budget and Business Plan 2022/23 was considered. It was noted that the Minister had approved the Annual Charging Scheme.
18. Julia Cherrett as the Chair of the Flood Risk Management Committee (FRMC) provided an update on work since the meeting held on 13th January. A response had been provided to the resources draft plan by the Flood and Coastal Erosion Sub-Committee. Most of the proposals were supported going forward, although it was recognised that this was a long list of recommendations which would need to be prioritised. An additional strategic session had been added to the next meeting of FRMC to enable discussions on current and future measures for flood risk management, how to take the conversations on flood risk forward with communities, and the approach to nature-based solutions to flooding.
19. Board members discussed the debate around forestry issues at the private Board meeting and noted the importance of woodlands in delivering nature-based solutions to flooding, in addition to their other benefits that could be delivered through appropriate landscape management.
20. The Chief Executive informed the Board that a WG announcement was anticipated on a commitment in the Programme for Government for a review of the flooding in 2020. It was also noted that Audit Wales were considering their approach to a review of flooding. Board members discussed the approach to engaging with communities on flooding. It was recognised that there was an opportunity to contribute to the reviews by other bodies on what could be done as well as what had been done. It was also noted that there was an appetite by the Welsh Local Government Association (WLGA) to engage in wider conversations on this issue.
21. Prof Steve Ormerod deputising for the Chair of the Protected Areas Committee (PrAC) updated the Board on the meeting held on 1st February. The paper provided the detail of

the meeting. The following areas were highlighted. Discussions had included the evolving thinking on the purpose of various protected area designations, for example, their importance in recreation and rehabilitation post-Covid, and addressing the climate and nature emergencies. The impacts of declining biodiversity in the terrestrial environment as well as the freshwater and marine environment and the impacts on designated sites were considered. The 30x30 target that had emerged at global level from the CBD (Convention on Biological Diversity) was that 30% of land and sea would be in protected status by 2030 and the intention was to be Nature Positive by 2030. The proposed new national park was an ongoing item. PrAC were also briefed on the UK Government response to the Glover Review on landscapes, in particular Areas of Outstanding Natural Beauty (AONBs) and National Parks. Requirements and resourcing of monitoring on NRW's protected sites was considered. PrAC were informed of proposals for a funding bid for £7.4m by 2025 to enhance management of the protected areas on the NRW Estate.

22. Board members discussed the PrAC update and noted the content of the Glover Review. The Executive Director of EPP explained the difference in the report relating to Wales but noted that the legislation was connected. The team were in discussions with Natural England and Defra to share information on the different approaches. The Board discussed the approach to the proposed new national park. The Chair and Chief Executive declared an interest in this subject. It was noted that NRW had a formal role in the designation process but it was agreed that developing a view on the designation process could be considered for the future.

Item 6: Business Plan Performance Dashboard Quarter 3 Report

Presenters: Caroline Hawkins, Corporate Planning, Performance & Strategic Assessment Manager, Sarah Williams, Head of Corporate Strategy and Programme Management Office; Sue Ginley, Lead Specialist Advisor, Corporate Planning & Performance

23. The Chief Executive gave a presentation to the Board. The paper and Quarter 3 Report was taken as read and it was noted that reporting was taking place against the Business Plan signed off by the Board earlier in the year and the five strategic priorities. Internal performance measures were also included in the report for the first time. The majority of targets were on track, but some challenges were expected, particularly around recruitment, especially in the area of Flood Risk Management. It was noted that the woodland creation target could be Amber by year end due to planting delays while community engagement took place. The following areas were highlighted from the report.
24. The measures were rated as 19 Green, nine Amber and two Red. River basin management plans were currently rated as Red, due to staff being taken offline to work on Special Area of Conservation (SAC) rivers and other water quality issues. The Metal Mines programme was also rated as Red, although it was noted that the programme was going well, and there had been a decision to reschedule some of the work into a larger scheme. It was anticipated that the programme could be Amber by year end.
25. The implementation of the Flood Review recommendations was rated as Amber. This would continue to be closely monitored by FRMC and ET. Progress on customer experience as also rated as Amber. The Executive Director of Communication, Customer and Commercial confirmed that the Customer Relationship Management digital solution would be in place in April. The Stakeholder Engagement Plan had been delayed for additional work. The Adfywio/Renewal Programme was rated as Amber. This had been delayed due to additional restrictions but was now making progress. A new Project Manager was in post and there was a real focus on the intention of seeing NRW's future operating model reducing carbon impact. It was highlighted that work on protected sites was now rated as Green and additional funding for next year would continue the work on

this. There had been greater discipline on challenge on the measures and therefore the year end expectations were one Red, six Amber, and 23 Green.

26. The following items from the report on internal measures were highlighted. Of the 11 measures, one was rated as Red, one Amber, and nine Green. The measure rated as Red related to making payments on time. It was noted that this had been caused by staffing issues in the Finance team. Payments were now at 89% and there was confidence that the target of 94.5% would be reached by year end. The Executive Director of Finance and Corporate Services updated the Board that payments were now on track, although this would continue to be closely monitored. It was noted that a lot of work had taken place on the Management Information during the year to pull out the information that would focus on monitoring and driving improvements.
27. Board members discussed the content of the report. The short-term plans for the purchased land following the delayed tree planting were queried. It was explained that there would be a different approach depending on each piece of land, and the Chief Executive would provide more information on the detail around this.

ACTION: Board members to be provided with details of the approach to land use while tree planting was delayed due to community engagement activities.

28. Concerns were raised regarding the possible impacts on smaller businesses due to the payment delay issues and the communications around this were queried. The Executive Director of Finance and Corporate Services explained that any queries had been responded to and the progress on this issue was highlighted.
29. The Metal Mines programme was praised and recognised as world leading science. A site visit was suggested to view the work on the ground. The Executive Director of EPP highlighted the huge amount of preliminary assessment work, and described the links with other programmes, such as the reservoir programme.

ACTION: Metal Mines to be added to the programme of Board site visits.

30. The Executive Director of EPP gave an update on the Flood Recovery and Review Implementation Programme and explained the decision to continue to monitor the programme and that there were a number of ongoing long-term measures. There had been some delays to the progress on the measures and these were described. It would be important to ensure that the actions were embedded prior to sign off. Board members welcomed this approach. It was confirmed that there would be a reporting line to FRMC, ET and Board once the programme moved to Business as Usual (BAU). Board members noted that it would be useful to know the risks raised by the team on this move to BAU. The challenge around recruitment and numbers of vacant posts in the area of Flood and Incident Risk Management was noted and Board involvement in this area was considered. The Executive Director of Corporate Strategy and Development described the actions being taken on this issue and the development of a strategic risk on recruitment.
31. Issues on water quality were discussed. It was suggested that it would be helpful to have a more transparent and accessible measure around this, which focused on numbers of non-compliance and enforcement actions. There would also be a need to include the numbers of reported non-compliance. It was confirmed that the detailed measure for next year would be considered at the next meeting. It was suggested that a site visit to consider issues on SAC rivers and Combined Storm Overflows (CSOs) could take place at the next meeting. Board members noted that following the outcome of the judicial review of the Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021, there would need to be a prioritisation of this issue.

32. Staff absence issues were discussed and the extent to which managers were supporting staff was queried. PaRC had undertaken a deep dive on mental health issues and had been reassured that this was being considered, with support offered to staff and training put in place for managers. It was recognised that the HR business area had not grown in line with the organisation. The Executive Director of Corporate Strategy and Development explained the role of the Adfwyio/Renewal Programme in reviewing the systems and support, for example in introducing changes to the performance management system to ensure that managers had the appropriate tools. The expectations on middle managers were recognised. The Chief Executive explained that the Head of ICT would be focusing on the compliance requirements and making improvements to this area, working with the Head of Governance and Board Secretary, LTG, and the Corporate Services Board. The link between this area, Adfwyio and the Baseline Review was described. Mental health and the link to anxiety in the current world climate was discussed. The mental health first aider role was described. ET and LT had considered the changing role of leadership at a recent meeting. The Board noted the ongoing challenges.

APPROVED: Business Plan Performance Dashboard Quarter 3 Report

Item 7: Diversity and Inclusion Annual Report 2021-22

Presenter: Julia Allen, Lead Specialist Advisor, Human Resources

33. The Executive Director of Corporate Strategy and Development introduced the item and noted that several previous discussions had been held at Board on Diversity and Inclusion (D&I). The Annual Report set out the D&I Plan along with some of the actions, and highlighted the Gender Pay Gap Report, and work with the wider sector. Some interesting points were raised that were received on complaints and the focus on access issues, which were being worked through with colleagues in Operations. The Report also included information from staff networks.

34. Board members discussed the content of the report. Zoe Henderson as Chair of PaRC noted that a lot of work had taken place in this area and there would be further work in taking this forward not just internally but with communities in Wales. It was queried whether a passport system was in place for people with disabilities and if so, could their levels of satisfaction with any adjustments be measured. It was explained that a pilot passport system had been taking place through the staff networks and the Head of People Management would be running a session with line managers. The take up would be monitored and a satisfaction measure could be added.

35. The Gender Pay Gap Report was discussed. It was noted that progress was being made in this area. Six new objectives would deliver a focus on data and enable better decision making, which would be expanded upon in the next report.

APPROVED: Diversity and Inclusion Annual Report 2021-22 approved for publication.

Item 8: Wellbeing, Health and Safety Quarter 3 Report

Presenter: Charlotte Morgan, Wellbeing, Health and Safety Manager

36. The Executive Director of Corporate Strategy and Development introduced the item. The deep dive on mental health at PaRC and the work being done on this was highlighted. The next report would start to draw out the more proactive actions in this area.

37. The Wellbeing, Health and Safety (WHS) Manager gave an update on the paper. The Serious Incident Review (SIR) summary had been added to the paper to give an indication of the investigations and actions being undertaken. It was explained that some action dates were for next year due to the implementation of a business-wide action.

These actions linked into the Strategic Risk Register. Two reportable incidents relating to Carpal Tunnel Syndrome and Hand Arm Vibration (HAV) were noted. Health surveillance and vibration monitoring was ongoing. An internal audit of HAVs had returned a moderate rating. An action plan had been submitted and the team were working through the recommendations. ISO 45001 would return in October to review whether the standard was being maintained. There had been two major non-conformities with ISO 45001. One had been closed following the auditors' return and review within 6 weeks. The other, which was in relation to WH&S training, had been lowered to a minor non-conformity following the reassessment meeting in February. An action plan had been submitted, which reflected the ongoing SIR actions.

38. Board members considered the content of the report and queried whether increased Carpel Tunnel Syndrome could be expected with ongoing remote working and what action was being taken on this. The WHS Manager explained that this was often linked to HAVs and not just related to desk-based working. It was confirmed that information and awareness was provided through the Managers' Monthly update and Display Screen Equipment (DSE) assessments were required annually.
39. The data gathered from the vibration monitoring watches was discussed and it was queried whether this could be shared. It was noted that this was unique to the equipment, however, awareness sessions on HAVs could be run for contractors. Board members noted that the pre-qualification contract work was positive but queried what WHS work took place while the contract was ongoing. The WHS Manager confirmed that the Contract Management Project Board had agreed that a policy and procedure could be developed for any staff undertaking WHS contract management on site. A Health and Safety Executive (HSE) Officer had been complimentary at a recent site visit about the proactive approach to WHS on site that was taken by a contract manager and this would be communicated as an example to all staff.
40. The Board noted the report and thanked the WHS Manager and the team for their work and the progress being made.

NOTED: Wellbeing, Health and Safety Quarter 3 Report

Item 9: The Governance of the Public Service Board Wellbeing Sub-Group

Presenters: Fen Turner, Lead Specialist Advisor, Natural Resources & Wellbeing Strategy; Bill Purvis, Health, Education Access, and Recreation Manager; Ruth Jenkins, Head of Natural Resource Management

41. The Executive Director of Operations introduced the item. The second cycle of the wellbeing assessments was about to begin, and the wellbeing plans would follow this. NRW would be required to contribute to and comment on the fifteen wellbeing assessments from the Public Service Boards (PSBs) from across Wales. The paper outlined the distributed leadership approach which built on the learning from the first cycle, while still ensuring the governance to provide assurance to the Board. ET had reviewed and commented on the paper and endorsed option 3. The paper would be taken as read.
42. The Lead Specialist Advisor, Natural Resources & Wellbeing Strategy gave a presentation to the Board, which highlighted the joint global nature and climate emergencies, emphasising that half the species on earth could be lost within the next 80 years. It was explained that this piece of work represented the opportunity for NRW to work towards to addressing this. The Board were encouraged to note their thoughts on this.

43. Board members welcomed the presentation. The progress being made at the PSBs in terms of engagement between NRW and other members was noted. The relationship with PSB members would be key to ensuring that messages were delivered effectively. It was important to contribute and challenge early in the process of the plans' development. An example was given of the type of challenge provided in the first cycle.
44. The increased confidence of NRW voice was recognised but it was queried how the direction would be coordinated internally. The Lead Specialist Advisor, Natural Resources & Wellbeing Strategy confirmed that a framework had been set up across Wales in response to the State of Natural Resources Report (SoNaRR), which ensured consistency, and was growing confidence and enabling learning to be shared. This common voice was around delivering on the four aims on the Sustainable Management of Natural Resources (SMNR) and integrating those messages into the framework. Natur a Ni would also be built into the framework, which would provide some of the necessary direction. Building trust and growing relationships with partners would be key to successfully influencing the thinking on the journey to the assessments. The reach and delivery tools of the PSBs were noted.
45. Board members queried the financial and resource requirements and how these linked into the Baseline Exercise. It was confirmed that decisions had recently been made on the permanency of some of the staff involved in this.
46. The Chair highlighted that this cycle of discussion could be challenging, particularly in the area of planning policy and proposed that the recommendation was altered to include three Board members rather than one in the delegated scrutiny role. Prof Calvin Jones had expressed an interest in advance of the meeting. Paul Griffiths and Geraint Davies volunteered to be included in the delegation. The Chair thanked them and offered his support to the process as well.
47. The Board approved the proposed steps as recommended in the paper subject to including additional Board members in the delegated scrutiny role as noted above.

APPROVED: The recommendations in the paper subject to including additional Board members in the delegated scrutiny role.

Item 10. Proposed changes to the Statutory and Legal Scheme (SaLS)

Presenter: Colette Fletcher, Head of Governance and Board Secretary

48. The Head of Governance and Board Secretary gave an overview of the proposal around information and data sharing. It would make a distinction on agreements that were purely about data sharing as opposed to agreements that might include finance or resource implications, which were already covered in the SaLS.
49. Board members asked for clarification regarding whether this also referred to personal data. It was confirmed that personal data was covered by the General Data Protection Regulation (GDPR). It was suggested that this part of the SaLS referred to anonymised personal data.
50. It was agreed that the Head of Governance and Board Secretary would seek clarification on this and circulate the information to the Board. The approval of the changes would then be requested by correspondence.

ACTION: The Head of Governance and Board Secretary to seek clarification on the reference to personal data in the SaLS and circulate the information to the Board. Approval for the changes to the SaLS to be requested by correspondence.

Item 11: Digital Strategy

Presenter: Catrin Hornung, Head of Communications and External Relations; Naomi Lawrence, Head of Customer Experience; Heledd Evans, Digital Services Team Leader; Christopher Collins, Head of Knowledge and Evidence; Martin Parkinson, Head of ICT

51. The Chair introduced the item, highlighting the work that had taken place and recognising that this was as much about business transformation and how NRW related to its customers and the people that it served, as digital services and marked a fundamental change in the way NRW would work. There would be a need to fit into the Wales-wide approach.
52. The Executive Director of Communications, Customer and Commercial set the context for the discussion and explained some of the background to the work on this, which had looked at putting the customer at the heart of what NRW did. Engagement had taken place across the business. There was an opportunity to be more efficient and effective both internally and externally.
53. The Head of Communications and External Relations gave a presentation, highlighting that this was an ambitious strategy with challenge on delivery. Support was requested from the Board on the high-level strategy prior to the work moving into the roadmapping, prioritisation process and delivery planning. The background to the development of the strategy was described. Real user stories were shared which detailed some of the challenges that had been experienced and the solutions that had been put in place.
54. Board members considered the information that had been presented. Board members supported the ethos of the strategy, particularly the aspiration on improving customer service. However, queries were raised regarding the levels of resource available, and the team were cautioned against attempting quick wins. It was also recommended that the non-direct customer services and strategic outcomes not related to customer delivery needed to be considered, particularly data. It was suggested that the strategy as presented was more of a statement of aspiration without the finance, governance, and details of the skills access in place. It was recommended that a systematic approach would be needed to the myriad of citizen journeys and adopting the statement would be a more about supporting the analysis and the task of changing the way NRW conducted its business.
55. Digital exclusion and how to engage with those who could not take part in the digital environment were queried. It was agreed that the connection to Diversity and Inclusion was important. It was highlighted that the user research involved all users, and the customer journey mapping would highlight areas of difficulty. It was suggested that viewing examples of assistive technology that were being used by other organisations could be valuable. It was recommended that a back-up analogue approach would be needed for digital services to ensure resilience. Board members were reassured that cyber security learning was taking place and business continuity planning was being reviewed.
56. Peter Rigby as Chair of EAC noted that EAC had confirmed that NRW had a duty to make its evidence available to people who wanted to use it. It was acknowledged that data and digital were connected and it was noted that a recent discussion had taken place at ET on data.

57. Resourcing was discussed in detail. Budget discussions had been taking place around efficiency and invest to save ideas. A bid would be prepared to take forward. Learning together with other organisations in Wales who were undertaking a similar process would be important. It was recognised that undertaking this transformational change would be challenging and help could be needed from outside to prioritise the approach.
58. The way forward was discussed. It was agreed that a plan would need to be developed on engagement, resourcing, and digital mapping.

ACTION: An initial plan on taking the Digital Strategy forward to be developed and brought to a future Board meeting.

APPROVED: The Digital Strategy

Item 12: Review of Forestry Safety

Presenters: Charlotte Morgan, Wellbeing, Health and Safety Manager; Dominic Driver, Head of Land Stewardship; Elsie Grace; Head of Sustainable Commercial Development; Gavin Bown, Head of Mid Wales Operations; Paul Johnston, Sales & Marketing Manager; Adrian Hodkinson, Health & Safety Executive

59. The Executive Director of Operations introduced the item and welcomed the representative from the Health and Safety Executive (HSE). It was reported that forestry sat within the agriculture sector for reporting of incidents and that the trend for fatalities within this sector had remained similar over the previous 20 years. Work had been taking place with sister organisations across the UK to work towards a step change. It was clarified that the industry-led and regulatory-led approach would produce the same result, therefore the recommendation was to follow the industry-led approach but with a focus on leadership.
60. The Head of Land Stewardship highlighted the need to ensure that everyone was aware that while NRW would be a major part of the change, there were others who would also be taking a lead role.
61. Adrian Hodkinson, representing the HSE, gave an overview of the rate of major and fatal injuries in forestry, which had remained quite static although there appeared to be a trend towards worsening figures. The HSE welcomed NRW's strong review on this issue and were pleased to be involved. The leadership approach was welcomed.
62. Board members considered the content of the update and questioned why the trend was not improving and what more could be done. Mr Hodkinson confirmed that the longer-term statistics showed that the numbers were particularly high in relation to chainsaws and where mechanisation was not possible. It was noted that strong leadership and risk management on site in the construction and quarrying industries had been very effective and the HSE were pleased to see NRW's focus on this approach.
63. Board members raised that PaRC had reviewed this issue and noted that incidents relating to sub-contractors appeared to be more common, and there would be a challenge around the fact that forestry tended to involve remote working, therefore the site manager equivalent would be more difficult and costly. The Sales & Marketing Manager described the Forestry Industry Safety Accord (FISA), which set out the principal roles and duties of a forestry works' site. FISA had begun to put together a framework for forestry works' managers to demonstrate competence and NRW would take a forefront role when this was available.

64. Serious concerns were noted by Board members at the figures for fatalities. It was also noted that as NRW were two stages away from the felling operation, the approach to safety would need to be captured through the sales process. The Executive Director of Operations clarified the method of sales, describing that it was not as remote as it appeared and explained the leadership role for NRW in influencing the sector. The Head of Land Stewardship explained the choice to move away from the harvesting role to outsourcing but within a clear framework and emphasised the depth of feeling on how important it was to all involved that everyone was safe. It was highlighted that a relationship had been terminated with a contractor due to safety concerns. The Sales & Marketing Manager described NRW's influence on the sales process and confirmed that bids would not be accepted on sales unless a strong approach to health and safety had been demonstrated.
65. The learning from the removal of the contractor deemed unfit to work was queried and whether the gateway approach was therefore fit for purpose. The Wellbeing, Health and Safety Manager explained the tailored questions and assessments required of contractors and the approach to inspections and pre-works meetings. It was confirmed that a policy and procedure was being created to formalise this. The control of sub-contractors in this process was queried. The Wellbeing, Health and Safety Manager described the procedure and evidence requested from contractors on this.
66. The list of further actions included in the paper were noted. Board members commented that this should include educating young people about safety, particularly those who had not attended college to learn forestry. The Executive Director of Operations confirmed that this would part of NRW's leadership role in taking a behavioural safety approach.
67. The Chair thanked the team for their work on this matter.

Item 13: Review of NRW's Approach to Regulating the Shooting and Trapping of Wild Birds: General Licences

Presenters: Sarah Wood, Biodiversity and Ecosystem Resilience Manager; Nadia De Longhi, Head of Regulation and Permitting

Attendees: Adam Cole-King, Lead Specialist Advisor, Biodiversity Policy; Patrick Lindley, Lead Specialist Advisor, Terrestrial Habitats and Species; Katherine Morris, Principal Advisor, Legal Services

68. The Executive Director of EPP introduced the item and provided an overview of the review and consultation process and NRW's duty to undertake this.
69. The Biodiversity and Ecosystem Resilience Manager gave a presentation on the review of the approach to regulating the shooting and trapping of wild birds in the context of general licences, highlighting that the work presented had been developed by a specialist team. The background to the licences was explained. Wild birds were protected in law but in certain circumstances licences could be issued to allow them to be killed or taken. A rapid review had been undertaken in 2019 and a commitment given to a full review at that time. The main elements of this review were shared. A judicial review of general licences had been successfully defended and the review had proceeded. The recommendations were described in the paper. It was highlighted that these would build further on the changes implemented in the rapid review. The main changes were highlighted, and the next steps were described subject to Board endorsement.
70. Board members discussed the content of the review and recommendations. It was highlighted by some Board members that although this was a very thorough and clear piece of work, letters had been received from interested parties who had expressed concerns about the loss of birds of conservation concern and that not enough credence

had been given to those who owned and managed land. It was queried whether enough work was taking place with landowners and recommended that more should take place going forward. There were concerns that an important conservation tool for a proportion of the rural community in Wales had been removed. Board members also highlighted their concerns regarding the risk of populations of birds of conservation concern being lost.

71. Prof Steve Ormerod declared a conflict of interest that until five years ago he was Chair of the RSPB. He noted that in addition to the evidence used by the team, there was also evidence available from the British Trust for Ornithology and the Animal and Plant Health Agency, which had looked at the robustness of evidence of impact on individuals and populations. The independent evidence would be important going forward and had been used by the team. It was noted that areas for improvement in general licences were around reporting and feedback. It was queried whether the light touch regulation approach proposed was consistent with other areas in which NRW operated as a regulator and whether there were opportunities for further data collection. It was also queried whether improvements could be made to the identification of cage traps in order to tackle illegal use.

72. The Biodiversity and Ecosystem Resilience Manager noted the approach to general licences as a mechanism for conservation licencing and emphasised that all wild birds were protected and there was a mechanism to apply for a specific licence to allow for a wild bird to be controlled. It was not about stopping predator control but about the mechanism through which this happened. It was explained that where the approach was taken that a general licence would be appropriate, this would act as a light touch form of regulation and therefore registration and reporting would not be required. It was explained that cage traps were often identifiable due to the land on which they were found and bringing in a requirement to register cage traps may not address the problem. However, a watching brief was being undertaken on the approach in Scotland where registration of cage traps was required.

73. Board members voted on whether to endorse the approach as recommended in the paper. Six members voted in favour and three voted against.

ENDORSED: The approach to Regulating the Shooting and Trapping of Wild Birds: General Licences

APPROVED: The next steps as set out in the paper.

Item 14: Board Forward Look

Presenter: Colette Fletcher, Head of Governance and Board Secretary

74. The Head of Governance and Board Secretary took the paper as read. The format for the meeting in May was outlined and it was explained that it would include additional optional site visits. The Board were invited to request any additional site visits.

Item 15: AOB

75. Board members reflected on the overall Board meeting. It was agreed that the quality of discussion was improved by meeting in person. The technology had worked extremely well, and thanks were offered to the team. The learning from this experience would be taken forward.

76. Geraint Davies raised an issue with land use contracts and the workload on staff involved in this area. It was agreed that Geraint Davies would discuss this with the Executive Director of Operations offline and report back to the Board as appropriate.

- Board meeting closed -

Item 16. Public Q&A Session

77. The Chair welcomed members of the public and explained the conduct of the session. The questions and answers would be published on the website and a 'Frequently Asked Questions' live document would be set up on the website to provide a fuller response to the questions on water quality issues than the session time would allow. The Chair invited questions from the public.

78. Members of the public asked questions of the Board and responses were provided.

- Public Meeting closed -

NRW Public Board Meeting – 24th March 2022

Public Q&A Session

1. The Chair welcomed members of the public and explained the conduct of the session. The questions and answers would be published on the website and a 'Frequently Asked Questions' live document would be set up on the website to provide a fuller response to the questions on water quality issues than the session time would allow. The Chair invited questions from the public.
2. Mr Kim Waters representing the Welsh Rivers Union asked questions relating to the SAC rivers, the Wye and Usk, and the plan to bring them back into specification and who was accountable for this? When would NRW meet its targets on the monitoring process? What was the current legal position on NRW's failure to manage SACs?
3. The Head of North West Wales Operations, as the lead on water quality issues, responded to the question. A report was produced in January 2021 which looked at nutrient levels in SAC rivers in Wales and it revealed that some of the SAC rivers did not meet the new standards for phosphates, although they had met the old standards. The importance of looking at the causes through partnership working with government, local authorities, the third sector, landowners, and members of the public was highlighted as the key to future progress on this issue. The Head of Mid Wales Operations was leading the work locally on the Wye and Usk. Stakeholder engagement was extremely important to NRW and the passion and enthusiasm demonstrated by the number of questions on this issue was welcomed. The best ways of working together on this issue were being considered as part of the next steps.
4. Mr Waters responded by urging NRW to have a clear target date against which NRW could be measured to get the SAC rivers back into condition by the next Board meeting.
5. Mr Waters asked about the apparent lack of a salmon and sea trout plan and asked what would be achieved, by what date and who would be accountable?
6. The Principal Advisor, Fisheries, responded to the question and clarified that the plan of action was a collation of the many actions and activities that were ongoing and included a variety of Business As Usual activities, specific projects and activities, and partnership working. The plan was set out on the website and included the various dates associated with those different activities. It was recognised that there was no specific end point for the overall plan as these were actions that would be continuing for a long period of time. Any specific concerns were invited to be taken up separately. Mr Waters

responded by commenting that having no date sounded like a fundamental flaw. The Chair confirmed that a full response in writing would follow.

7. Mr Waters raised concerns on the record of Welsh Water/Dŵr Cymru (WW/DC) on sewage spills from Combined Storm Overflows (CSOs) and asked questions about NRW's prosecutions, fines and legal action taken against WW/DC and the timeframe and plan to ensure that sewage spills ceased.
8. The Head of North West Wales Operations responded to the question. It was noted that this related to enforcement cases currently underway. The data available was from 2013 to date and related to the cases against water companies and was listed as: 13 prosecutions, 24 formal cautions, four civil enforcement actions, 213 warning letters, 31 incidences of advice and guidance. Ongoing cases could not be commented upon as this could prejudice legal cases in progress. Some of this data had been collated and was in the process of being broken down further into more local data, which would provide more data on timelines and links to incidents. This would be shared when it was available.
9. The Chair informed Mr Waters that work was ongoing, and progress was being made with the water companies and Ofwat and announcements on this would be made in the coming weeks. The Executive Director of EPP highlighted that NRW would be going into the next price review with the water companies and talking about the environment programme and investment in the future. The earlier discussion at item 6 on the agenda had included incorporating key performance indicators on regulation and enforcement within the reported performance measures.
10. Mr Waters expressed very serious concerns regarding the performance of WW/DC and urged NRW to use all its powers to bring the water companies to account. Mr Waters stated that it was appalling that the Usk, as a SAC river, was the seventh worst river in the UK. The content of the meeting was commended but Mr Waters requested more time for public questions at the next meeting. The Chair responded by confirming that no member of NRW found the current situation acceptable and everyone continued to work to move matters forward at a faster pace.
11. Mr Glynn Evans representing the British Association for Shooting and Conservation (BASC) raised the following points and questions. In the earlier Wild Bird Review presentation, the general and specific licences appeared to be intrinsically linked, and yet details of the specific licences did not appear to have been presented to the Board. There seemed to be some confusion within NRW documentation around the timescales for processing the specific licences. It was noted as a very complicated process, therefore what steps would NRW put in place to address the situation, particularly with the number of people who would have to apply for specific licences and would such things

as an improved application service or other forms of licencing such as class licences be considered? Were the Board confident that without the information on specific licences being presented that the impact of changes to general licences on vulnerable species in Wales had been appropriately assessed?

12. The Biodiversity and Ecosystem Resilience Manager responded to the points and questions and noted that Mr Evans was correct to raise the relationship between general and specific licences. An apology was offered for any confusion regarding the service level agreement for processing specific licences, and it was confirmed that the Species Permitting team aimed to process new applications or renewals within 40 working days. It was acknowledged that this seemed like a long time, but the 2021 figures had been reviewed and the average time taken to process new applications or renewals relating to lethal control of wild birds was 9.5 working days, with 58% processed in five working days or less. Additional resource and capacity had been brought into the team to move applications through quickly in order to meet user needs. The item today considered the outcome of the review in the context of general licences, but work was taking place on specific licences as well, much of it behind the scenes, such as staff guidance, applications forms, reporting forms, and the clarity of the conditions for specific licences.
13. Mr Evans reiterated the question relating to whether the Board felt confident that the impact of changes to general licences had been appropriately assessed without the evidence on specific licences. The Chair confirmed that there had been a thorough consideration of the general licences, how they were applied and how they were connected to the specific licences. Mr Evans explained that he would expect a significant increase in applications due to the number of species moving to the specific licence regime and even four or five days on a conservation licence was considered quite a long time. Would there be a consideration of class licences?
14. The Executive Director of EPP explained that class, general, and specific licences had been considered and it was concluded that if the principles of light touch regulation were applicable then a general licence would be appropriate, whereas if more restriction was required then this would be in the area of a specific licence. This was the position put to the Board today and discussed.
15. Mr Evans raised the important consideration to those using general licencing, which was recommended in the comparable English general licences, of minimising the issue of dependent young, by carrying out lethal control outside the breeding period of the target birds whenever possible. In determining to introduce a narrow timeframe for conservation general licences, what considerations had NRW given to this matter?

16. The Biodiversity and Ecosystem Resilience Manager responded to the question. The proposed purpose of GL004 was to conserve the chicks and eggs of beneficiary species of conservation concern which was different to the approach in England. It was considered that lethal control should be limited to the main bird breeding season and to the period immediately prior to that when carrion crows are generally establishing their breeding territories. In consultation responses, there was support for that approach, to follow the logic of eggs and chicks being the beneficiaries. There were some responses against that proposal, who raised concern about the welfare of the chicks of the target species. It was considered that by allowing control of carrion crow as early as 1st February, this would allow control before they started to breed themselves which would mitigate some of the impact. In some of the good practice guidance, including that produced by GWCT, it was suggested that carrion crow trapping effort should be restricted to spring and summer, as being the most effective period at removing territorial birds.
17. The Chair noted that a question had been raised by Robert Griffiths who could not attend the meeting.
18. Mr Gareth Wardell asked about the number of NRW employees responsible for forestry regulation, and how many of them were accredited professional foresters?
19. The Executive Director of Operations responded to the question. NRW had a Forest Regulation and Plant Health team comprising 11 staff which included the following: one team leader; two senior officers, six regulatory woodland officers and two technical support officers. Two of the team were focused on animal health matters. All the team were educated to high standards, holding relevant qualifications ranging from HNC through to MSc and were appropriately qualified for regulating in the forestry sector. All team members were encouraged to pursue membership of professional bodies as part of their development. Four of the team currently held Associate Membership of the Institute of Chartered Foresters and were working towards Professional Membership. Other team members were members of the Royal Society of Biology and the Institute of Leadership and Management. It was noted that a mix of qualifications was needed in the regulatory field. The Chair confirmed that the response would be sent in writing.
20. Mr Wardell questioned if the number of accredited foresters in the regulatory aspect of NRW's work was so good, why were there repeated and valid complaints about NRW's overzealous legal interpretation of felling licence applications and the very slow pace on its verification of Glastir applications. Did NRW need more accredited foresters?
21. The Executive Director of Operations confirmed that NRW believed that it had the appropriate number to handle the numbers coming through the regulatory

team and the Glastir scheme. Any specific complaints could be addressed offline.

22. Dr Gary Smith, Rachell Watson and Simon Jones were invited to ask their questions, but they had left the meeting.
23. Ruth Tudor informed the Board that she owned a farm alongside the River Dysynni and had noticed that the fish stocks were much lower than they used to be. She raised that, as her knowledge about the urgent need to clean up the waterways came from her own reading and relationships, did NRW believe that it was doing a good enough job of communicating with farmers who wanted to do more, supporting those who wanted to make positive changes, and taking action against those who broke the law?
24. The Head of North West Operations responded to the question. It was recognised that there was a lot of frustration and a lot of people who wanted to do more and work with NRW. Discussions had been taking place on how NRW could engage more with individuals, different organisations, and groups. On a local level, a lot of work had been done over the past couple of years on producing Area Statements which had involved public engagement sessions with communities, groups and individuals across Wales. It was emphasised that it was not up to NRW alone to resolve all the issues, and working together with landowners, industry, businesses, other statutory organisations, and individuals would be key and how to achieve this would be looked at in more detail over the next few months. The Chair emphasised that no one around the Board table thought that the current situation was acceptable. Everyone would need to work together to create a coalition of action, and improvements would not be achieved through regulation and enforcement alone.
25. Zoe Henderson, as Chair of the Wales Land Management Forum, highlighted that this included many members who had a real interest in ensuring that agriculture stopped polluting the water. Members included amongst others, NFU, FUW, CLA, fishing and water representatives. A link would be sent to the minutes and activities. It was recommended to Ms Tudor that if she was a member of any of these organisations then she should send them her views on this issue, particularly on working together in the farming community to clean up the rivers.
26. The Chair thanked the members of the public for their questions and confirmed that increasing the length of time for public questions would be considered for the next meeting.

Board Meetings

Action No.	Meeting Category	Meeting Date	Item No	Para No	Paper Sponsor	Action	Owner	Due	Status	Notes/Updates
2	Public	26/11/2020	6	20	Prys Davies, Director of Corporate Strategy and Development	ACTION: Executive Director of Operations to discuss with Head of North East Wales Operations having a future discussion with the Board on the 4-hour limit on incidence response.	Gareth O'Shea, Executive Director of Operations South	23/06/2022	Ongoing	Added to the list of potential strategic discussion items, Place presentations, Evidence sessions and site visits. Suggest this is the strategic discussion item for the Sept Board meeting and we delay the theme wrap up on previous strategic discussions to accommodate. Added to Forward Look for November. To be considered as part of the item on Place Presentation cross-cutting themes, moved to July 2022 Board
3	Public	24/03/2021	4	10	Clare Pillman CEO	ACTION: Secretariat to canvass availability for a Board Development Day in July to focus on reflection and future challenges post-Covid.	Secretariat	07/07/2022	Ongoing	The Chair has confirmed that Board Development Days to be on hold until face to face meetings are possible. A suitable date in 2022 to be confirmed.
21	Public	24/03/2022	4	12	Clare Pillman CEO	ACTION: Secretariat to pass on Board thanks to the team for their work on the online Public Register.	Secretariat	13/04/2022	Completed	Email sent to Naomi Lawrence 08/04/22
22	Public	24/03/2022	6	27	Clare Pillman CEO	ACTION: Board members to be provided with details of the approach to land use while tree planting was delayed due to community engagement activities.	Dominic Driver, Head of Land Stewardship	06/05/2022	Completed	Email sent to Board members on 08/04/22
23	Public	24/03/2022	6	29	Clare Pillman CEO	ACTION: Metal Mines to be added to the programme of Board site visits.	Secretariat	06/05/2022	Completed	Added to list of visits for September's Board meeting
24	Public	24/03/2022	10	50	Prys Davies Executive Director CS&D	ACTION: The Head of Governance and Board Secretary to seek clarification on the reference to personal data in the SaLS and circulate the information to the Board. Approval for the changes to the SaLS to be requested by correspondence.	Clare Jones, Lead Specialist Advisor, Governance	06/05/2022	Completed	Email and approval by correspondence request sent 25/04/22
25	Public	24/03/2022	11	58	Sarah Jennings Executive Director CCC	ACTION: An initial plan on taking the Digital Strategy forward to be developed and brought to a future Board meeting.	Catrin Hornung, Head of Communications and Customer Relations	23/06/2022	Ongoing	

Board Paper

	Paper Details
Paper title:	CEO Report
Paper Reference:	22-05-B09
Paper sponsored by:	Clare Pillman, Chief Executive
Paper Presented by:	Clare Pillman, Chief Executive
Purpose of the paper	Information/Discussion

Introduction

1. Three months in, the war in Ukraine continues to dominate the global agenda. Inevitably, there are impacts for us in Wales and while we have been actively exploring how we can support the humanitarian response, we are also scenario planning around the potential repercussions to us as an organisation - including considering the drivers and subsequent risks in terms of changes to energy supply, land use and regulation, and the impact on cost of living.

Senior Staff Recruitment

2. We have received several strong applications for the Head of Organisational Development role, with interviews taking place mid-May.

Retirement

3. We are very sad to say farewell to NRW stalwart Bob Vaughan, our Sustainable Land Manager who retires this month after 39 years with us and our predecessor bodies. Bob has been instrumental and worked in areas including surface and ground water resources and quality, forestry policy, agriculture and land-use management, spoil tips, flood risk management, and research and innovation. He has been key to the development of the metal mine remediation work, Greener Grangetown, Pontbren, Project Slurry and the development of the Sustainable Farming Scheme to name but a few. We wish him all the very best with his future endeavours.

External Engagement

4. I am delighted that the Minister will join us at our Senedd event, 'Facing the Future Together' on 18 May, where we will discuss the nature and climate emergencies and how we can all work together to tackle their effects on our communities and landscape.
5. We are working closely with Welsh Government (WG) officials on developing the next phase of the Baseline work and held a productive event with senior Environment and Rural Affairs officials at the Principality stadium on 25 March. I am meeting the new Director General for Climate Change, Tracey Burke, who moved across from the Economy portfolio in early May.
6. Since we last met, I have had a number of productive meetings with the likes of the Joint Nature Conservation Committee (JNCC), Confor, the Forestry Commission, the Environment Agency, Hafren Dyfrdwy, Dŵr Cymru, and the British Association for Shooting and Conservation (BASC). I also met the joint Chief Executives of Wales' Centre for Digital Public Services, the Welsh Local Government Association (WLGA) and Cardiff Airport.
7. I went out on site visit to the beautiful Dysynni Valley to meet with the Farmers' Union of Wales (FUW) and Plaid Cymru MS Mabon ap Gwynfor who represents Dwyfor Meirionnydd. I also met digitally with Community Housing Cymru and the Chief Executives of the National Parks.
8. More recently, Ceri and I were very pleased to have the opportunity to travel to Paris for the International Environmental Protection Agencies (EPA) Conference.

Strategic Issues

NRW's approach to regulating the shooting and trapping of wild birds in Wales

9. Preview copies of four new general licences (GL001, GL002, GL004 and GL005) for the lethal control of wild birds in Wales have been published following decisions made at the last NRW Board meeting. These are the result of more than 18 months of work, including analysis of over 600 responses to our consultation, review of the scientific evidence and a Judicial Review. Alongside the preview general licences is a report summarising the responses to the consultation, a document explaining the decisions we have made and several other documents relevant to our review of these general licences.
10. The preview licences are being published in advance to support familiarisation with the changes made and to provide an opportunity for us to provide any clarification if needed before the licences take effect on 1 July 2022. All documentation is available on our consultation hub.

Fish-Eating Birds licensing approach

11. The Fish-eating Birds Advisory Group has commissioned and gathered a broad range of evidence as part response to concerns about the impact of fish-eating birds on natural and stocked fisheries in Wales as well as on the conservation status of salmonid species. This independent external group relies on strong collaboration between a range of individuals and organisations with divergent views.
12. The Advisory Group has now formally submitted a Final Report and Recommendations paper to NRW. We will carefully consider these recommendations as part of our approach to the licensing of lethal control of fish-eating birds in Wales.
13. Given the contentious nature of this work and the level of interest and engagement from the NRW Board already the approval for any changes and recommendations to this licensing approach will come to the NRW Board for decision. This agenda item is on the forward look for the July NRW Board meeting.

UKETS consultation

14. The UK Emissions Trading Scheme (ETS) Authority, which is comprised of the UK Government, Scottish Government, Welsh Government and the Department of Agriculture, Environment and Rural Affairs for Northern Ireland, is consulting on proposals to develop the UK Emissions Trading Scheme (UK ETS) to ensure that it drives emission reductions towards the UK's ambitious targets and continues to demonstrate the UK's leadership on carbon pricing. NRW is responsible for all regulation, compliance, enforcement, auditing and permitting activities (including new permits, variations, surrenders, transfers, revocations, notifications, activity/capacity changes and new entrants reserve applications) relating to emissions trading in Wales.
15. The consultation is seeking views from operators on whether the proposals are appropriate, proportionate and workable for participants, and feedback will be used as a reference to develop informed policy and legislation. It also calls for evidence on several areas to inform future UK ETS policy development.
16. The deadline for responses is 17 June 2022. NRW will not be formally responding to the consultation, but we are attending UK ETS Authority workshops and continue to work closely with Welsh Government to support their policy and legislative development.

Marine Licensing – Coastal Risk Management Programme

17. Marine licence applications from Anglesey, Swansea and Conwy (2) local authorities were received in relation to developments associated with the Year 3 Coastal Risk Management Programme (CRMP). WG provide funding to the local authorities in

support of these developments, with a requisite that all licence and consents were obtained by March 2022 for those within Year 3 of the programme.

18. The Marine Licensing team, in conjunction with our internal advisors, successfully completed the determination of all applications associated with Year 3 developments in advance of the March deadline. This will now enable those local authorities to secure the necessary funding from WG. We have also briefed WG officials of this outcome and remain in ongoing liaison regarding the Year 4 programme.

Installations Permitting – Food/Milk/Drink Sector

19. The European Commission produces best available technique reference documents (BREF Notes), and they contain ‘best available techniques’ (BAT) for industrial Installations to inform permitting standards.
20. The latest BREF note for the Food, Milk and Drink (FMD) sector required implementation during 2021/22 via a permit variation and this affected 23 sites in Wales. In preparation for these variations licence holders were issued with a Notice which required them to provide NRW with information on how they would achieve the new BAT standards. Internally a working group was formed to ensure the new standards were implemented correctly and consistently.
21. All the necessary permit variations were completed by April, well in advance of our June target date and this will also provide licence holders additional time to make the necessary changes to their site infrastructure or working practices to achieve the new standards.

Uskmouth Environmental Permit Variation application

22. On 6th October 2021 NRW were directed by the Minister to refer the permit variation application from SIMEC Uskmouth Power Limited to the Welsh Minister for determination. The application was then referred to Planning and Environment Decision Wales (PEDW) for determination at the request of the Welsh Ministers. The applicant subsequently asked PEDW to hold the application in abeyance until May 2022.
23. On 28th April we received written confirmation from PEDW that the application had been withdrawn, consequently the case was closed, and no further action would be taken.
24. The parent company Simec Atlantis Energy (SAE) also released a statement which unveiled plans to develop a battery energy storage system (BESS) at its Uskmouth site and that it was no longer pursuing the previously announced conversion plans for the power station.

Natur Am Byth! – Saving Wales’ threatened species

25. Our flagship species recovery partnership ‘Natur am Byth!’ continues at pace, with funding from the National Lottery Heritage Fund and Welsh Government. We are aiming to halt the decline of 62 threatened species in Wales, of which 40 are at risk of extinction if we don’t act now. All this must be achieved in tandem with an innovative engagement programme to connect more people to nature and inspire the public on the wonders of Welsh wildlife.
26. The partnership of nine environment non-governmental organisations (NGOs) and NRW are working hard to consult with landowners, communities and a diverse range of people who would most benefit from increased connection to nature. The evidence gathered will demonstrate the need for a four-year capital delivery phase to support our stage 2 funding application to the National Lottery. Since last September, over 850 people have attended a Natur am Byth activity or consultation meeting or engaged virtually via 120 separate engagement opportunities. Our programme is aiming to tackle the toughest challenges for our most threatened species, so collaboration with partners and the public will be key to our success.

Operational Issues

Better River Water Quality in Wales

27. Since the last Board meeting, we continue to review Water Quality within NRW, responding to the Board's direction to look more closely at our evidence base; our priorities; and our ambition for the future. Sian Williams is leading on this work, as well as taking an oversight for delivery of all Water Quality work within NRW.
28. We are working closely with Welsh Government officials, and Sian and Sir David Henshaw are due to meet the Minister soon with a view to gaining insight as to future government priorities for water in Wales. We continue working with WG to ensure our own strategies and work plans align with the Ministerial steer.
29. Having the right evidence base is crucial, and as part of reviewing the future ambition, we will also review our evidence base and our monitoring strategies to ensure that these are fit for the future. This work has already started under the Freshwater Monitoring Review and will continue.
30. Working together in partnership is important to the Board, and we recognise that NRW can't deliver improvements to water quality alone. We are responsible for developing river basin management plans working in partnership with a wide range of public, private and voluntary organisations (including water companies, local authorities, environmental non-governmental organisations (eNGOs), business & industry). Following our consultation, the final plans will be signed off by the Welsh Minister prior

to publication in the Summer and the updated Severn River Basin Management Plan will be published by the Environment Agency.

31. Another example of our strong partnership working is the Better River Quality task force, established under Sir David's lead. The group comprises NRW, WG, Ofwat, both Water Companies, Afonydd Cymru and Customer Council for Wales. In early May the group will publicise the joint Roadmap for better river quality in Wales. It focuses initially on storm overflows and provides an excellent footing for further joint working to improve sewage discharges in Wales.

Storm Overflow Taskforce

32. NRW continues its work on developing action plans to design the Wales response to tackling storm overflow discharges. We have published the Storm Overflow Roadmap on the NRW website and are continuing our work with partners to develop action plans for each of the workstreams highlighted in the Roadmap. NRW is leading on two of the five workstreams around Regulation and Evidence. By the end of May, action plans will be produced to highlight the short, medium and long term actions required by Taskforce members to drive improvements in storm overflow management and regulation.

Special Area of Conservation (SAC) Rivers

33. The final draft of the revised advice to planning authorities (Version 3) has been shared with members of the external all Wales Planning Sub-Group for comment after which it will be submitted to the SAC Rivers Project Board for final approval, translation and web publishing. Our Development Planning Advice Service (DPAS) teams continue to receive a high level of casework consultations on developments with phosphorus related planning issues.
34. Work continues in updating the Core Management Plans (CMPs) for the nine SAC rivers and following the publication of the Phosphate targets we are aiming for publication of the revised CMPs later in 2022 to include the full suite of water quality targets.
35. We are developing a Nutrient Neutrality policy position statement. We have also appointed contractors to develop NRW guidance on the use of Nutrient Calculators. Nutrient calculators have the potential to be a valuable tool in development planning, particularly at a Wales level, although a suitable framework must be in place to ensure they are effective and can deliver the right interventions to reduce phosphorus pollution.
36. We are in discussions with Dŵr Cymru\Welsh Water (DCWW) on developer funded phosphate stripping in specific locations. Non-technical reports have been produced by DCWW in respect of the Source Apportionment modelling for the Wye and Usk and the

reports for the other SAC rivers are expected imminently. A Constructed Wetlands Policy Position Statement was approved in March and will be published on our web site soon.

37. We are also working with local stakeholders to develop Nutrient Management Boards (NMBs) for each SAC river catchment through which opportunities for local and strategic interventions to improve water quality can be identified and delivered. The first meeting for the Cleddau, Teifi and Tywi NMBs occurred in mid-March. The Wye NMB was held on 30th of March.
38. In terms of our evidence and monitoring work sondes have been purchased for the River Wye with installation and testing planned in Spring 2022. We are also investigating undertaking biological monitoring on the Wye. Discussions have been held with Environment Platform Wales for assistance in scoping and implementing a review of the evidence.
39. In terms of Regulation, we are implementing the interim permitting position of 'no additional phosphate' into a failing SAC. Permit reviews of all WQ discharges to SAC rivers above 20m³ /day is planned for later this year and we plan to share information on which wastewater treatment plants already have a permit that is sufficiently protective of the SAC with the Planning Authorities on a SAC-by-SAC basis as early as possible. This plan is dependent on NRW verifying the DCWW SAGIS (Source Apportionment Geographical Information System) work.
40. A new permitting process is under development using evidence to develop decision making thresholds and distance screening criteria. We are also reviewing the exemption registration process and planning to publish revised guidance. Once issued it will not have the legal standing until there is an opportunity to amend the Environmental Permitting Regulations (EPR).

Dee Harbour Revision Order (HRO)

41. An application for the HRO was made by the Environment Agency under the Harbours Act 1964, on 20/01/2005. Following submission of the application to the Department of Transport (DfT), a public inquiry was held in December 2005. The making of the Dee HRO was subsequently authorised by the Secretary of State (SoS) for transport, on the 15/12/2014, pending the SoS signature. DfT has recently signalled that it is now the SoS's intention to sign the Dee HRO. A definitive timetable is not available from the DfT, but it is possible that the HRO could be signed off in Q2 2022/23. Once signed and made into law the HRO will modernise NRW's powers as the Statutory Harbour and Local Lighthouse Authority in respect of navigation in the Dee Estuary and will include the ability to impose charges for certain activities and land use. This is a significant milestone in what has been a very protracted process.

Development of National Significance (DNS) - Buttington Quarry Waste to Energy – Welshpool

42. We have been invited to attend four DNS Hearings held by Planning and Environment Decisions Wales (PEDW) as part of the determination process. The site will also require an EPR permit but no application has yet been made.
43. The site has a high local profile with an organised objector group. The four hearings relate to a) The waste hierarchy and policy b) Human Health c) Landscape and ecology and d) Planning controls. We have declined attendance at a) and b). Waste Policy is not a matter on which we advise – a Lifecycle Assessment was not undertaken (which is the only element we would have provided technical advice on). Human health is a consideration for the EPR permit but as an application has not been made, we have no information to share from an NRW Permitting perspective and we do not provide health advice through our Development planning Advisory Service role. We have signposted the Inspector to what an EPR permit will control (it will be for the Inspector to be satisfied whether human health considerations can be deferred to the permit). We have also made it clear that we can't predetermine the outcome of a future EPR application. We attended the Landscape and Ecology as well as the Planning control hearings. From a NRW planning advice perspective we were satisfied by the application and asked for specific conditions to safeguard our interests. Our EPP specialists also attended the hearings on Air Quality which was appreciated.

Biodiversity and eco systems resilience fund.

44. NRW received funding from Welsh Government in 2021/22 to increase our work on Protected Sites to help achieve resilient ecological networks in Wales as part of a wider capital programme. The biodiversity element of the programme was called BERF (Biodiversity & Ecosystems Resilience Fund) and contributed to most of the 'Action on Protected Sites' dashboard measure. We spent broadly to budget (£2.3m) - a terrific effort by our Operations Teams and specialist support staff. The 2021 delivery comprised 114 new Land Management Agreements with owner/occupiers of Sites of Special Scientific Interest (SSSIs), work on Dynamic Dunes, Curlew habitat & tracking, work on non-NRW owned National Nature Reserves, monitoring & evaluation, Marine Protected Areas features work and preparations for a grasslands restoration programme in coming years.

Gwent Internal Drainage District (IDD)

45. The team have just completed the repair of a damaged culvert and head wall on the Wales Coastal Path at the Newport Wetlands National Nature Reserve (NNR). As this is a Public Right of Way, and with the head wall collapsing, it had become unsafe for the public to use. The Land Management team looked to the Internal Drainage District team's (IDD's) technical expertise to complete the job, which was added to their busy construction programme. Doing it in-house is a good option to ensure SSSI features are looked after and enhanced thanks to the specialist skills of the IDD team.

Wildfires Spring 2022

46. Wildfire is a significant risk. While the level of wildfire incidents has declined in the past ten years climate change will almost certainly exacerbate the risk. In 2020/21 as part of our adaptation to climate change and management of health and safety risk, we in NRW further improved our readiness for wildfire incidents on the NRW Estate. We are also involved with programmes to reduce arson, increase awareness of wildfire risk, and trials to make our land more resilient to wildfire through Operation Dawns Glow, the Joint Arson Reduction Group, and our Healthy Hillside project.
47. Spring 2022 saw dry and warm weather conditions resulting in a period of increased fire risk potentially coinciding with the Easter holidays, when recreational activity increases the chance of accidental or deliberate wildfires. In fact, it rained just before Easter and, while each incident is serious, the fire season was reasonable for us.
48. NRW incident function has so far reported five wildfire incidents in Spring 2022. Between 2018-2020, there were 714 wildfires recorded across Mid, West and South Wales. Of these 90 were recorded within NRW Estate boundaries. NRW are not fire fighters. We work in partnership with the Fire and Rescue Services to support their response to wildfire on the NRW estate. The incident team ran a lessons-learned exercise following the Spring season and the arrangements were found to be working well, with some follow up actions for further improvement.
- Healthy Hillside Project – A Partnership Approach to Tackling the Risk of Wildfire in Wales
49. In response to the significant and persistent challenge of wildfire in the South Wales valleys, we are hosting the Welsh Government-funded Healthy Hillside Demonstration Project, which began in April 2021. We are working with partners and stakeholders in South Wales with the aim to influence a Wales wide approach for long term and sustainable management of our landscape against wildfire risk. This initiative was borne out of the work undertaken in the Rhondda as one of NRW's first Sustainable Management of Natural Resources (SMNR) trial projects (the Rhondda Trial). It is inspiring seeing how the discussions in South Wales can be expanded across Wales, and proof that great outcomes are achieved when great ideas are initiated, supported and followed through with perseverance and collaboration.
50. Initial highlights from the South Wales Demonstration Wales project include:
- Introduction of a range of land management techniques through working collaboratively with our partners in the South Wales Fire and Rescue Service.
 - Launch of the pilot Firewise Cymru – a community-based programme to enable wildfire action and prevention.

- Sharing experience with Emergency Services, Partners and Stakeholders from different organisations to discuss wildfire prevention and the benefits of land management techniques.
- Launch of new helicopter firefighting tools, including a new BAMBI Snorkel Bucket – giving Fire Services water fuelling stations in hard-to-reach source areas.
- Purchase of new robotic mower – iCutter – to be used with the South Wales Fire and Rescue Services for preventative land management work (managing vegetation) as well as fighting wildfires.
- Launch of new Forestry Operative Frameworks that include call out options for forestry operative machinery to be used in category wildfires – funded by NRW.

51. Also, with an ambition to scale and share learning across Wales we are working with partners within Operations Dawns Glaw to launch a Wildfire Awareness Event at the Royal Welsh Agricultural Show 2022. This will be a multi-agency event which will promote a Wales-wide conversation about the risks of wildfire and the way in which we can create a wildfire-wise Wales. We ask that NRW Executive Board and Executive Team (ET) join the sessions to support a pan-Wales approach to preventing wildfire risks of the future across the landscape of Wales. The events will be attended by Welsh Government Ministers and will include sessions hosted by partners from across Wales including CONFOR; National Trust; Farming Unions; Fire and Rescue Services; Police Service; and much more. A formal event programme will be circulated to ET and NRW Board Members closer to the event.

52. In sharing our experience on the Wales Wildfire Forum, there is a significant concern highlighted asking what Wales is doing to proactively reduce the impact and adapt to Climate Change in relation to wildfire risk. Throughout the next year, the Healthy Hillides Project will be drawing together a range of conversations to address what needs to happen next to reduce this risk. We ask that ET and NRW Board Members be part of this national conversation through engaging with policymakers, first-responders, and landowners across Wales to enable a sustainable and holistic approach to wildfire risk reduction for the future generations of Wales. We will be seeking an ambassador at NRW Board level to support and develop a new approach to managing wildfire risk across Wales.

Enforcement Activity

53. As the Courts work hard to catch up after Covid, we have seen a large number of successful prosecutions over the last couple of months. These include:

- A foul hooking offender was made to pay fines and NRW costs, but in addition was disqualified from driving for 12 months due to the premeditated and deliberate fact that he had driven a distance from Merthyr to Loughor to commit the offence. It is not common for the offender to be disqualified from driving for fishing offences but it is within the court's power.

- A landowner was found guilty of felling a protected woodland the size of 12 football pitches described as "one of the worst offences of its kind seen for 30 years". Callum Stone, our forest regulation team leader, said: "The loss of this native and wet woodland is devastating, and it will take many generations for new trees to grow to replace them, if they grow at all." We will now be pursuing proceeds of crime proceedings against the offender.
- An investigation uncovered poaching on the River Teifi that had been going on for year. The main defendant pleaded guilty but has been referred to Crown Court with a view to pursuing proceeds of crime proceedings. Four other defendants were prosecuted and convicted and fined a total of £20,610. Two others were given formal cautions for their involvement.

Communications & Digital

54. As part of our sustained effort to highlight the key flood risk issues facing Wales, we leveraged the Welsh Government's announcement of projects to be supported through its programme of investment to underline the scale of immediate action needed to adapt to the climate emergency. This message was also carried through in our responses to the two IPCC reports published over this reporting period.
55. The confirmation of a new approach for granting general licences for the control of wild birds required careful communications management before and at the time of the announcement. Communications support continues through the publication of the decision document; handling Freedom of Information (FOI) requests and customer and stakeholder enquiries; and preparing for the launch of new licences on 1 July.
56. Our partnership work with the Wales Council for Outdoor Learning to promote Outdoor Learning Week continued in March with people encouraged to take part in a range of nature-based activities across Wales leading to coverage across broadcast and print. We also worked closely with the National Peatland Action Plan team to promote the new map of Welsh peatlands and grant scheme and highlighted the completion of our survey of the Woodland Estate as part of our efforts to control the spread of *Phytophthora pluvialis*.
57. Engagement and outreach events with our ambassadors for the Nature and Us survey have also continued. Across our sites, our communications have focussed on responsible recreation over the Easter period which featured the launch of a new film that demonstrates the variety of ways people can enjoy woodlands and National Nature Reserves. We also supported the Welsh Government's 'Help Us to Help You' outdoor mental health campaign and promoted the return of the Llyn Clywedog Osprey and the live nest camera streams to its dedicated and growing fanbase.
58. We have seen an increase in our enforcement communications as Court schedules catch up following covid and we have publicised several court outcomes and the

sanctions that have been imposed for a range of activities including several illegal fishing cases, illegal felling and river pollution offences. Amongst the most profile cases were the convictions relating to a 20-year poaching operation on the Teifi, and the illegal felling of over eight hectares of woodland within the Gower Area of Outstanding Natural Beauty (AONB).

59. We continue to deal with enquiries around water quality including our regulation of Combined Storm Overflows and issues around the Wye in particular. We currently have several FOIs in train from media outlets. There are several social media campaigns about water quality ongoing, and whilst we cannot respond to each post, we do try to respond to questions, either directly or through the Q and A on the website. We also promote positive stories about our work on rivers, and this will be accelerated once the local authority elections have taken place.

Digital

60. At the end of March, to mark the first anniversary of the launch of the Wales Digital Strategy, I took part in a webinar hosted by the Centre for Digital Public Services (CDPS) alongside Deputy Minister Lee Waters AM and colleagues from Neath Port Talbot CBC and Sport Wales, where we talked about how we were all using the Wales Strategy to inform our own organisation's digital transformation.
61. Following the Board's approval of the high-level digital strategy, the first workshop on prioritisation and delivery planning took place on 27 April, facilitated by CDPS, bringing together leaders from across the organisation. This work will continue through May and June.
62. The demonstrator project with CDPS looking at waste returns has moved into alpha phase, where we are beginning to prototype and test different user journeys. As part of the commitment to working in the open, all the regular show and tell sessions are available to view on the Wales hazardous waste - YouTube playlist.
63. Work is continuing on shaping our content strategy, as is the work to improve woodland content as part of the deep dive recommendations. All of these are working to the digital standards for digital services and helping us develop our internal skills in this area.
64. We held a workshop to share best practice, tips and tools to help people writing evidence reports consider accessibility from the beginning. There was positive feedback about the session, which will help ensure more evidence reports are suitable for publishing on the NRW website.
65. Several staff have also taken the opportunity of free training offered by CDPS in service design, user needs, and service ownership and we have also continued to contribute to various communities of practice to share learning and see what others are doing elsewhere.

Customer

66. The Complaints Standards Authority are currently auditing all Public Sector organisations in Wales to improve consistency and customer service. As part of this audit and working closely with People Services we are refreshing our policy for handling alleged staff misconduct complaints. We are also improving our process for managing Stage 2 Complaints, to make it easier for investigating officers to carry out the investigation and avoid unnecessary delays for the customer, whilst ensuring our investigations are still robust.
67. Further to last month's appointment of a supplier to design and deliver customer service excellence training for all NRW colleagues, work has begun on content development for the overarching 'customer excellence' module and is progressing well. The estimated window for testing with colleagues is June/July, with wider roll-out anticipated from September onwards. The appointment for a second, specialist provider for development of content for call-centre activity is due w/c 9 May.
68. We are continuing to work with the Continuous Improvement team to review the end-to-end process of responding to customer licensed data requests. We are now at the analysis stage of the process and plan to implement improvements in the next quarter. We are now well into the Research & Discovery process of our Customer Journey Mapping project. Our contractor, Mima, have begun engaging colleagues and contacts across NRW to build a picture of all the customer-facing activity we undertake. The next milestone will be for the Mima team to share these insights with us and begin prioritising who we talk to in more detail to understand customer perceptions of our organisation.

Internal Business

Adfywio- Renewal

69. The Renewal Programme Board is now responsible for ensuring any new Covid-related issues are captured and addressed.
70. The Enterprise Modernisation Programme (EMP) has been focussing on making life easier for staff while working in a more agile way since Covid. Despite the ICT offering holding up well, there have been some challenges which have been identified which, when overcome, will make the work experience better for all.
71. Before Covid, the security approach for ICT was to make the office the safest place to be. With the business looking to be more agile and flexible in the way people can work, ICT has had to change this approach and focus more on keeping everywhere safe.

Now that this work is almost complete, we have been undertaking research and development activities across the business to determine how we can best take advantage of the new technology.

72. BYOD or Bring Your Own Device was the starting point and has been running for six months without issue. Allowing staff to use their own phone, laptop, iPad and Android to access basic services
73. Over the past three months, EMP has been running PoCs (Proof of Concepts) across the business to see how this and other technologies can be utilised to help the business. These include:
- Hornbill ICT user Portal (Automated and tracked ICT activities)
 - Arc-GIS Pro
 - Power-BI
 - The science community (Platform)
 - New service desk for facilities and fleet
74. These services once commissioned will be scalable allowing for them to be small when not in use and deliver maximum power when needed. They will be more efficient in their use of power and have been built on carbon neutral technology.
75. EMP has delivered a portable solution for the NRW Board, which can be used across the business for large meetings of between 6-30 people providing clear voice and video across teams for anyone wishing not to travel.
76. The Fleet and Facilities Management restructure, which will facilitate the strategic outcomes of the Renewal Programme, has been completed and we are now recruiting to fill some vacant posts. A desk booking system called Mynediad is up and running and 'working well'.
77. Placed based teams have been presenting their accommodation proposal to the Renewal Programme Team. We are now developing these plans into an NRW accommodation strategy with prioritised business cases.

Natur a Ni (Nature and Us): What future do we want for our natural environment?

78. The first phase of Nature and Us ended 28th April. All webinars and stakeholder workshops have been held and the survey is now closed. Four focus groups are still to be held in May. The opportunity to share your own vision remains open through our website.
79. 52,033 users visited the Nature and Us website over the course of the ten week campaign and our ads had over seven million impressions in total. 3,067 people

completed a Nature and Us survey. 850 people registered for one of our webinars, workshops and focus groups of which 362 attended to date.

Involving young people and diverse communities

80. Campaign data on survey responses revealed a gap in our engagement with young audience at the end of March (0.2% under 18, 9.8% under 35). In response, we targeted under 35 audiences specifically with our digital campaign during April. In response, survey completions by under 18s were up to 3.1% by 21 April, and under 35s up to 14.6%.
81. Directed communications with community groups and youth organisations also increased the involvement of such organisations with Nature and Us. Youth and community groups make up 15% of the organisations that downloaded the toolkit (in addition to 15% from the education sector).
82. Our Comms team also increased their social media and comms with partners and specific groups working with young people and BAME or seldom heard communities in the second half of the campaign. The percentage of survey respondents identifying as white in our survey was 92.1%, compared to 95% of the Welsh population.

Next steps

83. The findings from the survey and events are currently being analysed and a report is expected by the end of June. We are also expecting the outputs from the Nature and Us resident poets in May.
84. We are designing the engagement for the next phase of Nature and Us, which will communicate these findings back to the people of Wales and aims to understand which findings different communities identify with. We are holding a workshop with academics to design a detailed methodology for this in May. The outputs from phase 2 will be used to develop the vision for the Welsh environment collaboratively with people and organisations across Wales. We are exploring different governance models for this approach and discussed this at the Advisory Group meeting in early May.

#TeamNRW Day

85. Preparations are ongoing for #TeamNRW Day on 15 June – hopefully this will be face to face in Aberystwyth Arts Centre, if current guidelines stay in place. We will be sharing more information closer to the date. We are exploring a hybrid approach with more content shared online throughout the day. Focus is on rebuilding connections (so more time for people to spend talking) plus focus on Adfywio / Renewal and engaging on our next Wellbeing Objectives for the Corporate Plan – plus a wellbeing area ‘Caffi Cwtch’. #TeamNRW Awards nomination window launches 11 April and entries close 6 May. They are awards based on our organisational values and also include our Photo Competition.

86. In May we are also encouraging people to go for a #TeamNRW Walk with a focus on rebuilding networks and collaboration and supports our wellbeing agenda.

Leadership Development

87. Our leadership programme, Ymlaen#2 started on 30 March and will run until February 2023 and include nine delivered modules. Ymlaen#3 will start on 9 September and will complete in September 2023. There are 30 delegates on each cohort. Ymlaen has been externally approved by The Institute of Leadership and Management (TILM) and all delegates have the opportunity to complete learning on-line and gain Associate Membership with TILM.

Early Careers

88. Our 24 Kickstart placements began with NRW on 1 April 2022. These are targeted at 16 to 24 years old and will last for six months until 30 September 2022. Full induction and training support is being provided so that the young person achieves sustainable employment opportunities.

Work Welsh Employer of the Year

89. Finally, I am delighted to say that The National Centre for Learning Welsh have announced that NRW are Work Welsh Employer of the Year for 2022. We currently have around 150 staff registered for Welsh courses this year, and to support this NRW allow staff to attend courses within working hours; arranges revision sessions before exams if needed, arranges extra sessions for classes during Summer holidays, allows study leave for those studying for exams and provides a mentoring scheme.

Forward Look

- NRW Senedd Event – 18 May
- Board Meeting in Carmarthenshire – 25 and 26 May
- Evidence Advisory Committee - 7 June
- Audit and Risk Assurance Committee - 9 June
- Finance Committee -10 June
- Board Update Call -14 June
- #TeamNRW Day - 15 June
- Protected Areas Committee - 21 June
- People and Remuneration Committee - 24 June
- Flood Risk Management Committee - 1 July
- Audit and Risk Assurance Committee (Annual Report & Accounts Meeting) - 8 July
- NRW Board Meeting - 13 and 14 July
- Royal Welsh Show - 18 - 21 July
- Eisteddfod – 30 July - 6 August

Board Paper

Paper Title:	Finance Committee update
Paper Reference:	22-05-B10
Paper Sponsored By:	Sir David Henshaw - Finance Committee Chair
Paper Presented By:	Sir David Henshaw

Purpose of Paper:	Information
Recommendation:	To note the update

Issue

1. This paper provides an update to the Board following the Finance Committee meetings on 14 and 28 April 2022.

Update

14 April 2022 meeting

2. The Finance Committee participated in an externally facilitated session around the development of NRW's Corporate Plan (2023-27).

28 April 2022 meeting

Finance update (2021-22)

3. The Committee were provided with an update on NRW's financial performance during 2021-22. Whilst the end of year position was yet to be finalised the Committee welcomed the stability that had been provided.

Budget & Business Plan (2022-23) including Baseline Exercise update

4. A discussion was had around the challenges associated with NRW's budget for 2022-23, including the risks associated with delivery and the importance of ensuring that the current funding mechanism did not prevent the organisation in delivering on priorities.
5. The Committee have requested that examples be prepared to highlight the issues associated with: the current funding method; the inconsistencies around reporting to Welsh Government; how alternative approaches may add greater value in terms of delivering an integrated SMNR approach along with the benefits of outcome-based reporting.

6. The draft Business Plan Performance Dashboard for 2022-23 was reviewed and various feedback was provided. The themes/key work areas for the organisation had been anticipated based on Welsh Government's priorities. However, these were subject to NRW's remit letter that was yet to be received. The Committee emphasised the need for clarity around the Dashboard themes, in order for Welsh Government to easily understand any impact on NRW's performance as a result of any output agreement with them.
7. An update on the work associated with phase three of the Baseline Exercise was provided.

Timber Sales Alternatives

8. The Committee offered their views on the proposal to develop alternative approaches for timber sales, following the commitment in the Timber Sales and Marketing Plan to sell up to 30% of timber in more purposeful ways. This was an exciting and potentially transformative opportunity but also a high-risk area. As such, work was proceeding cautiously.

Strategic Review of Charging

9. An update was provided on the Strategic Review of Charging programme and the work associated with the planned consultation in October 2022. This has been added as a standing item to the Finance Committee forward look, as regular engagement with the Committee is anticipated going forward. Additionally, I have requested that a note be prepared around the principles being used to develop the charge proposals, in order to brief Welsh government on the approach being taken.

Risk Management - Deep dive of Strategic Risk 01 (Insufficient Funding)

10. The Committee scrutinised Strategic Risk 01 which was associated with insufficient medium-term funding that would hinder the delivery of NRW's long-term sustainable strategy. Whilst generally comfortable that the planned actions will help to achieve the target score of 13, we requested that further consideration be given to the language used within the document.
11. It was also noted that emerging global issues also required reflecting in the Strategic Risk Register.

Grants update

12. A progress update was provided around the ongoing work to develop a proposition on an alternative delivery model to administer grants in Wales. The Committee will be updated further in June 2022 when the Funding Centre report is available.

Board Paper

	Paper Details
Paper title:	Flood Risk Management Committee (FRMC) Update
Paper Reference:	22-05-B11
Paper sponsored by:	Paul Griffiths – Chair of FRMC
Paper Presented by:	Paul Griffiths
Purpose of the paper	Information
Recommendation	To note the update

Issue

1. This paper provides an update to the Board following the strategic discussion session and FRMC meeting on 7th April 2022. The minutes from these meetings can be made available to any Board member interested.
2. Issues that in the opinion of the FRMC Chair should be brought to the attention of the whole Board are highlighted below.

Update

Strategic Discussion Session

Summary

3. A specific discussion session took place to consider the strategic direction and priorities for Flood Risk Management (FRM) in NRW. Following presentations which provided an overview of the FRM service and key activities, a discussion took place on the approach to FRM in NRW.
4. The Committee recognised the extent of the range of activities related to FRM and the difficulties in setting out the strategic direction in view of this. The approach to flood risk was discussed and it was considered whether there was a need to acknowledge that flood risk could not be managed indefinitely. There would be a need to focus on

partnering, reducing duplication, and minimising overlaps to develop a combined plan which would draw on innovation and best practice.

5. A holistic approach would need to be developed which included nature-based solutions and decarbonisation, including consideration of the long-term impact of nature-based solutions. A focus on catchment solutions was discussed. The issues around a move away from the current approach were considered. Communication and engagement with communities was discussed and the importance of measuring the effectiveness of actions and developing clear, key messages was recognised.
6. NRW's ability to balance its competing requirements and ensure that there was a link across priorities was discussed. The levers and incentives needed to deliver change were explored. A joined-up approach across sectors was emphasised, including within NRW's functions, which would be needed to create an integrated strategy.
7. This item will be discussed in the public session of the May Board.

FRMC Meeting

Matters Arising

8. FRMC were informed that Welsh Government were progressing the commissioning of the Programme for Government commitment for "an independent review of the local government Section 19 reports and NRW's reports on the extreme flooding during winter 2020/21". It was noted that NRW had been transparent in its approach and had published all information on this.

Flood Recovery and Review Implementation Programme

9. An update was provided on the Flood Recovery and Review Implementation Programme. The Red Amber Green (RAG) status remained as Amber, reflecting the challenges around recruitment, impacts from recent storm events, global supply chain issues, and dependencies on ICT projects. These issues were discussed by the Committee and more detail was provided on the ICT risk. The method for tracking the actions transferred to the Land Stewardship team was clarified. More detail was provided on the actions around modelling and forecasting. FRMC requested that the benefits which a community would expect to see from the actions were added to the report.

Capital Programme

10. An update on the Capital Programme was provided. The ongoing work with the Programme Management Office was discussed. The Committee asked about the filtering and decision-making process for the Capital Programme and requested an overview of the decision process to clarify the auditable path to providing assurance.
11. FRMC approved the Flood Risk Management (FRM) Medium Term Plan and the variances since the previous meeting.

Reservoirs

12. An update was provided on the approach to addressing the recommendations by Prof. Balmforth in his report following the incident at the Toddbrook reservoir in England. NRW compliance and the Quarter 4 performance was described. An explanation was provided on compliance and safety as separate measures. The Balmforth Review had made recommendations on the approach to charging and the current and proposed future charging process was described.
13. The production of an annual report was considered and FRMC agreed that this should be produced and published alongside the biennial report. The proposed charging scheme was discussed, and the details were clarified. The current financial pressures on society were noted. Committee members requested further detail on the expert group to be consulted prior to the full stakeholder consultation on the charging proposals and this was provided. FRMC agreed to support the principles of the proposed charging scheme for Reservoir Regulation.

FRMC Effectiveness Review

14. FRMC were presented with the analysis of the FRMC online questionnaires, and the priority actions were considered. The approach to creating a balance between the need to authorise specific decisions and undertake strategic discussions was discussed. The reintroduction of site visits was discussed. FRMC considered the question of how the Committee could ensure that discussions tied into other safety risks. It was agreed that infrastructure areas outside the area of Flood were beyond the scope of the Committee.

Incident Management Risk Review

15. A presentation was provided to update the Committee on the Effective Incident Management Strategic Risk (SR09). Emerging risks were being considered, particularly regarding the situation in Ukraine. It was noted that new actions and control measures had been introduced, but the risk scores for SR09 were not considered to have changed since the last review, as the new control actions needed to be embedded and the benefits fully realised before the current scores changed.
16. FRMC considered the content of the update and agreed that annual (rather than twice a year) scrutiny of the strategic risks could take place unless there was anything significant to report in between the scheduled reporting.

AOB

17. FRMC thanked Julia Cherrett for her work as Chair of the Committee.

Board Paper

Date of meeting	26/05/2022
Title of paper	Proposed changes to the Statutory and Legal Scheme (SaLS)
Paper reference	22-05-B12
Paper sponsored by	Clare Pillman, Chief Executive Officer
Paper prepared by	Clare Jones, Lead Specialist Advisor, Governance
Paper presented by	Clare Jones, Lead Specialist Advisor, Governance
Purpose of paper	Approval
Summary	To seek approval for proposed changes to the Statutory and Legal Scheme (SaLS) from the Regulatory Business Board

Background

1. This paper presents for approval proposed changes to the Statutory and Legal Scheme (SaLS) from the Regulatory Business Board. The Governance Team conducts an annual review of the SaLS, but occasionally we receive requests for updates outside of that process. We have recently received a request from the Regulatory Business Board to include seven new entries related to Regulatory activities.
2. Our procedures state that any new lines or sections in the SaLS, or changes to the delegated authority affecting the CEO herself or Executive Team members, must also be presented to the Board for approval.
3. This paper seeks approval from the Board for a change to SaLS to incorporate the additional requested lines. The proposal was approved by the Head of Governance & Board Secretary, Head of Legal Services, and the Chief Executive in April 2022.
4. The Regulatory Business Board has requested that seven new entries are introduced to address applications submitted by NRW as an organisation in its own right. The Business Board is of the view that these require a separate entry, particularly to secure

the higher level of sign-off required for our own applications, and to make a necessary distinction between external applications and applications submitted by NRW.

5. There is a consequential effect on numbering for this section, but these revisions are not included in the annex as we will take approval of the additions to include approval of the consequential numbering changes.
6. Annex 1 presents the seven new Regulatory Business Board entries to the Board for approval.

Risks and opportunities

7. SaLS is an important part of our governance framework and a failure to amend the current delegation level may leave NRW vulnerable to the possibility of allegations of perceived or actual conflicts of interest.

Wider implications

8. There are no additional financial implications or considerations.
9. The governance requirements affect all members of staff equally. No adverse effects are anticipated for any particular protected groups or characteristics.

Next steps

10. Following approval of the proposed additional entries, the Regulatory Business Board will be advised and the new lines will be incorporated into the SaLS master document.

Recommendation

11. The Board is asked to approve the proposed additional entries for inclusion within the SaLS master document.

Index of annexes

Annex 1: NRW SaLS 2022 – Regulatory Business Board (REGBB) additions for Board approval

							Delegated Level		
	REF	Category	Sub-Category	Function	Applicable Board(s)	Section of legislation	Job Grade	Job Description	Link to MoM
Proposed	18.85	Regulatory activities	Water Quality	Determination of an NRW application to issue, refuse, transfer, revoke or vary a Water Quality Permit.	REGBB	Regulations 13, 14, 15, 17, 18, 20, 21, 24, 25, 27 and part 1 of Schedule 5 Environmental Permitting (England and Wales) Regulations 2016	Grade 9	Permitting Services Manager (Grade 9)	No
Proposed	18.92	Regulatory activities	Waste	Determination of an NRW application to issue, refuse, transfer, revoke or vary a Waste Permit.	REGBB	Regulations 13, 14, 15, 17, 18, 20, 21, 24, 25, 27 and part 1 of Schedule 5 Environmental Permitting (England and Wales) Regulations 2016	Grade 9	Permitting Services Manager (Grade 9)	No
Proposed	18.154	Regulatory activities	Radioactive Substances	Determination of an NRW application to issue, refuse, transfer, revoke or vary an RSR Permit.	REGBB	Regulations 13, 14, 15, 16, 17, 18, 20, 21, 24, 25, 27 and part 1 of Schedule 5 Environmental Permitting (England and Wales) Regulations 2016	Grade 9	Permitting Services Manager (Grade 9)	No
Proposed	18.178	Regulatory activities	Species licensing	Issue, refuse, modify, and revoke licences required by NRW.	REGBB	Regulation 55 of the Conservation of Habitats and Species Regulations 2017, Regulation 55 of the Conservation of Offshore Marine Habitats and Species Regulations 2017, Section 8 of the Deer Act 1991, Section 16 of the Wildlife and Countryside Act 1981, Section 10 of Badgers Act 1992 and Article 36 of the Invasive Alien Species (Enforcement & Permitting) Order 2019	Grade 6/7	Permitting Team Leader (Grade 6/7)	No
Proposed	18.211	Regulatory activities	Industry Regulation	Determination of an NRW application to issue, refuse, transfer, revoke or vary an Installation permit.	REGBB	Regulations 13, 14, 15, 16, 17, 18, 20, 21, 24, 25, 27 and part 1 of Schedule 5 Environmental Permitting (England and Wales) Regulations 2016	Grade 9	Permitting Services Manager (Grade 9)	No
Proposed	18.213	Regulatory activities	Forestry Licences – Felling (including FRP approval), EIAs	Issue, refuse, modify and revoke licences required by NRW.	REGBB	EIA (Forestry) (England and Wales) Regulations 1999 amended 2017	Grade 6/7	Permitting Team Leader (Grade 6/7)	No
Proposed	18.216	Regulatory activities	Marine Licences	Determination of an NRW application to issue, refuse, transfer, revoke or vary a Marine licence.	REGBB	The Marine and Coastal Access Act 2009 Part 4, Chapter 1	Grade 9	Permitting Services Manager	No

Board Paper

Paper title:	Establishment of a Regional Advisory Committee in accordance with the Forestry Act (1967)
Paper Reference:	22-05-B13
Paper sponsored by:	Ceri Davies, Executive Director of Evidence, Policy and Permitting
Paper Presented by:	Ruth Jenkins, Head of Natural Resource Management Policy, Evidence Policy and Permitting; Melanie Meaden, Lead Specialist Advisor, Forestry
Purpose of the paper	Decision
Recommendation	That the Board consider and approve the establishment of a forestry Regional Advisory Committee

Issue

1. This paper asks the Board to approve the establishment of a Regional Advisory Committee (RAC) through the Wales Land Management Forum (WLMF) to provide advice in respect of certain specified forestry functions.
2. The Forestry Act (1967) requires NRW to maintain a RAC. Previously, the role of the RAC was fulfilled by Welsh Government's Woodland Strategy Advisory Panel, but this Panel has been disbanded and replaced by new forestry governance structures. Subsequently, Welsh Government has made it clear that it is NRW's responsibility to establish and maintain a RAC. This issue has been brought to the attention of the Interim Environmental Protection Assessor for Wales (IEPAW) in a recent question.
3. Following recent discussions between the Executive Director of Evidence, Policy and Permitting (EPP), Executive Director of Communications, Customer and Commercial (CCC), Head of Natural Resource Management (NRM) Policy, Head of Governance, and NRW's Legal team, a solution has been identified that would utilise the existing WLMF to act as a RAC. This proposal was approved by NRW's Executive Team in January 2022.
4. There is a related but separate requirement under the Forestry Act for a Committee of Reference to be appointed by Welsh Ministers in the event of a challenge to a decision made by NRW. Welsh Government (WG) is forming a new statutory panel to address this requirement.

Background

5. Annex 1 summaries the relevant requirements stipulated in the Forestry Act (1967). In summary, the role of a RAC is to:
 - Advise NRW on our refusal / granting of felling licences subject to conditions, restocking notices, the serving of felling directions and the enforcement of felling licence conditions and felling directions in accordance with the UK Forestry Standard (UKFS); and
 - Advise on the general duty to promote the establishment and maintenance of growing trees (i.e. the Welsh Forest Resource).
6. In addition, the Forestry Act states that the Chair and other members of the RAC must be appointed by NRW and hold and vacate office in accordance with the instrument on which they are appointed. It further requires that there must be between seven and twelve members, of whom no less than four of those appointed shall ‘...represent the interests of owners of woodlands and timber merchants respectively and organisations concerned with the study and promotion of forestry.’
7. NRW is required to take account of any advice tendered by the RAC. In addition to the RAC providing advice on the above functions, the Forestry Act also gives NRW the discretion to request that it also provides advice on *such other functions as NRW may from time to time determine*.
8. A more detailed explanation of the proposal to link the RAC to the WLMF is provided in Annex 2. The suggestion is that the RAC would operate on an ‘as needed / call-off’ basis but allowing for at least one meeting a year.
9. There are many advantages to using the WLMF for this purpose. It is an established group for stakeholder engagement and would therefore avoid putting additional burdens on already busy stakeholders. As well as ensuring input from those with appropriate forestry expertise, established WLMF members will bring a wider land management perspective to their advice. The development of any new group to act as a RAC would also require additional secretariat and staff resources to manage.
10. Following the deep dive into trees and timber in June 2021, there is heightened interest in trees and woodlands and their role in the outcomes needed to address the climate and nature emergencies. The recommendations arising from this deep dive should support a step change in rates of tree planting across Wales and coupled with the new forestry elements of the Agriculture Bill, there is likely to be heightened interest, scrutiny and potential challenge of NRW’s decisions. The establishment of a RAC is therefore considered timely.

Recommendation

11. The Board is asked to approve the formation of a RAC linked to the existing WLMF, in accordance with the requirements of the Forestry Act.

Key Risks

12. There is a risk that we could face a legal challenge from external stakeholders if we do not set up a functioning RAC. There is also a risk of challenge by the IEPAW. There is a risk to our reputation if we do not address and respond to changes in WG's approach to forestry governance. There is a risk that WG will sanction us if we do not set up a RAC when it is clearly our responsibility to do so.
13. Internally, there is a risk around secretariat support for the WLMF as this is not currently provided by Board Secretariat. The current WLMF secretariat resource is only available until Spring 2023. We would need to find a longer-term solution to this issue to continue to properly support the WLMF together with this new RAC duty.
14. There is a risk around ensuring appropriate membership of the WLMF going forward to ensure it fulfils the specific requirements of the Forestry Act (see paragraph 6). Currently the WLMF membership comprises of organisations that represent land managers. Most have an interest in forestry, but it is only Confor (Confederation of Forest Industries UK) that meets the requirements of representing the forestry sector.
15. At the Board meeting in March, it was agreed that options to form a sub-group of the Board to provide strategic forestry oversight and scrutiny would be explored by the Chair and Chief Executive. This would be different from the proposed RAC which would provide independent advice to NRW, including to the new board committee if required. As part of developing processes and guidance internally, (see paragraph 17), the relationship between the two will be clarified.

Next Steps

16. The Terms of Reference (ToR) for the WLMF will need to be revised to fully accommodate the requirements of the RAC and membership reviewed.
17. Internal processes and guidance will need to be developed to explain exactly when advisory input from the RAC should be sought.

Financial Implications

18. There are limited financial implications of this proposal. Members of the WLMF are not remunerated. Costs would only be associated with meetings and staff time.

Equality Impact Assessment (EqIA)

19. An EqIA has not been undertaken as the WLMF already exists.

Index of Annex

Annex 1: Table of RAC requirements stipulated in the Forestry Act 1967

Annex 2: Outline proposals for the WLMF to act as the RAC

Annex 3: Draft RAC Terms of Reference

Annex 4: Draft Code of Conduct (RAC)

Annex 1: Table of RAC requirements stipulated in the Forestry Act 1967

Requirement	Clause
NRW shall continue to maintain a RAC whose purpose is to advise on our performance relating to specified forestry functions namely:	Pt 3, s.37 (1) Pt 3, s.37 (1, b)
<ul style="list-style-type: none"> • Powers to control the felling of trees including: <ul style="list-style-type: none"> - Felling licence applications - Felling licence conditions for replanting and maintenance of those trees in accordance with rules and practice of good forestry for ten years 	Pt 2
	Pt 2, s.10
	Pt 2, s.12
<ul style="list-style-type: none"> • Powers to direct felling in the interests of good forestry etc. 	Pt 2, s.18
<ul style="list-style-type: none"> • Powers to enforce felling licence conditions and felling directions 	Pt 2, s.24
We must take into account any advice tendered by the RAC in considering whether to refuse a felling licence or grant unconditionally (not to replant) or conditionally (to replant) and in considering whether to give felling directions	Pt 3, s.37 (3a) Pt 3, s.37 (3b)
To operate with respect to our fulfilment of:	
<ul style="list-style-type: none"> • The general duty of 'promoting the establishment and maintenance of adequate reserves of growing trees' 	Pt 1, s.1 (3)
The RAC is also required to provide a consultation role in the appointment of the Welsh Minister's Committee of Reference in the event of a challenge to decisions made by us in respect of:	Pt 2, s.27 (1,a; 2,a)
<ul style="list-style-type: none"> • Refusal of, or granting of, a felling licence subject to conditions 	Pt 2, s.16
<ul style="list-style-type: none"> • Restocking notices 	Pt 2, s.17B
<ul style="list-style-type: none"> • Serving of felling directions 	Pt 2, s.20, 21
<ul style="list-style-type: none"> • Enforcement of felling licence conditions and felling directions 	Pt 2, s.25

Annex 2: Outline proposals for the WLMF to act as the RAC

Membership of the WLMF acting as the RAC

The existing membership of the WLMF will be reviewed to ensure it meets the requirements of the Forestry Act in relation to forming a RAC. Members would be expected to be well informed of the interest they represent. As far as possible, the WLMF should be made up of members without conflicting interests to avoid the appearance of bias. As far as possible, this should exclude members who have already been appointed to WG's Statutory Panel (Committee of Reference).

The Chair of the WLMF (NRW Board member) would be responsible for all appointments. Members, including the Chair, would be invited to serve for three years and the service would normally be limited to two terms. Members would be expected to adhere to a Code of Conduct, which would be developed alongside amended Terms of Reference (ToR).

Meetings of the WLMF acting as the RAC

It is proposed that the WLMF, acting as the RAC, would meet at least once a year¹, but thereafter it will be on an 'as needed' basis, as and when required using the routine scheduled WLMF meetings. It is anticipated that the WLMF would not need to fulfil the role of the RAC more than 2-3 times a year, but the frequency of required meetings would be monitored and kept under review.

Role of the WLMF acting as the RAC

The RAC would be a role fulfilled by the WLMF. The WLMF is an advisory committee on land management issues, operating to advise into the Executive of NRW. The ToR of the WLMF would need to be updated to fully reflect the role of the RAC and worded to ensure that the Chair cannot unduly influence or vote on issues where the RAC must advise NRW independently.

NRW will be responsible for requesting a meeting of the WLMF acting as the RAC. The process of arranging such a meeting would be managed by the WLMF Secretariat.

The role of the WLMF acting as the RAC would be to provide advice on our application of the relevant provisions of the Forestry Act but we will look to adopt an internal policy position that clearly states the circumstances in which we would request advice from the WLMF. Internal guidance would be developed to support the policy position.

¹ i.e. the RAC would be a formal component of one of the quarterly meetings of the WLMF each year.

Annex 3: RAC draft Terms of Reference

Requirement for Regional Advisory Committee

Under the Forestry Act 1967, NRW is required to maintain a Regional Advisory Committee (RAC).

Remit

The remit of the RAC, in accordance with relevant functions of the Forestry Act 1967, is to advise NRW where appropriate:

- on the application of its powers relating to refusal / granting of felling licences subject to conditions, restocking notices, the serving of felling directions and the enforcement of felling licence conditions and felling directions in accordance with the UKFS;
- on the general duty to promote the establishment and maintenance of growing trees (the Welsh Government Woodland Estate and the whole Welsh Forest Resource); and
- *'on such other functions as NRW may from time to time determine'*.

The role of RAC is advisory, not promotional or executive. NRW is required to take account of any advice tendered by the RAC.

Membership

The RAC consists of an independent Chair and a total of between seven and twelve members, of whom no less than four of those appointed shall '...represent the interests of owners of woodlands and timber merchants respectively and organisations concerned with the study and promotion of forestry.', in accordance with requirements of the Forestry Act 1967.

The Chair is responsible for the appointment of all members.

Members are appointed in a personal capacity, whether or not they are nominated by a representative body.

Members are expected to be well informed of the interest they represent, but not to act as official representatives of their nominating bodies.

Members, including the Chair, are normally invited to serve for 3 years and the service is normally limited to 2 terms. A third term may be served in some circumstances, such as unique and valuable expertise or to help ensure continuity.

Meetings and communications

The RAC would meet at least once a year¹, but thereafter it will be on an 'as needed' basis using the routine scheduled WLMF meetings. It is anticipated that the RAC would not need to meet more than 2-3 times a year, but the frequency of required meetings would be monitored and kept under review.

Only Natural Resources Wales² can request a meeting of the RAC. The process of arranging such a meeting would be managed by the WLMF Secretariat.

Expected outputs

Minutes will be taken at each meeting with the confirmed version agreed by members within one month of the meeting being held.

The minutes will clearly identify the advice for NRW being tendered by RAC members.

Code of conduct

Members must adhere to a Code of Conduct which describes the responsibilities of members in relation to their individual conduct. The role of Chair is also described. On appointment all members will be required to declare that they will be guided by the Code.

¹ i.e. the RAC would be a formal component of one of the quarterly meetings of the WLMF each year.

² All NRW employees and including NRW's Board, in accordance with internal guidance (TBD).

Annex 4: Draft Code of Conduct (RAC)

Principles

The following principle shall guide the conduct of members:

Members should act with integrity.

Responsibilities and Conduct of Individual Members

Members need to draw a distinction between their position as members of the RAC and their activity in other capacities. Membership is not an impediment to participation in other forms of public work or in the work of forestry and countryside organisations but the position imposes some obligations.

Individual members should act with awareness of their wider responsibilities. They should at all times:

- comply with this Code;
- act in good faith in providing advice on the fulfilment of NRW's duty to promote the establishment and maintenance of adequate reserves of growing timber and the performance by NRW of its functions in relation to applications for felling licences and proposals for restocking notices and felling directions.

Members should not:

- act in a way which may bring Natural Resources Wales into disrepute;
- use information gained in the course of their public service for personal gain;
- disclose confidential information received by virtue of their appointment;
- use the opportunity of public service to promote their private interests.

As a general guide members should not take any action which cannot be publicly explained.

Public criticism of the RAC by a member would not be compatible with membership of the RAC unless the member made it clear that they were expressing a personal opinion, not as a consequence of or in relation to their role as a member of the RAC.

Attendance

Members are expected to attend meetings. The office of a member of the RAC shall become vacant if he/she has been absent from more than two consecutive meetings of the RAC, otherwise than by reason of illness or some other cause approved during the period by the Chair.

Declaration of Interests Formal Business

Any member who has a clear and substantial interest in a matter under consideration by the RAC should declare that interest at any meeting where the matter is to be discussed. Such declaration should make clear the interest and whether it carries either direct or indirect financial interest to the individual.

Where such an interest constitutes a direct or indirect financial interest, the member involved should withdraw from any meeting and not seek to influence any decision taken by the RAC relating to the matter under discussion.

In all circumstances, members should ask themselves whether members of the public, knowing the facts of the situation, would reasonably conclude that the interest involved might influence the approach taken or the actions of the RAC. If so, the interest is sufficient for the member to withdraw.

Members who have any queries or concerns about these matters should discuss them with the Chair.

Informal and other business

Members should apply the same standards regarding the declaration of interests and non-involvement in relevant business in their dealings with Natural Resources Wales' staff and in informal meetings of members.

Gifts, Hospitality and Fees

Members should politely decline any offer of gifts, favours, hospitality or fees arising from their position in the RAC. Members should consult the Chair in cases of doubt.

Role of the Chair

The Chair has particular responsibility for providing effective leadership on matters such as:

- encouraging high standards of propriety, in particular ensuring that individual members comply with this Code;
- providing an assessment of performance of individual members on request when they are being considered for reappointment or appointment to the Board of some other public body.

The Chair will ensure the RAC meets at appropriate intervals throughout the year and that the minutes of meetings accurately record decisions taken and, where appropriate, the views of individual members.

Resolution of Difficulties

If members have difficulty in complying with this Code or believe that the RAC is proposing to act improperly, they should raise the issue with the Chair who will advise on its resolution. If a RAC member remains concerned they may seek guidance from the Chair of Natural Resources Wales.

Board Paper

	Paper Details
Paper title:	Maintaining the area of woodland on the Welsh Government Woodland Estate (WGWE)
Paper Reference:	22-05-B14a
Paper sponsored by:	Ceri Davies, Executive Director of Evidence, Policy and Permitting
Paper Presented by:	Miriam Jones-Walters, Specialist Advisor, Land Stewardship
Purpose of the paper	Decision
Recommendation	It is recommended that the Board endorse the Section 83 agreement requesting to purchase a further 260ha by the end of 2025/26.

Issue

1. In April 2019 the Welsh Government declared a climate emergency. Welsh Government has an aspiration of 43,000 hectares of new woodland by 2030 (and 180,000ha by 2050) to help Wales meet its carbon emission reduction targets reflecting the recommendations of the Committee on Climate Change. As the biggest single manager of woodland in Wales, via the Welsh Government Woodland Estate (WGWE), the land we manage should positively contribute to this national effort and avoid net deforestation on the NRW Estate.
2. Under Section 83 of the Government of Wales Act, NRW must seek approval from Welsh Government when they wish to purchase a piece of land for the Welsh Government Woodland Estate (WGWE) over £250k.
3. NRW must seek Board approval, prior to submission to the Welsh Ministers, to purchase land as part of the WGWE for woodland creation to replace the woodland lost through renewable energy development, to maintain the woodland area on the WGWE, and to respond to the climate and nature emergencies.
4. We are seeking a decision on the level of our ambition for woodland creation, and endorsement to take a request for approval to the Board.

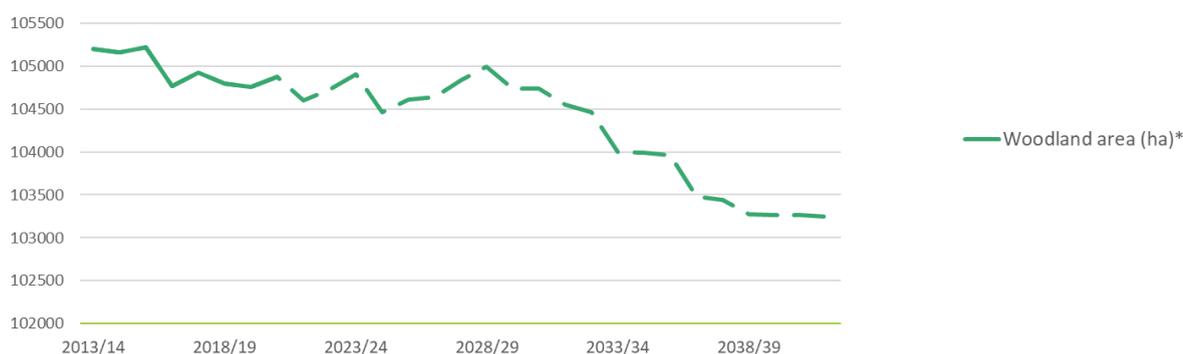
Background

5. See the briefing note at Annex 1 for further background and detail regarding our approach to buying land. In summary:
 - In 2020 a Section 83 approval was granted by Welsh Ministers for NRW to acquire a total of 350ha of land over ten years, to a maximum value of £10m, to fulfil the requirements of compensatory planting for renewable energy developments.
 - 350ha was the minimum credible area of compensatory planting, to replace woodland permanently lost under the footprints of turbines and roads. A range of options were considered to achieve this compensatory planting. The decision was made to acquire and plant land ourselves, enabling us to ensure the full range of benefits deliverable by public woodlands is achieved. We have now reached the limit of this approval, having acquired/agreed 332ha of which 84ha is planted. Alongside this we have looked at unplanted land (such as in agricultural tenancies) on the WGWE and have so far identified a further 107ha for woodland creation (this is outside of the Section 83 approval).
 - We hope to have completed planting by the end of 2022/23. We have demonstrated we can deliver compensatory planting through this mechanism with good effect, delivering benefits and good developing examples of working with communities and stakeholders.
 - The acquisition of farmland for woodland creation is a sensitive issue and has recently received media attention and lobbying from the agricultural sector, due to the perceived impact on rural communities and food security in Wales. We are maintaining the amount of woodland on the WGWE in ways other than buying land, for example, via land transfer from other public bodies. Where we do bid for land, we offer fair market value and avoid competition with other buyers. Any land we buy will be a small proportion of land sold publicly in Wales. Our focus is on parcels of land (as opposed to whole farms), near or adjacent to existing WGWE, and of lower agricultural productivity.
 - All the land we consider will be carefully screened for suitability following the UK Forestry Standard. Proposals will be subject to Environmental Impact Assessment for afforestation screening. We consult on our plans with stakeholders and local communities. When we acquire/identify land the focus is to design woodland that is suitable for the site and the surrounding landscape, based on the constraints, opportunities, and the UK Forestry Standard. All of it will deliver “sustainable management of natural resources”, delivering multiple objectives now and for the future. Some of this will be mixed, productive woodland and some of it will be to deliver primarily on biodiversity or amenity objectives.

Assessment

6. We continue to develop renewable energy projects on the WGWE, as well as making other beneficial changes to the woodland area on the estate. Some of this is the creation of open space, integral to woodland or other habitat management and part of good forest management.
7. Fig. 1, shows how under our current geographic information system definitions, “woodland” on the NRW Estate is reported as decreased from 105.2kha in 2013/14 to 104.7kha 2019/20, and is set to carry on decreasing to 102.8kha by 2029/30. As described above, much of this will still be defined as woodland or, at least, not as permanent deforestation, therefore we are not defining our target based on this analysis. However, we know (from discussion with the Commercial team) that c.260ha will be permanently deforested for new renewables projects so this is the basis of our proposed target. Beyond this, Welsh Government are seeking to increase their portfolio of terrestrial windfarms which may result in further, significant areas of deforestation. We will calculate better estimates of trends in actual deforestation over the next couple of years.

Figure One: Trends/ forecast of woodland area on the Natural Resources Wales Managed Estate 2013 to 2043



*Woodland area includes 900ha woodland on National nature reserves

* With no new woodland creation, loss in woodland area is due to renewable energy development or conversion to open habitats. This is likely not to be as significant as is indicated here (taken from SCDB), but serves to illustrate the need to continue to create new woodland.

Summary

8. We hope that the rate of woodland creation in Wales will accelerate rapidly in the coming years and will be rightly delivered by farmers and landowners choosing to plant their own land. As discussed in Annex 1, acquisition of farmland is a sensitive issue, and requires caution regarding the type of land we pursue, how we engage with stakeholders and communities and the rate and scale at which we pursue land. We could therefore consider the following options.
 - 8.1 Do nothing. In the context of the climate and nature emergencies, not continuing to pursue compensatory planting and therefore a position of net deforestation on the WGWE is not viable. In addition, if we do not continue to

acquire land an alternative mechanism for compensatory planting for renewable energy developments will need to be sought.

- 8.2 We could approach land acquisition on a case-by-case basis, allowing for Board scrutiny of the business case and obtaining approval under the Section 83 process for each site. Experience has shown us this does not allow us to compete on the open market.
- 8.3 We seek approval to compensate for the 260ha we know will be deforested if all the current commercial (renewable) projects go ahead and we aim to complete this by the end of the Senedd term (May 2026 – four years). To achieve this, we will continue with our principles for suitable land, of lower agricultural productivity, close to the WGWE, through a low level of intervention in the land market and looking at other suitable land such as that in public sector ownership. This would make progress against the objective of maintaining the woodland area of the WGWE and once completed, allow us to review the target compared to actual woodland loss, as well as the wider context of progress against woodland creation targets and the new parliament's ambitions.

Recommendation

9. It is recommended that the Board endorse the Section 83 agreement requesting to purchase a further 260ha by the end of 2025/26.
10. Welsh government have indicated that they are supportive of the approach. The Commercial and Finance teams have also been consulted.

Key Risks

11. The following organisational objectives are under threat of not being delivered if this is not taken forward:
- Responding to the climate emergency; reducing our carbon footprint, creating new woodland.
 - Responding to the nature emergency; managing land sustainably.
12. Woodland creation is critical in mitigating climate change, through resilient new woodland design it can also contribute to the estate adapting and becoming more resilient.
13. Increasing the ambition for woodland creation will help us achieve the above, and will also contribute to achieving:
- Developing NRW into an excellent organisation that serves the communities of Wales, benefitting communities.

Next Steps

14. If the Board support the recommendation, we will take the Section 83 submission to Welsh Ministers for approval.

Financial Implications

15. Funding for this activity will be identified through the Land Stewardship service planning exercise and be incorporated into NRW's Annual Business Plan. The main sources of funding are likely to be grants from Welsh Government (not Grant in Aid), timber income, retained options fees and other income from renewable energy development.
16. Based on the cost of land acquisition and planting through the programme to date, an additional 260ha would cost c. £8.2M. See a financial breakdown in Annex 2. This shows all the staff costs for the programme for the duration of the planting and establishment. In reality a proportion of the staff costs apply as establishment of the 350ha already acquired will run alongside this work. The costs are based on land acquisition being spread out over the remainder of the Senedd term (to 2026), with establishment costs continuing for five years following planting.

Equality Impact Assessment (EqIA)

17. This activity is covered by the Equality Impact Assessment carried out for the Land Stewardship Service Plan and is available on request.

Index of Annexes

- Annex 1: Briefing note on 'Maintaining the Woodland on the WGWE'
- Annex 2: Financial Breakdown

Annex 1: Briefing Note; Maintaining the Woodland on the Welsh Government Woodland Estate (WGWE)

Key Points

- In April 2019 the Welsh Government declared a climate emergency. Welsh Government has an aspiration of 43,000 hectares of new woodland by 2030 (and 180,000ha by 2050) to help Wales meet its carbon emission reduction targets reflecting the recommendations of the committee on Climate Change,
- In Natural Resources Wales (NRW) we contribute to meeting this target in several ways. Primarily this is enabling woodland creation on land owned by others, through our role in verification for Glastir Woodland creation and in Environmental Impact Assessment (EIA) for afforestation. Related, and in addition to these activities, are actions from Trees and Timber Deep Dive¹, which are also high priority for us.
- As the biggest single manager of woodland in Wales, via the WGWE, the land we manage should positively contribute to this national effort and avoid net deforestation on the NRW Estate.
- Renewable energy developments on the NRW Estate result in the permanent loss of woodland under installations. We also lose woodland cover for other reasons such as conversion of poorly growing plantations on organic soils into healthy wet bog. Whilst this is highly beneficial, this means that the WGWE risks a net loss of woodland cover, in the context of a target of 10,000ha per year woodland creation in Wales.
- Welsh Ministers have committed to compensating for woodland lost to renewable energy developments on the NRW Estate. To date this commitment is for NRW to carry out 350ha compensatory planting for three windfarms, we are on track to complete this by the end of 2022/23.
- Further, a Welsh Government policy commitment made in 2018 set out an ambition to ensure we have a bigger woodland area on the WGWE in 25 years and contribute to woodland expansion in Wales.
- Woodland creation on the WGWE is needed to maintain the area of woodland cover on the NRW Estate, between c. 260ha and 1,000ha is needed over the next 10 years.
- Purchase of farmland is just one element of how we do this and at most would be a few % of the overall market for agricultural land. When we do buy land, we are transparent and avoid competing in the market.

¹ [Trees and Timber Deep Dive | GOV.WALES](https://gov.wales/trees-and-timber-deep-dive)

Media lines to take

- Achieving the increase in woodland needed in Wales as part of the national effort to reach net zero emissions needs all land managers and landowners to play their part, including we in Natural Resources Wales on the land we manage.
- While highly beneficial, woodland creation on the WGWE is only a small part of the national effort to increase woodland in Wales and would involve a very small proportion of land in Wales. We want most woodland expansion in Wales to be via other landowners and managers choosing to create woodland.
- All the land we consider will be carefully screened for suitability following the UK Forestry Standard. Proposals will be subject to Environmental Impact Assessment for afforestation screening. We consult on our plans with stakeholders and local communities.
- *If pressed on intervention in the market for farmland:* We are maintaining the amount of woodland on the WGWE in ways other than buying land, for example, via land transfer from other public bodies. Where we do bid for land, we offer fair market value and avoid competition with other buyers. Any land we buy will be a small proportion of land sold publicly in Wales. Our focus is on parcels of land (as opposed to whole farms), near or adjacent to existing WGWE, or lower agricultural productivity.
- We are a Welsh public body, proud to serve the people of Wales and land in our stewardship will be managed for the benefit of people in Wales.

Further detail

Wales is one of the least wooded countries in Europe, with trees covering just 15 percent of our land against a European average of 37%. The UK continues to import around 80% of our timber and wood products, and whilst Wales is capable of growing, producing and processing quality timber, we need to do more to ensure a healthy future supply.

We need to maintain the area of woodland on the WGWE so that our Estate continues to help reduce carbon emissions and produce timber and fulfil commitments made by Ministers that the WGWE would remain largely a woodland estate and be bigger in 25 years than it was in 2018.²

What we are doing

In 2020 approval was granted by Welsh Ministers for NRW to increase the WGWE by a total of 350ha of land over ten years, to a maximum value of £10m, as compensatory planting for renewable energy developments. A range of options were considered to achieve this compensatory planting, the decision was made to acquire

² “The first principle is that this is a woodland estate. It was acquired for that purpose through Act of Parliament. While NRW has wider objectives, and can hold land for other purposes, the publicly owned woodland estate

land should remain as woodland. To support our woodland creation goals, the woodland area on the estate should be bigger in 25 years than it is today.” Extract from [Purpose and Role of the Welsh Government Woodland Estate](#).

and plant land ourselves, enabling us to ensure the full range of benefits deliverable by public woodlands are achieved.

350ha was the minimum area to replace woodland permanently lost under the footprints of turbines and roads.

To date we have acquired 189ha (five sites) of which 84ha (three sites) are now planted. We have offers accepted on a further 138ha (three sites) which we expect to complete on early in 2022/23. All these sites were acquired under the section 83 approval secured in 2020. To date we have c.17ha 'left' against this original approval. We may use this remaining approval for a further acquisition if an opportunity presents itself. Equally, we will continue to secure sites against the existing approval if any of those currently with solicitors fall through. In addition, we have identified 107ha existing unplanted land within NRW managed land (four sites) suitable for woodland establishment, these are not included in the Section 83 agreement.

When we have completed on an acquisition, we begin detailed planning and consult and involve neighbours, stakeholders, and communities in our plans for new woodland. We do this in a way that is proportional to the site³, we always write to our new neighbours and important local stakeholders. On sites that are remote where there is a small impact on the landscape this may be sufficient. Where there is likely to be a greater degree of interest and impact we go further, using online consultations on citizen space, local media, and social media, and in person engagement events.

Acquisition, planting, and establishment costs of £10M over ten years are funded through transfer of options fees from the renewable energy facilities, beyond this the main sources of funding are likely to be specific grants from WG, timber income, renewable energy development, and other sources such as carbon finance.

What we need to do

Several beneficial changes on the WGWE (e.g., renewable energy developments or conversion of degrading afforested organic soils that are bad at growing timber into healthy wet bog) result in deforestation.

Fig. 1, shows how woodland on the NRW Estate decreased from 105.2kha in 2013/14 to 104.7kha 2019/20, is set to carry on decreasing to 102.8kha by 2029/30. Some of these 'deforested' areas are likely to be a result of the creation of open space within woodlands, an important part of the woodland habitat or will be allowed to develop as successional woodland, however some are a conversion to non-woodland habitat.

Whilst it is difficult to determine accurate figures, we know that c.260ha will be permanently deforested for new renewables projects, we also know that c.700ha peatland will be restored between 2020 and 2025.

³ This follows the requirements of the UK Woodland Assurance Standard to which we are externally audited each year and the Environmental Impact Assessment for afforestation process

Therefore, in addition to the 350ha compensatory planting underway, to contribute to woodland expansion we would need to create a further between 200-1000ha in the next c.10 years.

How are we going to do it?

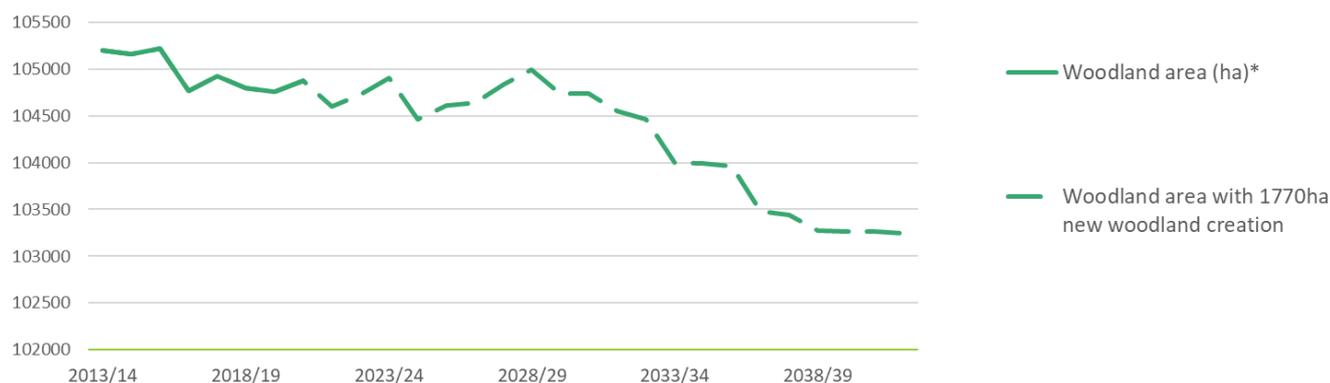
Acquisition of farmland for woodland creation is a sensitive issue. However, even if all the top of the range of woodland creation targets over the next 10 years were achieved by open market purchase it would represent 1-2% of the land publicly sold each year in Wales and 0.076% of farmland over the 10 years. We focus on sites that have been on the market for long enough to tell us there is little if any interest from others in buying it, we never “gazump”, we always tell the vendors exactly what we would do with it, i.e.: our behaviour in the market is transparent and non-aggressive.

Purchasing land is also costly, but publicly owned forestry land provides high benefit compared to costs; the key uplift in public benefit is in the value of public access. On each purchase, the price we pay is set by the market as we buy land at market value. Therefore, we can be confident in the financial case.

According to Welsh Government targets there should be 43,000ha of woodland created by 2030. Our maximum target for more woodland on the WGWE would be just 2% of that target. The vast majority of woodland expansion in Wales will be due to landowners and land managers being enabled to choose to plant woodland, as opposed to acquisition. Most of our effort is rightly going into enabling woodland creation on land owned by others.

Key facts and figures

Figure One: Trends/ forecast of woodland area on the Natural Resources Wales Managed Estate 2013 to 2043



*Woodland area includes 900ha woodland on National nature reserves

** With no new woodland creation, loss in woodland area is due to renewable energy development or conversion to open habitats. This is likely not to be as significant as is indicated here (taken from SCDB), but serves to illustrate the need to continue to create new woodland.

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Date: 14/12/2021 updated 15th Feb 20



Annex 2: Financial Breakdown

Year	1	2	3	4	5	6	7	8	9	10	Totals
	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	
ha acquisition	65	65	65	65							
NRW Staff resource	£ 92,400	£ 92,400	£ 92,400	£ 92,400	£ 92,400	£ 92,400	£ 92,400	£ 92,400	£ 92,400	£ 92,400	£ 924,000.00
Capital (land)	£ 989,170	£ 989,170	£ 989,170	£ 989,170	£ -	£ -	£ -	£ -	£ -	£ -	£ 3,956,680.00
Revenue (operations)	£ 17,000	£ 169,741	£ 175,786	£ 181,831	£ 141,722	£ 29,640	£ 26,910	£ 13,260	£ 13,260	£ 13,260	£ 782,409.52
Risk Contingency (44%)	£ 483,371	£ 550,577	£ 553,237	£ 555,896	£ 103,013	£ 53,698	£ 52,496	£ 46,490	£ 46,490	£ 46,490	£ 2,491,759.39
Total	£ 1,581,941	£ 1,801,888	£ 1,810,593	£ 1,819,297	£ 337,135	£ 175,738	£ 171,806	£ 152,150	£ 152,150	£ 152,150	£ 8,154,849

Natural Resources Wales (NRW)

Board paper

Date of meeting	26/05/2022
Title of paper	Strategic Review of the Welsh Government Woodland Estate (Continued)
Paper reference	22-05-B14b
Paper sponsored by	Ceri Davies, Executive Director, Evidence Policy and Permitting and Sarah Jennings, Executive Director of Communications, Customer and Commercial
Paper prepared by	Andrew Wright, Senior Specialist Advisor, Plant Health and Knowledge Transfer, Land Stewardship.
Paper presented by	Andrew Wright, Dom Driver, Head of Land Stewardship, Elsie Grace, Head of Commercial
Purpose of paper	Discussion
Summary	To discuss the follow on from the strategic discussion on the Welsh Government Woodland Estate (WGWE) and provide context for how NRW approaches any review of the Purpose and Role of the WGWE, any new Board function for strategic oversight of commercial and stewardship activities on the NRW land Estate, the Service Level Agreement with Welsh Government (WG) for the NRW land Estate, and NRW land Estate elements of the new Corporate Plan.

Background

1. The Purpose and Role of the WGWE was published in 2018 via collaboration between WG's Land, Nature & Forestry Division and NRW involving extensive consultation both internally and externally. The Minister for Environment launched the Purpose and Role at the Royal Welsh Show in July 2018. It sets out the Welsh Government's 25-year vision for the woodland estate and is linked to both [Woodlands for Wales - The Welsh Government's Strategy for Woodlands and Trees](#) and the [UK Forestry Standard](#).
2. More recently, the Board has indicated a desire to further improve Board level oversight for the WGWE. At the Board meeting on the 23rd March 2022, an overview of both commercial and forestry stewardship activities were presented followed by a workshop

to stimulate discussion by Board members with a focus on the implications for the Purpose and Role of changes in our operating environment since it was published. The Board felt that the Purpose and Role still provided a useful high-level framework but did not address some current environmental and social aspects and that a review of the document may be required.

3. The Board also felt that an additional mechanism, such as a sub-committee, should be set up to enable further improvements in Board level oversight for both stewardship and commercial functions on the NRW Estate. Furthermore, the Board felt there should be a set of metrics to demonstrate performance of the NRW Estate. The Chair and Chief Executive were tasked with considering the most appropriate additional Board level mechanism, which consideration we understand will be discussed at the Board meeting.
4. Since the Board meeting, the Minister has commissioned a set of Service Level Agreements (SLAs) between WG and NRW for the work of NRW across a number of functions. One of these is to be on the “woodland estate” (below we explain why the scope is to be the whole NRW land Estate). The SLAs are the device by which expectations of service levels can be aligned with funding and, for the NRW Estate, to resolve NRW’s exposure to volatility in commercial income. As such delivering them on time and to quality is important, with a deadline of July 2022 for the submission. This is also the year when we will develop a new corporate plan; this will need to include our strategy for the NRW Estate.
5. We set out below the implications of these aspects for how we best achieve the changes in our approach to forestry on the NRW Estate discussed at the March 2022 NRW Board.
6. One aspect of the SLA will be the level of woodland creation on and using the NRW Estate. A decision is needed now on how we approach this activity because we have reached the limits of our previous Section 83 agreement for acquisition for woodland creation. This is set out in another paper for this Board meeting.
7. The considerations in this paper reflect discussions by the Land Stewardship Business Board in March and April 2022 and agreement at the Executive Team meeting on 26th April 2022.

Implications

8. The SLA should be the focus of our work for the first part of the year and the outcome of this will need to flow into the Corporate Plan. Reviewing the Purpose and Role would involve significant work and we do not have the capacity to do both the SLA and a review in 2022/23. Nor during 2022/23 could we service further in-depth strategic consideration at a new Board function, except that focussed on the SLA and/or the Corporate Plan. In effect, the work on the SLA will inform both the NRW Estate element of the Corporate Plan and whether the areas of relative weakness in the Purpose and Role can be resolved via such a mechanism. If the Board decided on a review of the Purpose and Role were needed, we would then need to programme this into 2023/24 – 2024/25, subject to agreement from the Minister and allocation of resources from both NRW and WG.

9. The scope of the SLA should include among other elements:

- Multi-year, covering the Senedd period.
- Dynamic, enabling an agreement on the extent and nature of changes delivered not just a set of static options for levels. For example, it could include levels of improved management of flood risk, changes in amount of timber brought to market, levels of recreational provision, further improvements in ecological function of high nature value areas, local enterprise development, and/or acceleration in adaptation to climate change.
- Whole NRW land Estate (i.e.: including the National Nature Reserves (NNR) in our direct care, not just the WGWE) in order to adequately reflect service levels on all the high nature value land in our care and to reflect the value of our NNRs.
- Commercial activities as well as “stewardship” activities, e.g.: service levels in respect of onshore wind development, sales and marketing of timber, tenure arrangements for recreation enterprise development.
- Either including directly or with a clear link to the agreed financial mechanism to resolve the risks of volatility in commercial income, especially timber income, and if possible to enable reinvestment for capital development.
- A set of indicators of outcomes, the trends in which will illustrate achievement of the impact envisaged in the SLA as well as agreement on standards to be maintained, e.g.: UK Woodland Assurance Standard, National Nature Reserve Standards, and ISO14001, Environmental Management. During the term of the SLA, we aim to provide natural capital accounts for the NRW Estate and to develop the People, Planet and Prosperity (3Ps) approach to calculating value for money, which could be built into any future iteration of the SLA.
- Reference to current relevant strategies including for example, the Commercial Strategy and the Timber Sales and Marketing Plan.

10. Welsh Government colleagues on the NRW land Estate SLA team support this initial scoping. The detailed scope will be refined as we develop the document.

11. The indicators, natural capital accounts and 3Ps reporting could also form the basis of the performance measures reported to the Board function, which we recommend covers stewardship and commercial activities on the NRW land Estate as a whole.

12. Note that in parallel, NRW has been asked by the Ministers to establish a Forestry Technical Group as part of delivery of the Trees and Timber Deep Dive. This will be a task and finish group run by an external body to provide advice to Ministers on specific aspects of both public and private sector forestry. This advice will be of relevance to the Corporate Plan and any review of the Purpose and Role. It will not be delivered in time to inform the first draft of the SLA but may inform Minister’s consideration of it. Also please note that the Regional Advisory Committee for Forestry (RAC) proposal also covered in this meeting has little dependency on the activities in this paper, the RAC being proposed to fulfil certain statutory advisory requirements, as set out in the paper.

Risks and opportunities

13. The NRW land Estate SLA is one of the actions to manage the Land Stewardship Business Board Risk 5 “Failure to manage potential for costs of NRW Estate management to outstrip income and availability of grant in aid.”¹ Inherent risk level is 21, with target score of 9. It is currently at risk level 10 in the short-term (2022/23) due to the profitability of our timber business and relatively favourable annual funding settlement for NRW. But in the longer-term, three years-plus, risk levels escalate due to volatility in timber income and potential for unreasonable expectations of service levels relative to funding. Of particular note is uncertainty over long-term capital funding to upgrade our infrastructure at risk of damage or of becoming dangerous due to climate change. There is a risk that if the SLA was too detailed it would constrain our ability to manage the NRW Estate in accordance with our corporate competencies. Key to managing this risk will be the scoping of the SLA and the reporting mechanisms.
14. The SLA is also relevant to Commercial Business Board Risk 1 Income Volatility, inherent risk level 20, target risk level 9 with current risk score 13. The financial mechanism in the SLA could create a risk to delivery of the Commercial Strategy. In addition, loss of exposure to income volatility, while probably a good thing overall, may result in gradual erosion of our commercial capabilities. The details of the financial mechanism will need careful design to mitigate these risks.
15. Both these risks link to Strategic Risk 1 “Insufficient funding (medium term)”.

Wider implications

16. **Finance:** financial implications are discussed above and have been agreed with finance colleagues.
17. **Equality:** The activities in this paper are in scope of the Land Stewardship Service Plan and are therefore covered by its [Equality Impact Assessment](#).
18. **The Wellbeing of Future Generations Act (WBFGA):** The activities in this paper are in scope of the Land Stewardship Service Plan and the Corporate Plan and will therefore be covered by their consideration of WBFGA.

Next steps

19. Informed by the Board’s discussion, the NRW land Estate SLA, WG and NRW team will continue to work on the SLA. Head of Land Stewardship and Head of Commercial will lead any actions arising from the discussion on the Board function for oversight of commercial and stewardship activities on the NRW land Estate.
20. Communications will be covered via the overall SLA activity. The SLA process overall is led by the Head of Corporate Strategy & Programme Management Office and governed via an SLA Panel.

¹ LandStewardshipRiskMatrix_MASTER.xlsx – available on request

Recommendation

21. That you discuss the implications of the areas for consideration set out above to provide context for our work on the SLA and future interaction with whatever Board function is set up for strategic oversight of the NRW land Estate.

Board Paper

Date of meeting	26/05/2022
Title of paper	Flood Risk Management Strategic Direction
Paper reference	22-05-B15
Paper sponsored by	Ceri Davies, Executive Director, Evidence, Policy and Permitting
Paper prepared by	Jeremy Parr, Head of Flood and Incident Risk Management
Paper presented by	Jeremy Parr, Head of Flood and Incident Risk Management
Purpose of paper	Discussion

Summary

The views of Board are sought on shaping NRW's strategic direction for our Flood Risk Management activities and priorities, by considering the question: *Given increased flood risk, increased expectations of NRW and the potential approx. 60% increase in Welsh Government budget, should we respond by increasing expenditure on our current range of programmes or is this an opportunity for a significant change in priorities?*

Background

Drivers

1. The Flood Risk Management Committee (FRMC) held a discussion on NRW's FRM strategic direction and priorities, at its April 2022 meeting. There were several drivers for the discussion, including:
 - Recognition of the scale of the challenges ahead (e.g. climate and nature emergencies, the climate change adaptation agenda; skills and capacity challenges);

- Consideration of the opportunities (e.g. Welsh Government Flood Risk Management revenue budgets are set to increase considerably (approx. 60% over 3 years¹); the potential opportunities in innovation and technology);
- The role of FRMC and Board to advise on strategy, coupled with the fresh views of new Board members on FRMC.

2. This paper summarises the main points from the discussion and presents options for consideration by full Board. To aid the consideration, the FRMC Chair poses the question as:

‘Given increased flood risk, increased expectations of NRW and the potential approx. 60% increase in Welsh Government budget, should we respond by increasing expenditure on our current range of programmes or is this an opportunity for a significant change in priorities?’

3. It is recognised by the Executive and by FRMC members that this is a subject that FRMC and Board will likely want to return to in future meetings, not least because it is a complex and evolving landscape. For example, discussions will need to continue with Welsh Government on their priorities and plans for investment of their increasing budgets. A strategic steer is therefore sought from NRW Board, to help shape future direction.

Context

4. Flood risk management is a multi-faceted activity. Key elements of context to aid consideration of the strategic discussion include:

- (a) Welsh Government has the statutory responsibility² for producing the National Strategy for Flood and Coastal Erosion Risk Management for Wales, and the latest version was published in 2020³. NRW (and all flood Risk Management Authorities - RMAs) have a duty to act in manner consistent with the National Strategy⁴. The Strategy also includes Measures (deliverables) for NRW and other RMAs.
- (b) Welsh Government’s Programme for Government⁵ includes targets and measures for FRM over the life of this government (to 2026); these are listed in Annex 1. Note in particular the measure on National Infrastructure Commission for Wales to ‘*assess how the nationwide likelihood of flooding ... can be minimised by 2050*’.
- (c) Current NRW FRM activities and expenditure are described in our FRM Annual Report⁶. The revenue allocations section, describing our activities and investment

¹ See [Final Budget 2022 to 2023 | GOV.WALES](#) ‘Flood risk management and water policy delivery’ resource (revenue) budget set to increase to ~£55m in 24/25 (estimated £50m FRM allocation) from baseline of ~£30m FRM allocation in 21/22

² See [Flood and Water Management Act 2010 \(legislation.gov.uk\)](#) Section 8

³ See [National Strategy for Flood and Coastal Erosion Risk Management in Wales | GOV.WALES](#)

⁴ See [Flood and Water Management Act 2010 \(legislation.gov.uk\)](#) Section 12

⁵ See [Programme for government: update | GOV.WALES](#)

⁶ See [Natural Resources Wales / Flood risk management annual report 2020-2021](#), particularly section on ‘where our money is spent’

levels, from that report, is reproduced in Annex 2. Annex 3 shows the activity descriptors we use to group our activities for business planning and reporting purposes.

- (d) NRW FRM activities are delivered in the context of Sustainable Management of Natural Resources, Area Statements, SoNaRR (State of Natural Resources Report), and the Well-being of Future Generations (WBFG) Act. Multi-benefits are sought and delivered through FRM activities, and the principles and ways of working of the Environment Act and WBFG Act are utilised.
- (e) NRW is not responsible for managing ‘all flooding’. Our powers and responsibilities relate to flooding from main rivers and the sea, and for reservoir regulation, and Local Authorities have responsibilities for flooding from non-main river and surface water (often called ‘local flooding’). NRW also has a strategic oversight role, described in the National Strategy (paras 123-124) as:

‘having a Wales-wide understanding of all sources of flooding, coastal erosion and the risks associated with them, on a consistent basis to provide advice to the Welsh Government as well as helping inform RMAs and the public This is needed to optimise planning and investment for effective flood risk management, in a risk based, transparent and consistent way.’

- (f) We undertake reviews and assessments of our activities, and levels of flood risk, to inform our planning of future work. Examples include:
- Flood Risk Assessment Wales (a mapping and modelling product) gives data on levels of present and future flood risk;
 - Our February 2020 Flood Review work and Flood Warning Service Review are informing the development of our flood incident services;
 - The Business Area Review work undertaken 2013-2015 (approx.) informed our decisions to prioritise statutory work and legal obligations (e.g. maintenance work) over discretionary or non-statutory activities (e.g. community awareness raising) – recognising though both are part of the flood risk management armoury and ideally both (and all other) activities would be delivered if there were sufficient resource levels;
 - Shoreline Management Plans inform our coastal adaptation work.
- (g) NRW’s new Flood Risk Management Plans (FRMPs) are under development. These are a requirement of the Flood Regulations (2009) and must contain information of what is at risk of flooding alongside the objectives and measures that we propose to manage the risk of flooding to people, the environment and economic activity across Wales over a six year period. We are developing national strategic objectives for these new plans, and have shared draft versions with FRMC for comment. The current (2015) FRMPs are available on our website⁷.
- (h) There is a broad historical context to how response to flooding has evolved: from a concept of *land drainage* in the early 20th century to *flood defence* in the mid-

⁷ See [Natural Resources Wales / Flood risk management plans](#)

century to *flood risk management* at the turn of the century, and it could be argued, now to *adaptation and resilience* to flooding in the 21st century.

- (i) We will seek to link the development of our FRM strategic direction with the development of our next corporate plan, and also continue to link in with the ongoing 'level of service' discussions between NRW and Welsh Government (WG).

Summary of FRMC discussions

5. The main points from the FRMC discussion in April are summarised as:

- (a) Recognition that there has historically often been a political focus on capital schemes, and under-appreciation of the crucial revenue funded activities (though this may be becoming more balanced);
- (b) Appreciation that there is a strong element of core FRM work that needs continued (revenue) investment and improvement e.g. our flood warning service, or our maintenance work. This includes investment in the infrastructure assets (physical, human, digital) that underpin these core activities;
- (c) Recognition of the opportunity for a shift in activity and response, on the back of the WG budget announcements for the term of government - the increase of FRM revenue (note, this is for all RMAs, not just NRW) from ~£30m in 21/22 to ~£50m in 24/25;
- (d) A desire not to default to 'more of the same', but to respond to the nature and climate emergencies and adaptation challenges with new or novel approaches;
- (e) Strong interest in pushing the envelope on whole/integrated catchment-based approaches to flood risk management, with multi-benefits. This includes nature-based solutions, but very much with catchment scale considerations, and strong elements of partnership working at scale;
- (f) Strong interest in 'doing more' on developing community resilience, including the concepts of how communities can do more to help themselves, alongside the centrally provided public services;
- (g) A desire to be innovative and utilise emerging technology, but a recognition of the need for this not to impinge on the need for a clear focus on continuous work needed to keep core activities at appropriate levels of service;
- (h) Recognition of the skills challenges in the sector, especially with the backdrop of significant extra budget (and expectations) being likely;
- (i) Recognition that WG will be looking for more delivery and more outcomes against the (likely) budget increases, and the potential opportunity therein to frame our

additional activities in this light e.g. we could say, and make the case for, investing more in (say) catchment based approaches, to deliver more outcomes;

- (j) Recognition of the strong links to NRW's customer and digital priorities and strategies, and Area Statements⁸ and SoNaRR⁹.
- (k) A desire to explore the relationship between WG's responsibility for strategy and NRW's strategic oversight role to ensure we are fulfilling all our duties and responsibilities.

Options

6. In responding to the challenge expressed by FRMC Chair (para 2), the broad options can be summarised as:
 - Option A – Do more of the same activities.
 - Option B – Reduce the range of activities, and expand the quality or coverage of these.
 - Option C – Adopt a zero-based approach and develop up our activities.
 - Option D – Expand our current activities and develop new ones.
7. We need to recognise that there is no single solution to flooding and a range of interventions and activities are needed. It is true to an extent though that we need to shift gears and be open to new tactics and activities in our response to the challenges of the climate and nature emergencies.
8. We also need to acknowledge that we have a very significant set of asset bases (physical, human, digital) that require upkeep (operation and maintenance, and continuous improvement). There are gaps and pressure points in service provision at present e.g. maintenance, development advice, hydrometric network, our digital services etc. It is not a question of simply changing tack and either doing less or holding the *status quo* on these activities whilst we develop new activities that will 'fix the flooding' (and climate and nature) challenges we face. It is not as simple as that.
9. Further, for each of our activities, there are a range of options for 'doing more' in each activity, rather than a binary choice. Take the example of Flood Warnings. Options include doing more on (a) expanding service coverage geographically (more properties signed up to existing services) (b) improving quality of service (more accurate warnings for existing customers) or (c) developing new services e.g. surface water flood warnings. Which one is the best option? There are a series of choices for all our activities on the extent to which we undertake them. Plus, all choices rely on underlying infrastructure or systems e.g. expanding coverage requires more gauging stations and

⁸ [Natural Resources Wales / Area Statements](#)

⁹ [Natural Resources Wales / State of Natural Resources Report \(SoNaRR\) for Wales 2020](#)

telemetry systems, and more modelling capabilities. It is not a simple choice of just doing more of a single activity – there are interactions between them.

Preferred option

10. It is suggested that Option D is the realistic and preferred option – we need a combination of:

- (a) addressing gaps in current key service provision;
- (b) consideration of expanding service provision in some existing activities areas (to be agreed); and
- (c) introducing new elements of activity.

Option C may appear desirable, but we know we cannot stop doing many of our current activities, for legislative and expectation reasons, and this option would take time to assess and deliver. Options A and B do not expand the tools in the armoury to respond to the challenges.

11. After discussion at FRMC and ET, the 5 top proposed areas of new or expanded activity for consideration are suggested as:

(a) **Further develop and embed integrated catchment management and delivery**

We know that we need the full armoury of whole catchment approaches for managing the extreme weather events we are facing (drought and heat, as well as flood). We need to better link up how we manage the land (e.g. peatland opportunities, tree planting, making space for water, agricultural practices), how we manage watercourses (as a whole – from source to sea), how we optimise nature-based solutions (whilst recognising they are part of the armoury, and engineered structures are needed too) and how we do development planning for the whole catchment, for multiple benefits and addressing nature and climate emergency challenges. We also need to work with partners and stakeholders – not all the levers are with us, and not all the delivery is on us. Area Statements and SoNaRR are good tools to help us but we need more drive and focus for true integrated catchment planning and delivery, across all catchments in Wales.

(b) **Building community resilience**

We know there is a residual risk to communities even after we have done all we can as public bodies (RMAs) to manage flood risk down. We also know we have to prioritise to high risk locations, which means that small communities or isolated dwellings may not receive the full range of flood risk management services. Even if locations have flood defences, these can be overtopped and are not a guarantee of no flooding, ever. The concept of flood resilience needs to be prominent in our future activities e.g. building or retrofitting properties with flood friendly materials such that they can be occupied much quicker after a flood, or improving our flood warning service and promoting the development of community and individual flood plans.

(c) **Exploring doing more on strategic oversight role**

The extent of the strategic oversight role is not defined and there is scope to do more e.g. on pushing collaboration between all RMAs, or on leading on the skills

development agenda for Wales. We could be more directive in what we do and what we ask of others. This would need to be approached with due care and has risks – for example, we would need to respect the local democracy and accountability of Local Authorities, and the strategy and policy roles for Welsh Government.

(d) Develop adaptation plans for areas at high risk

We know there is a need to take a long term view and plan for a difficult future. The concept of ‘adaptive pathways’ is a useful one here; the idea of planning for a range of scenarios and triggers, such that if the trigger is reached we all know what the right response is rather than head in the sand and hope it will not happen and try and react when it does, and it is too late. We are developing adaptive plans in places, but it is *ad hoc* and is needed for the whole of Wales. This links with the integrated catchment (or coastal zone) planning concept under (a) above.

(e) Integrate the funding opportunities, maximising outcomes for both climate and nature emergency response

There is a risk that funding and initiatives exist in isolation and are not joined up, across all environmental/natural resource interventions. For example, are peatland opportunities fully joined up with water pressures (both water quantity and quality)? We need to do more to join them up and be flexible in our approaches – and this too relates to the integrated planning concept under (a) above.

12. These are areas of suggested enhanced effort. We know we also need to ensure, as per paragraph 8, that we address the gaps and pressures in our current services. It is not a case of doing less of what we do now, to do more of what is proposed in paragraph 11 above. We want, and need, to do both. **This is only possible of course with either more resource or different agreed service levels.** The alternative is we re-prioritise existing resource to do more of the activities under paragraph 11 above, but the question would be ‘away from what?’ There is little scope to re-direct existing FRM resource without significant impact on core FRM activities hence the need for discussions on future service levels.
13. We also know that there are significant skills and capacity challenges that are affecting the whole sector. This will need concerted and collective effort to address, and will take time, and so is likely to be a real constraint on our ambition and capacity to deliver.

Risks and opportunities

14. The main high level risks of the preferred option include:

- (a) Further additional budget (beyond that announced) not forthcoming; the result would be that if we do more we would be putting extra work and pressure on existing resource (mitigation: work with WG to plan and demonstrate value of return on investment, and only do more if we have the budget to do so).
- (b) We overstretch ourselves on new tasks into areas at the edge of, or beyond, our remit e.g., on expanding strategic oversight role, including into WG policy territory (mitigation: we will need to carefully consider the limits, and the implications

(threats and opportunities) of doing more in this area, being clear on these boundaries/edges).

- (c) The challenges of resourcing up to a potential 60% increase in resource base. This will need significant programme/project management. Plus, there are skills and capacity shortages in the sector, with the risk that we are not able to recruit staff to resource the new commitments (mitigation; as per paragraph 13, this will need concerted and collective action to address).
- (d) Managing expectations – the scope of what is being described is significant e.g. truly integrated and long term catchment management and adaptation plans for *all* catchments across Wales will take significant time and resource to deliver (mitigation: we would need to manage expectations from the start e.g. through effective stakeholder engagement).

15. The main high level opportunities of the preferred option include:

- (a) We are the 'national experts'. We are well placed to undertake these activities, they need someone to lead and drive them, and if not us, then who? Recognising though that not all the delivery will be on us, this is about partnership working for planning and delivery.
- (b) The strategic oversight role gives scope for many activities, if we want to explore them (though note this to be with suitable degree of caution – see paragraph 14(b) above).
- (c) The likelihood of additional budget is there - it does seem reasonable to assume we will get a share.
- (d) There is the attention and political will around the climate and nature emergencies, so there is scope and opportunity for us to do more in these arenas (resources permitting).
- (e) We are developing our corporate plan and long term vision, and there is opportunity in the timing and the alignment. This is the right time to be reflecting on our duties and responsibilities.

Wider implications

16. There will be wider implications of whatever we choose to do more of, or do differently. This includes:

- a) Internal NRW support services: there will be impacts on all support services with additional input being required on communications, stakeholder engagement, legal advice, finance support, procurement, recruitment, etc. These support services will need resourcing to suitable levels.
- b) Recruitment and retention: we know the market for flood risk professionals is very challenging and there is a shortage of suitable people across the sector. We also will need stakeholder and engagement skills and professionals. A potential 60%

increase in budget and activity will not simply just happen smoothly. This is a significant risk/issue that needs managing, probably with a programme/project management approach.

- c) Existing teams and structures: a potential ~60% increase in staff (if it materialises that way) cannot just be bolted on to existing structures. Organisational shape and structure will need to be considered, and possibly change programmes undertaken.
- d) Equality aspects: there are equality and diversity considerations - for example, how we work with deprived communities at flood risk, or hard to reach sectors of society. At this stage, we have not completed an Equality Impact Assessment as we are discussing ideas and direction of travel rather than firm proposals.
- e) Health impacts: there are physical and mental health aspects of flooding and flood risk management. As above, at this stage, we have not completed a health impact assessment.
- f) Data Protection: there may be some data protection and GDPR implications, but these are likely to be extensions of what we consider and manage already e.g. data we hold on recipients of our flood warning service. As above, at this stage, we have not completed a data protection impact assessment.
- g) Well-being of Future Generations considerations; flooding clearly links well to the concept of the well-being of future generations, and explicitly our well-being objectives (e.g. our objective to *reduce the risk to people and communities from environmental hazards such as flooding and pollution*). Well-being and Sustainable Management of Natural Resources (SMNR) principles and ways of working are integral to our flood work, and will be in these areas under consideration for expansion.

Next steps

17. We will take the feedback from the Board discussion session and develop the thinking further with FRMC and with Executive Team (as appropriate). If desired, we will bring back the item to future Board session(s) (to be agreed).
18. We will also have parallel progress discussions with Welsh Government on the plans and priorities for investment of their indicative increased revenue budget, and on levels of service. Welsh Government Officials have committed to join our FRMC discussions.
19. We will work with FRMC on the development of the strategic objectives for the Flood Risk Management Plans.

Recommendation

20. The recommendation (in response to question posed in paragraph 2) is we plan for a hybrid approach (Option D) of consolidating and plugging gaps in existing activities and providing impetus into the 'new' activities in paragraph 11 above – subject to budget and resource becoming available. Further work is needed, and the views of

Board members, on the approach and on the themes for new (or prioritised) activities, are sought.

Index of annexes

Annex 1 – Welsh Government Programme for Government measures relating to flood risk management

Annex 2 – NRW's FRM revenue activities and budget allocation

Annex 3 – FRM activity descriptors used for business planning and reporting



Annex 1 – Welsh Government Programme for Government measures directly relating to flood risk management

Fund additional flood protection for at least 45,000 homes.

Deliver nature-based flood management in all major river catchments to expand wetland and woodland habitats.

Commission an independent review of the local government section 19 and Natural Resources Wales reports into extreme flooding in winter 2020-21.

Ask the National Infrastructure Commission to assess how the nationwide likelihood of flooding of homes, businesses and infrastructure can be minimised by 2050.

Establish a targeted scheme to support restoration of seagrass and saltmarsh habitats along our coastline.

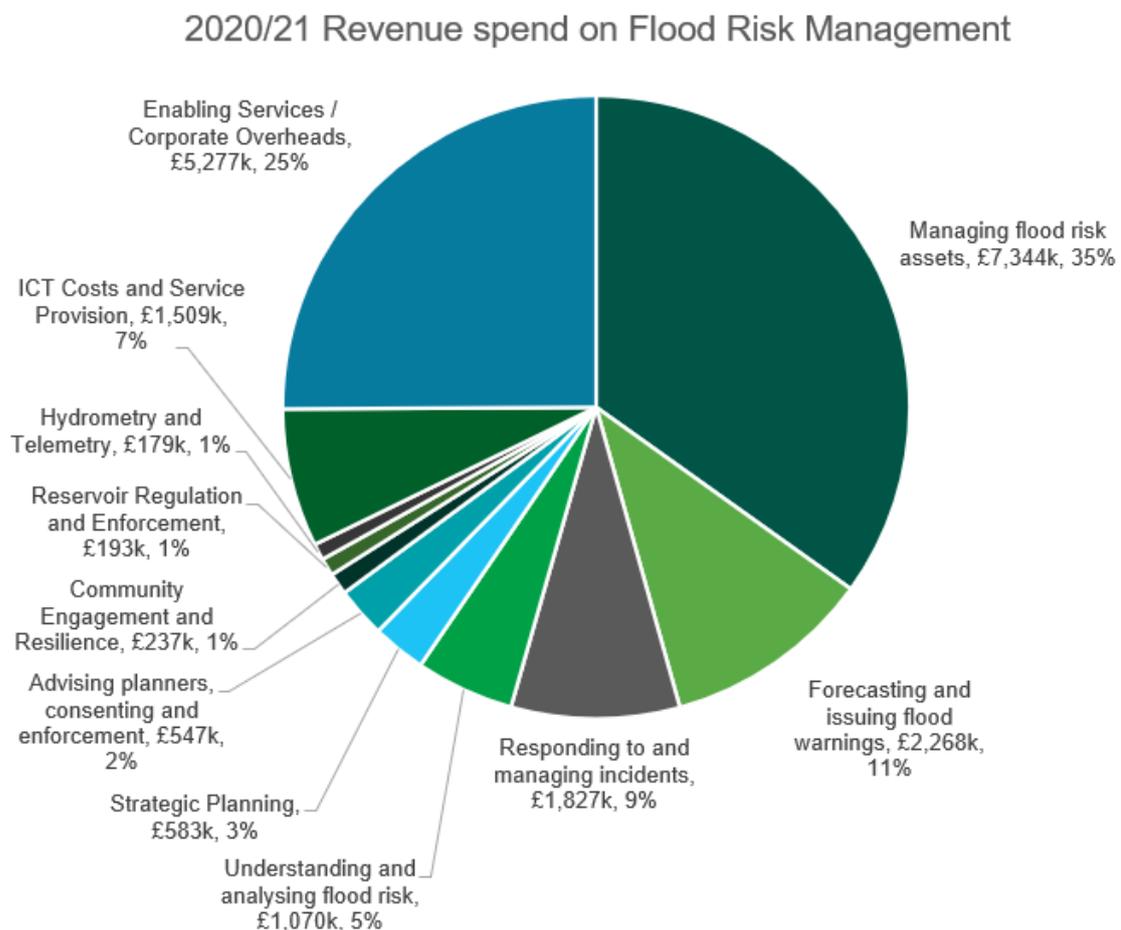
Annex 2 – NRW’s FRM revenue activities and budget allocation

(from NRW’s FRM Annual Report [Natural Resources Wales / Flood risk management annual report 2020-2021](#))

Revenue Funding

The 2020/21 revenue settlement of £21m supported the significant effort that goes into sustaining and providing the services, advice, tools and activities NRW undertakes to help manage flood risk in Wales. This funding predominantly supports staff costs, routine maintenance works, various enabling services which support our work and other routine activities. A breakdown of revenue spend by activity is included in figure 9 below.

Figure 9: Chart showing the breakdown of revenue spend by activity



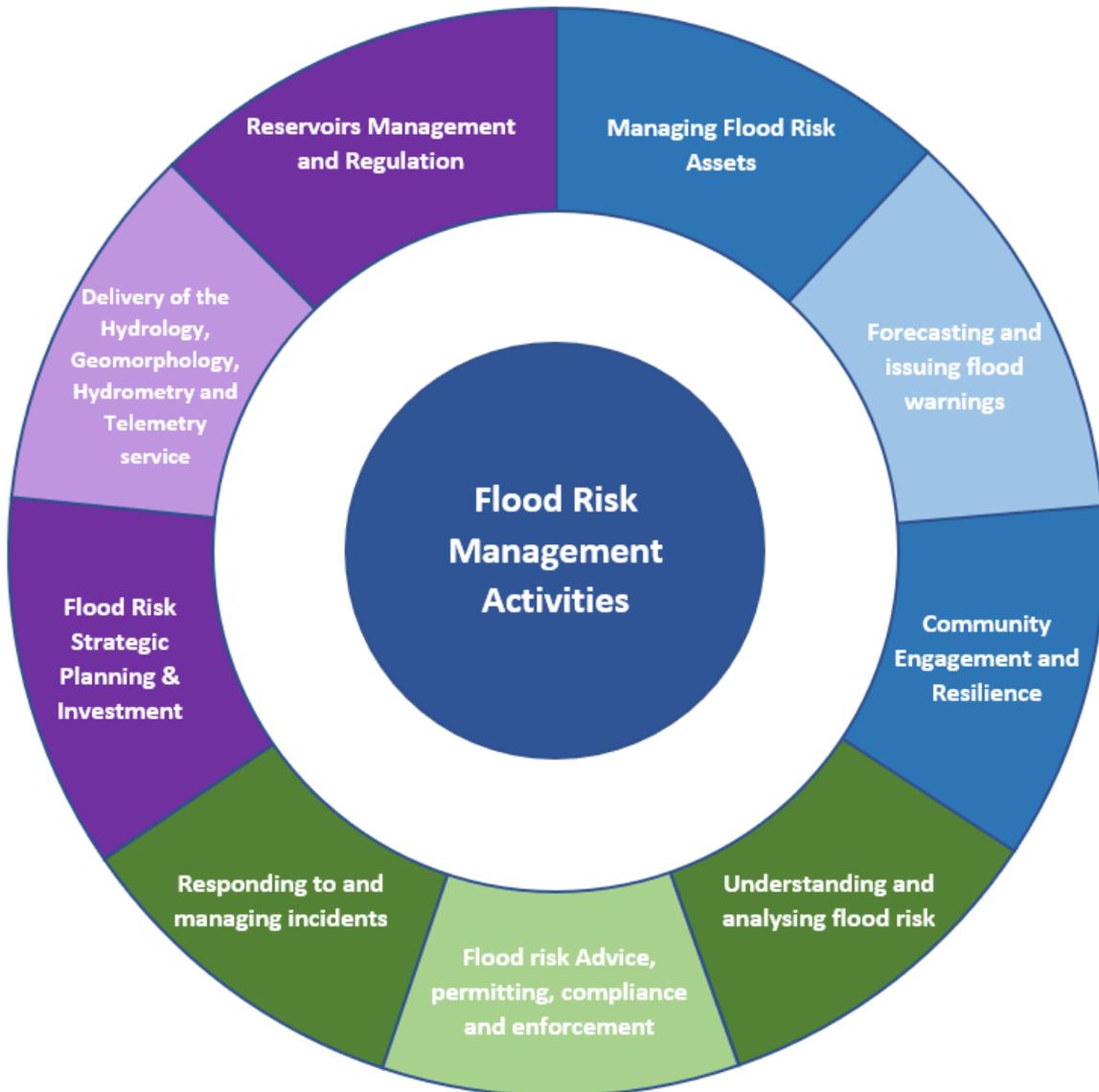
Each of these work areas interact and overlap with each other to deliver key services, therefore there are some areas where teams support wider activities which can misrepresent the scale of effort in some of the above activities, for example Hydrometry and Telemetry

work heavily supports forecasting and issuing flood warnings and is accounted for above accordingly.

Enabling Service and Corporate Overheads include FRMs contribution to the operation of key business services which support the delivery of FRM activities, these include Communications, Procurement, Governance and Leadership, Corporate Planning, Legal Services, People Management, Facilities, Fleet Management and Finance. ICT costs are associated with ongoing business support, infrastructure and ongoing service and licence fees for FRM systems.

This year's revenue allocation included an increase of an additional £1.25m over previous years, this enabled an additional 36 Full Time Equivalent (FTE) posts to be established as well as supporting the delivery of additional routine maintenance works in year alongside a number of smaller projects. The revenue budget of £21m was fully utilised in 2020/21 and helped support many of the initiatives outlined in this report and ensured that our "business as usual" services continued to be delivered effectively

Annex 3: FRM activity descriptors used for business planning and reporting



Board Paper

	Paper Details
Paper title:	WH&S Annual Report 2021-2022
Paper Reference:	22-05-B16
Paper sponsored by:	Prys Davies, Executive Director Corporate Strategy and Development
Paper Presented by:	Charlotte Morgan, Wellbeing Health and Safety Manager
Purpose of the paper	Scrutiny/decision

Issue

1. This is the annual summary of our Wellbeing, Health & Safety (WH&S) performance for Natural Resources Wales (NRW). The report provides an overview of how NRW have managed WH&S throughout the year 2021-2022.

Background

2. The new NRW WH&S Strategy and Improvement Plan 2021-2024 was approved by Board in September 2021. The WH&S Programme was launched to drive the improvements to enable NRW to pursue its ambition with respect to the wellbeing, health and safety of its employees.
3. The Health, Safety and Wellbeing Report for the last financial year identified next steps and future work for action through the 2021-2024 NRW Wellbeing Health and Safety Strategy and Improvement Plan.
4. By the end of 2021-2022, we have delivered several key actions from within the Plan including:
 - Attained registration to ISO 45001: 2018 - The management of occupational health and safety standard.
 - Established a collaborative partnership with Health & Safety Executive, NRW and Forestry Commission

Assessment

5. In 2021/2022 we made further significant steps to implement our Strategy. Headlines from 2021/2022 include:
- Serious incident reviews. The WH&S team reviewed two serious incidents and near misses using the serious incident review procedure. These incidents involved forestry work activities and a transport incident.
 - RIDDOR reportable LTIs and Injuries. Seven RIDDOR reported incidents and three lost time incidents (LTIs) were reported for 2021/2022. This is an increase on last year. Near Miss reporting has increased in comparison to last financial year, with the pandemic and lockdown measures still being in place. The WH&S team have delivered training for managers and team leaders on reporting and investigating incidents. The importance of managing health and safety risks and supporting staff have been delivered through campaigns and engagement by the WH&S team.
 - In December 2021, NRW attained registration to ISO 45001: 2018. ISO 45001:2018 is a standard for the management of occupational health and safety. The framework of ISO 45001: 2018 enables organisations to provide safe and healthy workplaces by preventing work-related injury and ill health, as well as by proactively improving its Occupational H&S performance.
 - Covid 19. Significant advice and guidance was provided to the business during this unprecedented time, including a functional risk assessment, guidance for those working in Operations and guidance on safe access to offices.
 - Corporate Health Standard. The application for the Corporate Health Standard award for gold level was submitted in March 2021. Public Health Wales have been unable to undertake the assessments due to the pandemic as resources were required in that area.
 - Pre-qualification questionnaires. A total of 42 of pre-qualification questionnaires were assessed, for a number of different teams. This assessment is to ensure that the contractors, customers we work with have been suitably assessed.
6. We delivered further improvements and developments such as:
- Several specific wellbeing initiatives throughout the year e.g., World Mental Health Day, Stress Awareness Month.
 - Continued to focus on promoting a month dedicated to women's health during October and a month for men's health during March.
 - One internal audit undertaken in Hand Arm Vibration, which was deemed a moderate rating.
 - Strengthened the working relationship with the Health and Safety Executive (HSE) and Forest Industry Safety Accord (FISA) with focus on key WH&S areas such as chainsaw competency.

- Approval of key WH&S policies/procedures to ensure we have robust processes in place e.g., occupational health, lone and remote working, eyecare and first aid.

Recommendation

7. Board are asked to approve on the Wellbeing Health & Safety Annual Report for 2021/2022.

Next Steps

8. The WH&S team will continue to support the business to ensure wellbeing, health and safety risks are being managed effectively by NRW. In looking ahead, NRW will need to maintain and also develop and improve further our own strong culture of wellbeing, health and safety monitoring and learning. This will continue to be the key element of our future strategy to move forward.
9. The WH&S team will use the information gathered and lessons learnt in the development of our future strategy and action plan.

Financial Implications

10. It is recognised that the mis-management of WH&S has significant financial implications. The WH&S team are continuing to put new systems in place in order to manage our WH&S risks and therefore reduce any costs. As well as protecting our staff and those working on and using the estate NRW manage, there could be significant financial implications arising from failures to implement a robust WH&S system

Equality Impact Assessment (EqIA)

11. Not undertaken for this report.

Index of Annex

- Annex 1: Annual Wellbeing, Health and Safety Report – 2021/2022.



Annex 1 – WH&S Annual Report 2021/2022

Summary

This is the annual report to inform of the Wellbeing, Health and Safety (WH&S) developments in 2021/2022 including

- Improvements to our safety management systems
- Performance
- Actions/initiatives that have been put in place.

Overview

The new NRW Wellbeing, Health and Safety Strategy and Improvement Plan for 2021 – 2024 were approved in September 2021. These documents describe the strategic direction for wellbeing, health and safety over the next three years. They detail how NRW intends to organise itself to maintain legal compliance as a minimum and promote a positive, sustainable wellbeing, health and safety culture to continually improve performance.

Good health and wellbeing is increasingly being acknowledged as a vital element in supporting and developing a workforce. Not only are there positive benefits to staff but there are also financial and reputational benefits to the organisation. NRW recognises that an important aspect is the promotion and maintenance of the physical and psychological health, wellbeing and safety of its entire organisation. In order to deliver NRW WH&S objectives, it is vitally important that NRW has a highly motivated, empowered, engaged and healthy workforce.

NRW is seeking to gain registration to both the International Occupational Health and Safety Management Standard ISO 45001:2018 and the Corporate Health Standard gold/platinum award. Working towards, securing and maintaining these standards will be a clear demonstration of NRW's commitment to recognised best practice, enhancing our reputation with staff and new and existing stakeholders, such as the Health & Safety Executive and the Forest Industry Safety Accord, including those in industry and business.

The new WH&S Strategy clearly demonstrate that NRW values its staff and customers and wants them to be safe and thrive because of the positive culture and benefits of working to support the natural resources of Wales. Put simply, it's about NRW being a great place to work and a great organisation to do business with.

The key priorities that were identified to be taken forward in 2021/2022 were:

- The Wellbeing Health and Safety Policy is revised and implemented.
- Health and safety training requirements for all NRW staff are more clearly defined.
- All leaders and managers commit more fully to, and are accountable for, the management of wellbeing health and safety.
- Occupational health and safety risks are managed and controlled in a sensible, proportionate, and enabling manner.
- Improved wellbeing, health and safety promotion, communication, and consultation mechanisms.
- Revised risk assessment process within NRW.
- NRW successfully achieving registration to ISO 45001.
- NRW to maintain the Corporate Health Standard Silver award and await assessment for the Gold level award assessment by Public Health Wales.

Headlines from 2021/2022 include:

- **Serious Incident Reviews (SIR)** –We reviewed three serious incidents and near misses using the serious incident procedure. These incidents involved forestry work activities, a transport incident and a fatal accident to one of NRW's contractors.
- **RIDDOR Reportable LTI's and Injuries.** Seven RIDDOR reported incidents and three lost time incidents (LTIs) for 2021/2022, this is an increase on last year. As expected, incident and near miss reporting increased on last year as Covid-19 restrictions eased and we opened up more.
- We have continued to deliver **training for managers and team leaders** on reporting and investigating incidents. The importance of managing health and safety risks and supporting staff have been delivered through campaigns and engagement activities co-ordinated by the WH&S team.
- **ISO 45001.** ISO 45001:2018 is a standard for the management of occupational health and safety. The framework of ISO 45001: 2018 enables organisations to provide safe and healthy workplaces by preventing work-related injury and ill health, as well as by proactively improving its Occupational H&S performance. NRW attained registration to ISO 45001:2018 in December 2021.
- **Covid-19.** Advice and guidance given to the business during this unprecedented time, which included a Covid 19 functional risk assessment, lateral flow testing guidance and task specific Covid 19 risk assessments.
- **Corporate Health Standard.** The application for the Corporate Health Standard award for gold level was submitted in March 2021. Public Health Wales have been unable to undertake the assessments due to the pandemic as resources were required in that area.
- **Pre-qualification Questionnaires.** A total of 42 pre-qualification questionnaires were assessed, for a number of different teams. This assessment is required as part of health and safety legislation and ensures that our contractors and customers have been assessed prior to undertaking any work on NRW estate.
- More detail on the headlines is provided below.

National Wellbeing, Health & Safety Committee

The National Wellbeing, Health & Safety committee met four times in 2021/2022 to discuss issues raised, update on progress and provide guidance and recommendations, addressing wellbeing, health and safety matters at a strategic level. Topics have included:

- Review of the Strategic Risk Register, particularly the WHS risks
- Incident reporting and analysis of data
- Discussion and review of current Serious Incident Reviews, with monitoring of actions
- Consideration of Internal and external audit findings and recommendations
- Feedback from Regional Forums and Trade Union representatives

In 2021/2022, all the WH&S forums continued with the action focussed approach developed previously, raising awareness of their existence and playing a role in delivery of the strategy and improvement plan items. They also focussed their attention on local initiatives and development of action plans on priority issues, which they had identified, and which complemented and supported the work led by the corporate wellbeing, health and safety team.

Performance – health and safety

Headline accident and near miss statistics

- RIDDOR reportable LTI's and Injuries with no lost time reports to staff have increased this year, with Near Miss reporting by staff also increasing in comparison to the last financial year. This is likely to be as a result of restrictions in place on work and travel throughout the year due to the ongoing pandemic lifting.
- Incidents and near misses relating to contractors have remained fairly static, but members of the public injuries and near misses reported have also reduced.
- The WH&S team continue to deliver training for managers and team leaders on reporting and investigating incidents.
- The importance of managing health and safety risks and supporting staff have been delivered through campaigns and engagement by the WH&S team.
- It is also pleasing to note that there has been continued efforts by the local WH&S forums to improve the quantity and quality of incident reports and to ensure incidents are investigated and closed off by line managers.

	2021/2022	2020/2021	2019-2020	2018-2019	2017-2018	2016-2017
RIDDOR – staff	7	3	6	2	8	9
Lost time injuries – staff	3	1	4	5	8	4
Injuries, no lost time - staff	51	19	121	53	59	68
Near miss – staff	156	109	183	163	201	232

Serious incident reviews	4	4	5	2	3	9
Injuries - contractors	3*	5*	5	9	9	8
Injuries – public	38	18	53	53	95	70
Near miss – contractors	62	46	50	40	44	62
Near miss – public	30	23	33	20	39	27
Property Damage	36	35	32	43	48	63
Hazards Reported	166	65	83	103	78	6

* Includes 1 RIDDOR Reportable injury to a contractor. This will have been reported to HSE by the contractor but has been included in our statistics to ensure a suitable investigation/review takes place.

- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR) incident is a particular type of incident that is required to be reported to the Health and Safety Executive (HSE)
- A lost time injury (LTI) is where a member of staff is injured during the course of their work and they have subsequently had time off or been on light duties as a result of their injuries (reportable under RIDDOR if over 7 days). Lost Time starts the first day after the person was injured. The LTI figure does not include LTI's that became RIDDOR reportable.
- An injury with no lost time (Non-LTI) is where a member of staff is injured during the course of their work but only needed minor 1st aid treatment and subsequently have not had any time off work.
- A Near Miss is an unplanned or uncontrolled event that does not cause injury, ill health or damage, but could do so.
- Member of public injuries relate predominantly to mountain bike accidents on our purpose-built trails, and slips, trips and falls on walking trails. Trails are risk assessed and routinely inspected periodically and are also inspected following an accident.
- Public near misses are predominately public incursions on to live harvesting sites or illegal off-road motorcyclists abusing contractors/members of the public.

We have had seven RIDDOR reportable incidents in this reporting period that relate to employees:

- 2nd June 2021 – Slip, trip, fall leading to lower limb sprain/strain and over 7-day injury.
- 23rd August 2021 – Struck by moving vehicle causing leg contusions/bruising and over 7-day injury.
- 23rd September 2021 – Manual handling incident leading lower limb strain/sprain and over 7-day injury.
- 3rd November 2021, Slip, trip, fall leading to lower limb strain/sprain and over 7-day injury.
- 20th December 2021 – Occupational disease, Hand Arm Vibration Syndrome from powered tool use.
- 23rd December 2021 – Occupational disease, Hand Arm Vibration Syndrome from powered tool use.
- 29th March 2022 – Slip, trip, fall leading to lower limb sprain/strain and over 7-day injury.

There has been one RIDDOR Reportable incident to a contractor (reported by Euroforest Ltd):

- 13th October 2021 – Fatality of contractor struck by falling object (tree).

Lost Time Incidents that are not RIDDOR reportable

- 12th May 2021 – Staff member tripped whilst crossing road and twisted ankle.
- 27th July 2021 – Staff member strained back whilst lifting/carrying during a fish count.
- 11th November 2021 – Staff member travelling in NRW vehicle was hit head on by an oncoming vehicle on wrong side of road.

Serious Incident Reviews

Six serious incident reviews were opened in 2021/2022 and two fully investigated using our serious incident review process, with the WH&S Lead Specialist Advisors in conjunction with the Trade Unions undertaking the investigations. There were three fatal accidents to members of the public and these continue to be investigated by the Police and the Coroner. A full investigation cannot be undertaken until these have been concluded. Details on the six serious incident reviews are set out below:

• Near Miss Afan Forest Park – Members of the Public

A near miss incident occurred on the forest road in Afan Forest Park. Harvesting works were being undertaken on the steep slope directly above the forest road. The chainsaw operator lost control of a tree during felling and the tree slid down the bank onto the forest road below. Two members of the public who were walking along the forest road reported that they were almost struck by the tree. A Serious Incident Review was conducted in conjunction with the Standing Sales contractor. The Serious incident report is currently being finalised.

• Failure of work equipment – NRW Fleet Vehicles

A Serious Incident Review was undertaken in relation to a failure of work equipment which resulted in a staff member being injured. The incident occurred with a fleet vehicle and the failure of the handbrake mechanism. The decision was taken remove the make/model of

vehicle from service to allow them all to be inspected by manufacturer. The Serious Incident Report is currently being finalised and actions being assigned.

- **Fatal contractor accident on NRW Estate**

Sadly, there was a fatal accident at Coed Taff Forest, which is within the NRW estate. The coupe within Coed Taff Forest was sold as part of a timber sales contract and was a standing sales site.

The Police and Health and Safety Executive (HSE) are currently investigating the site to ascertain what happened.

- **Fatal accidents to member of the public on NRW Estate**

Sadly, there were three fatal accidents involving members of the public on the NRW estate.

These fatal accidents are currently being investigated by the Police and the Coroner, therefore a full investigation cannot be undertaken until these have been concluded.

One was a fall from height and two were drownings.

Serious Incident Reviews have been opened and paused for all three fatal incidents and will be updated once the coroner's inquests have concluded.

Performance – Wellbeing and health

Occupational health statistics

- **Summary of annual activity**

Our occupational health data for the reported year indicates that 36.5% of our management referrals are related to mental health issues (an 8.5% decrease on last year). 26.5% of those mental health related referrals were confirmed as perceived work-related stress and multifactorial stress/anxiety. Perceived work-related stressors were reported to be organisational change, unmanageable workloads, workplace conflict, job evaluation.

Summary 2021/2022	Comparison from 2020/2021
134 referrals/reviews	+39 (95)
63 HAVS screening	+13 (50)
6 HAVS Tier 4 assessments	+4 (2)
26 Conflict Resolution screening	+3 (23)

130 Whole Body Vibration assessments	+130 (0)
2 Post offer screening	+1(1)
3 Night worker assessments	+3 (0)
8 Physio assessments	-15 (23)

Further detail for the reporting year is provided in the table below.

Year	Referrals	Mental Health	Personal Anxiety/stress and Depression	Workplace Stress/Anxiety /Depression	Multi-faceted stress	Mental health other
2018/2019	157	71	29	24	5	5
2019/2020	142	75	26	31	4	5
2020/2021	95	46	24	12	8	2
2021/2022	134	49	20	13	13	3

The directorate forums have also showed intent and commitment to reducing mental health issues and absence, through support to our corporate initiatives.

Employee Assistance Programme

Between 2021/2022 there have been a total of 285 contacts of which 149 (52%) have been calls to the 24/7 telephone line; 104 (36%) were virtual face to face counselling, 26 (9%) were to the team of Citizens Advice Information Specialists and 6 (2%) were online.

There were four direct Covid-19 type calls.

96 new cases/clients have been presented of which when asked, the majority 54 (56%) identified as female. Of the 96 new, it is excellent to see that 91 (95%) of the new clients came through to Care first via the direct referral route.

The usage to the Lifestyle site has been a little disappointing with just 67 unique page views of which 44 (66%) were views to the “at home” pages and 23 (34%) were to the “at work” pages

Issue category analysis:

Personal :

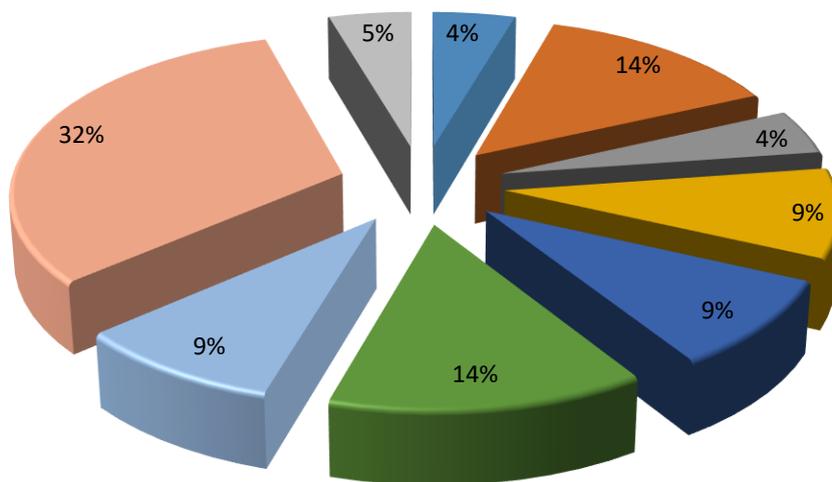
101 personal issues were presented to the Counselling teams where the trends have been:

- Health which has accounted for 48% of all personal issues presented of which 44% related to emotional health and 4% were physical health issues
- 18% were about aspects of personal relationships
- 12% were related to family issues and concerns for family members

Work:

22 work related issues have been presented with the trends being as follows:

- 32% were emotional health issues
- Workplace relationships 14%
- 14% changes in work and workplace
- 9% role ambiguity



- | | |
|-------------------------------------|--|
| ■ Bullying & Harassment by Managers | ■ Changes at work |
| ■ Disciplinary | ■ Grievance |
| ■ Performance - General | ■ Relationships at work with colleague |
| ■ Role Ambiguity | ■ Work Related Health - Emotional |
| ■ Stress – Relationships | |

Information Specialist:

13 information issues have been presented to the team which have supported with

- Childcare and children's
- Health/medical
- Law and legal
- General consumer enquiries

Further developments in 2021/2022

• Corporate Health Standard

The focus for 2021/2022 was to prepare, gather evidence and supporting information to continue the Corporate Health Standard (CHS) journey in order to attain the gold award in March 2021. The formal Gold level application for assessment was submitted in March 2021. However, due to the pandemic, Public Health Wales (PHW) have been unable to assess for the CHS for the past 12 months, as their resources have been required in other areas due to Covid-19.

Our Silver award is due to expire in March 2022. However, the Healthy Working Wales Team are working on the development of a new delivery model, which includes a revamped awards scheme that will take account of any work done now or in the past towards the existing awards programme. They will be providing more details during March/April 2022 and have re-assured NRW that the award will not expire in the meantime.

• Wellbeing initiatives

We organised participation in many specific wellbeing initiatives throughout the year. These included:

- Stress awareness month
- Mental health awareness week
- Sun awareness week
- Skin Cancer awareness month
- Cycle to work day
- World suicide prevention day
- Breast cancer awareness month
- Baby loss awareness week which included a blog from a member of staff
- World mental health day
- Movember
- Alcohol awareness week – which included blogs from staff
- Dry January
- Time to talk day – as a result of the feedback some of the mental health first aiders offered up monthly drop-in sessions for the offices that they are virtually based in.
- Sexual abuse and sexual violence awareness week
- National no smoking day

All these initiatives reminded and encouraged staff of how to look after themselves and their colleagues at work and outside of work. These initiatives have been brought to the attention of staff through our Intranet, Manager's Monthly updates, Yammer pages and through engagement at local WH&S Forums and team meetings.

• Wellbeing drop in sessions

The WH&S team and People Management team have run four Wellbeing Drop-in sessions for team leaders and line managers. These sessions are for team leaders and line

managers to ask questions or seek advice, support and guidance on any wellbeing issues. They are not used to discuss any individual cases but to ask general advice wellbeing, such as undertaking an occupational health referral and advice on stress and mental health issues.

- **Lunch and learn sessions**

A number of lunch and learn sessions were arranged over the past 12 months to focus on certain wellbeing aspects. These included burnout, loneliness and suicide awareness. Staff feedback indicated that these sessions are helpful, informative and support staff in their wellbeing.

- **Health awareness months**

Starting in 2020/2021, the WH&S team decided to focus on promoting a month dedicated to women's health during October and a month for men's health during March.

For 2021/2022, the women's health month was raising awareness on the breast cancer. There were awareness sessions delivered by Breast Cancer Now as well as a number of drop-in sessions.

For the men's awareness month, there were sessions on Male Breast Cancer; a healthy eating awareness session, Time to Change to talk about men's mental health and anti-stigma and a resilience session.

- **Hidden disabilities - Sunflower**

In 2021/2022, NRW signed up to the hidden disabilities sunflower scheme. Sunflower Lanyards and business starter packs were sent out to Ynyslas, Coed-y-Brenin, Bwlch Nant yr Arian, Garwnant and Cadair Idris. All visitor centre staff have been trained to identify the hidden disabilities sunflower scheme, gain a deeper understanding of hidden disabilities and be confident to approach and support customers and colleagues living with a hidden disability. We will be looking at rolling out the sunflower lanyards and training to NRW offices in the future.

Engagement with stakeholders

- **The Health & Safety Executive (HSE) and Forest Industry Safety Accord (FISA)**

We have continued to engage with the HSE regarding a number of forestry safety matters. The HSE provided positive feedback following a HSE inspection of work equipment which had been operating on a harvesting site on the NRW estate.

Staff across NRW continue to support FISA by attending and inputting to its various working groups. The Head of Land Stewardship attends and represents NRW at FISA steering group.

• **Timber Customer Liaison Day**

Members of the WH&S team attended NRW's annual timber customer liaison day, to deliver a presentation covering health and safety statistics and performance, information about recent developments within the industry and also providing information about NRW's trial of the FISA chainsaw competency system, inviting customer and contractor participation.

• **Chainsaw Competency System**

NRW staff are developing and running a pilot of FISA's chainsaw competency system and the Safe Forestry mobile phone application. Various groups have been identified to participate in the trial including Timber Customers and their contractors, direct contractors in both Forest Operations and Land Management, NRW staff who operate chainsaws as part of their work, and community groups. It is anticipated that the trial will commence early in the 2022/23 financial year. This will provide NRW with an excellent opportunity to test how well the chainsaw competency system can be embedded and to provide valuable feedback to FISA, shaping further development of the system.

Progress against wellbeing, health and safety actions / initiatives

• **Lone & remote working system**

Peoplesafe is NRW's lone and remote working system, which was launched in July 2018. The system brings together mobile phones and GPS Spot trackers on one platform, offering a solution that can be used by lone and remote workers in areas of poor or no phone signal.

During 2021/2022, we continued to manage the contract with the supplier and provided refresher training on usage of the system to individuals and teams across the business.

As we approach the end of the fourth and final year of the current contract, there are 1,066 users registered to use the system. There has been an increase in usage of the system from 40% in 2018/19, to 59% in 2019/20, to 75% in 2020/2021, and to 86% in 2021/22, which is attributable to the further training delivered and also to the provision of quarterly usage reports to line managers, following internal audit recommendations.

• **NRW Forestry Safety discussion**

A Board level discussion paper was produced which reflected on the fact that accident rates in the forestry sector remain amongst the highest within the UK. The purpose of the paper was to facilitate a discussion at Executive Team (ET) and the NRW Board around whether there is more that NRW should be doing to further enhance safety within the forestry sector both in Wales and the wider UK. The HSE were consulted when the paper was produced and were also engaged in the discussion at ET and NRW Board. The key recommendation in the paper was that the priority for NRW should be to continue to work with FISA, so that its guidance and its industry network can better enable those people

most at risk to work in a safer way and allow the riskier activities to be done in safer ways. This was endorsed by the NRW Board.

• **Audit Programme**

During the course of 2021/22, there was an internal audit review of the Hand Arm Vibration (HAVs) process. This was completed in October 2022 with a moderate reassurance rating. The audit assessed the effectiveness of the controls in place to safeguard staff using vibrating tools/equipment whilst at work.

The audit confirmed that there is a comprehensive policy and procedure in place for management and staff who are exposed to vibrations and that awareness sessions are also being delivered. The audit confirmed that team leaders were keen to mechanise the work undertaken as much as possible, by investing in mechanised equipment which removes staff exposure to vibration.

There were three medium category recommendation and one low category recommendation made. The recommendations included monitoring of all staff who use vibrating tools, that all new starters who are identified as requiring a Tier 1 assessment do so in timely manner and establish a centralised record system for tracking of staff who have a reportable injury to the HSE. The low recommendation relates to the records of hazard events in relation to HAVs on AssessNET which were incomplete.

Policy/procedure update

The following policies and procedures were developed and/or revised in 2021/2022:

- Occupational health policy and procedure
- Incident reporting policy and procedure
- Hand Arm Vibration procedure
- Lone and remote working policy and procedure
- Eye Care policy
- First aid policy and procedure

Coronavirus/Covid-19

With the pandemic still affecting the UK through 2021/2022, there was a continuing need for additional WH&S advice support and guidance for staff who were working from home and teams who were still undertaking key and essential works activities.

We ensure that we maintained up to date information, as national and other guidance and rules changed, on the Coronavirus intranet tile page, which included a number of key information points, such as:-

- Social distancing guidance,
- Home & remote working information,
- Links to Public Health Wales & Welsh Government guidance,
- Violence against women and domestic abuse,
- Lateral flow testing guidance

We also undertook a Coronavirus functional risk assessment. This functional risk assessment was for staff who had been identified as key and essential workers carrying out business critical tasks for NRW during the unprecedented time. The risk assessment detailed additional control measures which allowed key and essential workers to work safely during the pandemic outbreak.

The risk assessment was and continues to be updated regularly to ensure it remained current with relevant guidance from World Health Organisation, Public Health Wales and the Health and Safety Executive.

As restrictions have eased, we have put in place safe systems of work to allow them to work in a safe way whilst the pandemic was still circulating.

For employees who worked in the operational teams, a suite of documents continued to be updated as required. This included: -

- a functional risk assessment,
- safe working guidance for operational works,
- toolbox talk for COVID 19,
- information and advice on the cleaning points of work vehicles.

For the recovery element of COVID 19 and the return of a limited number of staff to certain offices, we produced the following: -

- a functional risk assessment
- toolbox talk for office staff on COVID 19,
- safe working guidance for returning to offices
- site specific checklist for the nominated Senior Responsible Officer for the offices.

• **Employee Assistance Programme (EAP) – Care First**

Our EAP provider Care First continued to provide daily webinars and newsletters to all their clients covering a variety of topics such as the emotional impact of lone working, financial wellbeing; mental health during winter; burnout and tiredness etc.

Care first updated their “Lifestyle” site and including support on how you use their service and looking after your mental health and wellbeing, while still having access to supportive tools and information that were there before. Their Zest platform was also updated to include a brand-new wellbeing assessment utilising a range of questions from clinically validated sources, public health and academia.

• **Contractor Management**

A number of teams have worked together to ensure that contractors and customers who work on NRW land are adequately assessed at the pre-qualification stage, to ensure that they are competent and have made suitable arrangements in place to manage WH&S.

In total, the following have been assessed and approved -

4 Mobile plant hire contractor assessments – all failed the initial assessment and required further clarification.

2 Life Dee river restoration contractor assessments - all failed the initial assessment and required further clarification.

23 Land management framework contractor assessments – 22 of the initial assessment required further clarification, with 1 assessment being approved on initial assessment.

12 transport of plant framework assessments – 9 of the initial assessment required further clarification, with 3 assessment being approved on initial assessment.

1 boat work framework assessment – this required further clarification.

Where potential contractors/customers/suppliers fail the initial assessment, further guidance is provided in that area to allow them to re-submit further supporting evidence. The guidance is reviewed and updated to improve the process for NRW's contractors and customers.

Undertaking this action ensures that NRW is fulfilling its legal obligations, and also provides NRW with assurance that our customers and contractors have robust systems and procedures in place to manage Health and Safety when working for NRW.

Risk assessment management

Employers in each workplace have a legal duty to ensure the health and safety of workers in every aspect related to their work. The purpose of carrying out a risk assessment is to enable the employer to take the measures necessary for the health and safety protection of workers. As part of being compliant with ISO 45001:2018, all NRW teams will need to have work activity specific risk assessments. The WH&S team have been working with teams across NRW to assist the development of the risk assessments in AssessNet.

To make the development of these more efficient and consistent, we have developed templates that can be used by managers and team leaders. We have also re-populated standard hazards and control measures in the system that team leaders and managers can use and custom to their work activities. Where teams already have specific risk assessments, but in another format, we are assisting the business in updating these onto AssessNet.

• Training sessions

The WH&S team delivered a number of training awareness sessions over 2021/2022, these included Hand Arm Vibration Syndrome (HAVs) and Risk Assessment.

In total, the following have been delivered: -

10 HAVs awareness sessions delivered, and 109 staff attended

22 Risk assessments sessions delivered, and 194 staff attended.

Risk register

The strategic risk register was revised, reviewed and amended in 2021/2022. There are nine strategic risks in total, one with a particular focus on WH&S, that of health and safety of staff/contractors/visitors. Work has been undertaken by the WH&S Manager and Executive Director of Operations to ensure that the risk register is effective and fit for purpose. There is a monthly review of the risk register to update and record any completed actions. This is an ongoing project with mitigating actions being updated as and when necessary.

Public Safety Work

• Visitor Safety Group (VSG)

NRW have recently renewed their membership of VSG and continue to sit as a board member of the group promoting public safety best practice in the UK and Ireland. NRW staff have presented on several webinars arranged nationally by VSG on topics relating to recovery and renewal of access to public spaces during the current pandemic.

• National Nature Reserves (NNR) Audits

The combined audits of our National Nature Reserves (NNR) with our colleagues from Conservation Management and Environmental Management giving our NNR staff reassurance on how they are managing their reserves with respect to public safety, conservation management and environmental management (ISO 14001).

Due to the ongoing pandemic the NNR audit programme was largely suspended during this financial year. However, where possible audits took place for Cors Fochno NNR, Coedydd Maentwrog NNR, Coed Y Rhygen NNR, Site visits also took place at Conwy Falls, fish pass, Dolgellau FAS wall, Bontuchel and Lady Bagot's Drive fish passes, Cwmcarn and Wye Valley to look at particular public safety issues.

Internal advice and guidance

The WH&S team provided health and safety/public safety advice and guidance to NRW teams on windfarms, estate standards, forestry, facilities, marine teams, and enforcement teams.

As an organisation, we have agreed to take on a project to make all of the defibrillators we have in our offices and depots publicly available where possible. Once the work is complete, they will be registered on the Welsh Ambulance Trust website and will be available for local communities to use in an emergency. This will be completed in the 2022/23 financial year.

ISO 45001:2018 Management Standard

The contract for the certification for ISO 45001:2018 has been awarded to British Standards Institute (BSi). ISO 45001:2018 is an international standard for health and safety at work developed by national and international standards committee. The stage 1

of the assessment took in April 2021 and this highlights any areas that required further information. BSi recommended that NRW were able to be assessed for the next stage.

The Stage 2 – assessment for registration audit, involved 30 audit days, with a team of 3 external auditors assessing various WH&S policies and procedures, and teams/premises in NRW. The process started mid-October with the audit being completed on 23rd December 2021. This sampling exercise included a large number of premises and teams e.g., forest operations, integrated work force, flood and assets, facilities, WH&S, communications etc, being audited. The auditors assessed WH&S compliance against the standard and our policies and procedures, and assessed areas such as fire safety, electrical certification, risk assessments, wellbeing support.

On the 23rd of December 2021, NRW received formal confirmation of registration to ISO 45001:2018.

During the Stage 2 assessment, there were 12 minor non-conformities and 2 major non-conformities raised.

All non-conformities require a corrective action plan to be submitted which have to be approved by the certification body as suitable and sufficient to address the issues raised.

All 12 minor non-conformities corrective plans have been assessed and approved by BSi.

The 2 major non-conformities raised were: -

- Electrical certification at the Welshpool Depot and
- Lack of - WH&S training certificates; training needs analysis; training database; gap analysis and competency frameworks.

The major non-conformity in relation to electrical certification was actioned by facilities and this was closed off as completed in the re-visit by the BSi auditor in February 2022.

The WH&S training major non-conformity was discussed at the re-visit appointment in February 2022, with the action plan reviewed, and current progress was assessed.

The ISO 45001:2018 standard is designed to prevent work-related injury and ill-health and to provide safe and healthy workplaces by providing a framework where we can manage and continuously improve our approach to health and safety.

Achieving this standard will help NRW ensure the long-term wellbeing, health, and safety of everyone – staff, visitors, contractors and customers.

NRW should be proud of the achievement, many organisations fail to attain the standard, as it is a difficult standard to achieve and maintain.

Next Steps and Future Work for NRW in 2021/2022

There has been significant progress in 2021/2022 with delivery of key wellbeing, health and safety improvements. However, further progress needs to be made and we will do this by focussing on priority work areas in 2022/2023: -

Leadership

Continuing to improve visible leadership from the Board, Executive Team, Leadership Team, Management Team and Team Leaders, especially about the ownership and management of risk.

Health and Wellbeing

Continue to implement the actions in the new WH&S strategy and monitor and evaluate the measurement of performance.

External Engagement

Continue the engagement with both internal and external stakeholders and work together to improve our WH&S performance.

Learning & Development

Continue to assist with key training requirements, to ensure legal compliance and promote the importance of undertaking WH&S training. Determine training needs analysis for all roles and develop competence frameworks for the higher risk activities, e.g., chainsaw, water safety.

System development

Monitor and review the WH&S systems to ensure they are suitable and sufficient.

Performance monitoring & audit

Fully participate in relevant WH&S topics within internal audit programme for 2022/2023.

Enable use of strategic risk register through clear ownership of risk areas and routine assessment of risks.

Legal compliance

Launch a new wellbeing, health and safety strategy to strive for legal compliance.

Staff engagement

WH&S National Committee and Forums continue to actively engage with staff in developing and promoting a safe working environment and culture.

Board Forward Look – July						
	Item	Private/ Public	Scope	Purpose	Time	Sponsor
1	Open meeting	Public and Private	Standing Item		5	Chair
2	Review Minutes	Public and Private	Standing Item		5	Chair
3	Chair's Update	Public and Private	Standing Item		10	Chair
4	CEO Update	Public and Private	Standing Item		10	Clare Pillman
5	Committee Update	Public and Private	Standing Item		10	Chairs of Committees
6	Finance Report	Private	Decision	Approval of latest financial position	20	Rachael Cunningham
7	Annual Report and Accounts 2021/22	Private	Decision	Approval of the Annual Report and Accounts 2021/22	15	Rachael Cunningham Prys Davies
8	Review of Risk Management Policy and Review of Risk Appetite Statements	Private	Decision	Approval of the Annual Review of Risk Management Policy	30	Prys Davies
9	Shared Service Cooperation Agreement and Letter of Consent	Private	Decision	Approval of the Shared Service Cooperation Agreement and associated Letter of Consent	10	Prys Davies
10	National Park Designation Process	Private	Decision	Approval of the formal commencement of the National Park designation process	30	Ceri Davies
11	Business Plan and Performance Dashboard End of Year Report 2021/22	Public	Decision	Approval of the Business Plan and Performance Dashboard End of Year Report 2021/22	20	Clare Pillman
12	Regulating the control of Fish-eating Birds: Recommendations	Public	Decision	Approval of the approach to regulating fish-eating birds	45	Ceri Davies
13	NRW's Role in the National Environment Programme for Water Resources and Water Quality Improvements	Public	Discussion	To discuss Ofwat's water company business plan and NRW's role in the National Environment Programme for	60	Ceri Davies Gareth O'Shea

Board Forward Look – July						
	Item	Private/ Public	Scope	Purpose	Time	Sponsor
				water resources and water quality improvements		
14	Welsh Language Annual Report 2021/22	Public	Decision	Approval of the Welsh Language Annual Report 2021/22	15	Prys Davies
15	Board Forward Look	Public	Discussion	To discuss upcoming items	5	Prys Davies
16	Public Q&A	Public		An opportunity for the public to speak to the Board	45	
17	AOB	Public and Private		If raised	5	

Board Paper

	Paper Details
Paper title:	Proposed change to the Statutory and Legal Scheme (SaLS) for Corporate Services Business Board
Paper Reference:	22-05-B18
Paper sponsored by:	Clare Pillman, Chief Executive
Paper Presented by:	Colette Fletcher, Head of Governance and Board Secretary
Purpose of the paper	To seek approval for a new Statutory and Legal Scheme (SaLS) reference line from the Corporate Services Business Board

Issue

1. This paper presents for approval a proposed change to the Statutory and Legal Scheme (SaLS), which has been submitted outside of the annual review process. The changes affect delegation levels for the Board and will therefore require Board approval.

Background

2. The Governance Team conducts an annual review of the Statutory and Legal Scheme (SaLS), but occasionally we receive requests for updates outside of that process. We have received a request from Legal Services to include a new SaLS line to address a gap in relation to the approval of standalone agreements with other organisations for the sharing and/or use of personal data and the appropriate level of sign-off required.
3. The wording for the new SaLS line and the setting of the delegation level have been developed and agreed with the Information Management and Security Team and Legal Services colleagues.

Summary

4. Annex 1 presents the proposed new line for consideration and approval.
5. There is no consequential effect on numbering for this section.

Recommendation

6. It is proposed that the Board review and consider the proposed new line for inclusion within the SaLS master document.

Key Risks

7. SaLS is an important part of our governance framework and if we do not keep it current there is a risk that it will no longer be fit for purpose. There would also be a risk if staff did not have clarity about their authorisation and delegation levels.

Financial Implications

8. There are no additional financial implications or considerations.

Equality Impact Assessment (EqIA)

9. The governance requirements affect all members of staff equally. No adverse effects are anticipated for any particular protected groups or characteristics.

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- Annex 1 NRW SaLS 2021 Corporate Services Business Board

						Delegated Level						
	REF	Category	Sub-Category	Function	Applicable Board(s)	Section of legislation	Job Grade	Job Description	Link to MoM	Function Comments	Head of Legal & Head of Governance approval	Approved CEO
Proposed	2.5	Agreement with other bodies	Data sharing / processing	Approval of a standalone agreement for the sharing and/or use of personal data.	CSBB	Data Protection Legislation	Grade 10	Information Asset Owner (Grade 10)	NA	new line		

Board Paper

	Paper Details
Paper title:	Approval of NRW's Modern Slavery Statement 2022-23
Paper Reference:	22-05-B19
Paper sponsored by:	Prys Davies, Executive Director of Corporate Strategy & Development
Paper Presented by:	Victoria Painter, Governance & Risk Manager
Purpose of the paper	Decision
Recommendation	It is recommended that the Board approve NRW's Modern Slavery Statement for 2022-23

Issue

1. Certain organisations must publish an annual statement setting out the steps they take to prevent modern slavery in their business and their supply chains in line with the Modern Slavery Act (2105).

Background

2. The requirement to publish a Modern Slavery Statement is set out in Section 54 (Transparency in Supply Chains) of the Modern Slavery Act 2015. According to the UK Government website, a commercial organisation is required to publish an annual statement if all the criteria below apply:
 - a. it is a 'body corporate' or a partnership, wherever incorporated or formed
 - b. it carries on a business, or part of a business, in the UK
 - c. it supplies goods or services
 - d. it has an annual turnover of £36 million or more
3. This is NRW's third annual Modern Slavery Statement.

Assessment

4. The requirements of the Modern Slavery Act 2015 are:
 - To update the Modern Slavery Statement every year.

- To publish the statement in a prominent place on the website within six months of the financial year end.
 - That the statement is approved by the Board.
 - That the statement is signed off by a Director.
5. Statements must describe the main actions the organisation has taken during the financial year to deal with modern slavery risks in the supply chains and business. The Home Office's statutory guidance recommends that statements cover the following:
- Organisation structure and supply chains.
 - Policies in relation to slavery and human trafficking.
 - Due diligence processes.
 - Risk assessment and management.
 - Key performance indicators to measure effectiveness of steps being taken.
 - Training on modern slavery and trafficking.
6. The draft statement attached to this report responds to all the points above, as required by the legislation.

Summary

7. The production of this statement responds to the requirements of the legislation noted. It contains a summary of our progress in this area of work and a statement of what we intend to achieve over the coming year.

Recommendation

8. It is recommended that the Board approve NRW's Modern Slavery Statement for 2022-23.

Key Risks

9. Failure to produce a Modern Slavery Statement increases the risk that NRW might be inadvertently facilitating some form of modern slavery and/or human exploitation and trafficking in our activities.

Next Steps

10. If approved by the NRW Board, the Statement will be signed by the Chief Executive and published in a prominent place on the NRW website and the Transparency in Supply Chains (TISC) register (www.tiscreport.org).

Financial Implications

11. None associated directly with this report.

Equality Impact Assessment (EqIA)

12. A Modern Slavery Statement aims to protect the most vulnerable people in society, who are more likely to have one or more protected characteristics.

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Annex 1 Draft Modern Slavery Statement 2022-23

Modern Slavery Statement

2022-23

Introduction

1. This Statement is designed to satisfy the requirements of Part 6 Section 54 of the Modern Slavery Act (2015) and forms part of our commitment to the Welsh Government's '*Code of Practice for Ethical Employment in Supply Chains*' and the UK Woodland Assurance Standard (UKWAS).
2. As the largest Welsh Government Sponsored Body, we hold ourselves to the highest standards of ethical conduct in all our activities and are committed to continuous improvement. NRW does not engage in, or condone, the practices of human trafficking, slavery or enforced labour.
3. Our Values are at the heart of who we are as an organisation. They outline what is important to us, what we are like as people and what we are here to do:
 - We are passionate about the natural environment of Wales
 - We care for each other and the people we work with
 - We act with integrity
 - We make a difference now and for the future
 - We are proud to serve the people of Wales
4. We are committed to improving our business practices to combat modern slavery and human trafficking and to ensure that we are not complicit in any human rights violations. We are committed to zero tolerance of slavery, human trafficking, and child labour practices.
5. For the purposes of this statement, we have adopted the following definitions:
 - 'Slavery' is where ownership is exercised over a person. Someone is in slavery if they are:
 - forced to work through mental or physical threat
 - owned or controlled by an 'employer', usually through mental or physical abuse or the threat of abuse
 - dehumanised, treated as a commodity or bought and sold as 'property'
 - physically constrained or have restrictions placed on their freedom.
 - 'Servitude' involves the obligation to provide services imposed by coercion.
 - 'Forced or compulsory labour' involves work or service extracted from any person under the menace of a penalty and for which the person has not offered themselves voluntarily.

- 'Human trafficking' concerns arranging or facilitating the travel of another with a view to exploiting them.
6. This statement will be published on the Transparency in Supply Chains (TISC) register (www.tiscreport.org).

About Natural Resources Wales (NRW)

7. Natural Resources Wales is the largest Welsh Government Sponsored Body – employing over 2,400 staff across 17 offices and 36 depots pan Wales with a budget of £240 million in 2022/23.
8. We were set up as per the specifications in The Natural Resources Body for Wales (Establishment) Order 2012 and The Natural Resources Body for Wales (Functions) Order 2013. We receive a Remit Letter setting out what the Welsh Government wants us to achieve during that year and a Funding Letter setting out the budget available to us.
9. Our work is overseen by a Board that consists of the Chair and 11 further Non-Executive Directors who are appointed by the Welsh Government, plus the Chief Executive.
10. Around half of our income budget is derived from Grant in Aid from the Welsh Government, but we also generate income by charging for some of our services and several commercial activities including timber sales and tenancies.

Our Supply Chains

11. NRW's supply chains predominantly fall within the following categories:
- Civil Engineering
 - Fleet & Facilities
 - ICT equipment and services
 - Professional services
 - Land Management
 - Hydrometry & Telemetry
 - Forest Operations
12. NRW has many existing contracts and frameworks for specific categories of expenditure. The National Procurement Service (NPS) is a central purchasing body whose role is to set up contracts and framework agreements for use by the Welsh Public Sector. We also utilise the Crown Commercial Service (CCS), Yorkshire Purchasing Organisation (YPO) and Eastern Shires Purchasing Organisation (ESPO) frameworks where appropriate. Decisions on whether to purchase from a suitable NRW contract or framework agreement are made by the Procurement Lead or Category Lead.
13. We honour the Living Wage for all our employees, full time, or part time.

Our policies

14. We are committed to making sure that there is no modern slavery or human trafficking in our supply chain or in any part of our business. We continue to develop our policies and procedures to reflect our commitment to acting sustainably, ethically and with integrity in all our business relationships.
15. We are aiming to develop, implement and enforce effective systems, processes, and controls to ensure that no child labour, slavery, or human trafficking is taking place linked to our activities. This is a significant undertaking and will cover many areas of NRW's business.
16. NRW mitigates the risk of modern slavery occurring in its workforce by ensuring that directly employed staff are recruited via robust HR recruitment policies. There is a whistleblowing policy in place for members of staff to raise any concerns about wrongdoing as well as guidance for staff experiencing domestic abuse. Staff employed on a temporary basis are, where possible, recruited through NRW's approved suppliers.

Progress against our commitments

17. Our operational teams continue to be vigilant to this issue. Via their partnership work and proactive engagement with outside specialist agencies, we have developed a greater understanding of potential areas of our operation where instances of modern slavery are more likely.
18. We have set up an intranet page to raise awareness of Modern Slavery internally. This page includes information on how to spot potential signs of Modern slavery, informs staff how to raise concerns and provides various signposts to more in-depth sources of advice.
19. We have established a Contract Management Support Service for the organisation. Although newly established, this team will embed good Contract Management practice, supporting staff to manage contracts to ensure outcomes are achieved by equipping them with the necessary tools and guidance. This initiative will also ensure greater transparency.
20. We have continued to make prompt payment to our supply chain during the Covid pandemic to reduce the risk of unethical practices filtering through our supply chain.
21. Within our tendering processes, Modern Slavery and Ethical Employment have become embedded as key considerations, forming part of our selection criteria.

Our future commitments

22. This is NRW's third Modern Slavery Statement. Our work in this area is built upon and developed each year, and we continue to review our progress and statement annually at the end of each financial and operational year.

- 23. We recognise that combating modern slavery and human trafficking requires a coordinated, collaborative, and long-term approach.
- 24. We will review our procurement strategy and associated documentation over the coming year and ethical procurement will feature in this review. We will also look to support Welsh Government in its review of Fair Work Principles and respond appropriately to the new Draft Social Partnership and Public Procurement (Wales) Bill.
- 25. We will continue to review our internal processes and monitor the effectiveness of our actions against modern slavery and human trafficking. We will attempt to raise awareness of increased transparency in our supply chains to be able to reduce the risk of modern slavery and unethical practices.
- 26. Over the 2022-23 operational year we will continue to provoke discussion and raise awareness across the organisation about the Modern Slavery Act (2015) and what risks this could pose to us as an organisation.
- 27. We are reacting to the unfolding crisis in Ukraine and will act in line with Welsh Government procurement policy in relation to identifying any impacts on our supply chains.
- 28. This statement will be reviewed annually and has been approved by the Board.

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Clare Pillman, Chief Executive of Natural Resources Wales

Dated: