

Confirmed 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

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 Benger
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 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 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 and provided evidence 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 -