

Date

14 December 2021

Title

Report of the Interim CEO

Report by

Natalie Prosser, Interim CEO

Paper for information

Open in part

Summary

1. The OEP is now legally created, and we are fully in implementation of the operational go-live activities to enable our functional independence from Defra. We expect our operational go-live to be completed in mid-to late-January, at or around the time our functions commence on 24 January. This marks the culmination of over four years of work and planning. Inevitably, implementation issues are absorbing significant capacity as we take the necessary steps, and resolve issues arising. Our detailed preparatory work, including contingency planning, has proven extremely worthwhile.
2. Our work on strategy is building towards publication of our strategy for consultation on 24 January. Aspects of our strategy substantially form the Board's agenda for its meeting. This work is benefiting from an extensive and highly successful period of engagement with a broad range of stakeholders. Feedback on our events has been overwhelmingly positive and we have garnered much needed insight and breadth of perspective. We have also been able to more clearly identify where our stakeholders' expectations on what we are here to do is out of line with what we consider our role to be and what we actually can do.
3. Our third critical activity – our progress report on the 25-year environment plan – continues to evolve, guided by our Steering Group. We have chosen to delay plans for publication until February or March, to reflect the delay to government's own report and ensure we take the time to get this critical publication right.
4. Our organisation continues to evolve. We continue to welcome new joiners. In parallel, some of our interim staff have now accepted permanent positions and have left us

while others will be departing to new roles in Defra in the coming weeks. Staff turnover and transition is gathering pace. By 1 April, all remaining interim staff (around nineteen people) will have left. This creates material management challenges and uncertainty, in particular ensuring the transition of work and the smooth onboarding of new staff into a high change environment. It will continue to be a feature of the OEP through to March and – given the need to recruit additional staff once our Northern Ireland (NI) remit and functions are confirmed – beyond. The staffing transition is creating a significant pull on manager’s time and focus.

5. Our relationship with Defra is moving to a different phase, now we are legally established. *This section has been redacted as its publication would be prejudicial to the effective conduct of public affairs.* The framework agreement to set out our relationship is separately on the Board’s agenda.
6. Overall, our work programmes are delivering; transition is happening; the OEP is being created; and our external relationships are strong. This is a solid platform from which to look forward to the commencement of our functions and publication of our strategy.

Recommendation

7. The Board is recommended to note the issues outlined in this paper.
8. The Board views are invited on:
 - a. The amended communications approach set out in paragraph 60
 - b. The business planning approach set out in paragraph 75

Interim Functions

Monitoring of the 25YEP

9. Since the last Board meeting the team has been busy seeking comments from stakeholders, peer reviewers and critical friends on our early draft report. The feedback from our engagement has been positive, with general support for our key messages, and helpful challenges and steer for the team to consider. Further details on the engagement activities are outlined in the section “Stakeholder relations” below.
10. The process has been iterative with the report about to enter the final stages of drafting. The Steering Group has engaged closely with the draft. There is still a considerable amount work to be done however, to refine the text, confirm the key messages and determine the best recommendations. This work is being given priority.
11. The Steering Group discussed timelines at the December meeting and agreed that given the need to fully engage with the feedback we have received and the strategic steers given, it was necessary to revisit the timeline to publication. A revised timeline, which would make sure that there was sufficient time to take stock of all the comments received, identify any additional content or analysis needed, get the draft into one voice and make sure our proposed messages and recommendations are the best they can be was considered.

12. The Steering Group decided to postpone the planned publication date of 27 January with a new date in either February or March to be determined. Rather than bringing the draft report to the board at this point, the Steering Group propose to meet for an extended meeting in the beginning of January, after which the near final report will be brought to the Board for consideration and decision.
13. Given that the next scheduled Board meeting is not until early February, this item may need to be considered through electronic business ahead of a discussion in that meeting. The Steering Group is keen however that Board members see the report – and in particular the proposed key messages and recommendations – as soon as is feasible.

Complaints and Enquiries

14. Since the last Board report, we have received four new complaints, which are all currently being assessed against the six criteria stated in the Environment Act to determine if they fall within the OEP's remit. This takes the total number of complaints to 26.
15. *This section has been redacted as it relates to information recorded for the purposes of OEP's functions relating to investigations and enforcement.*
16. The complaints team also deals with the general enquiries that we receive. General enquiries currently outnumber complaints. The number of enquiries continues to increase, with 25 reported in October and 38 in November. These range in topic. Some enquirers are advised to submit a complaint based on the nature of their concerns, whilst others are provided with information requested or signposted to the most relevant organisation. A dashboard giving an overview of the complaints and enquiries received up to the end of November 2021 can be found in Annex A.
17. We are preparing to transition our current complaints function into its full, statutory form. As part of this, the formal complaints procedure will be considered by the Board under a separate paper.

Advice and Monitoring Environmental Law

18. As per previous reporting, unfortunately many of the Defra consultations and requests for advice discussed with the Board are delayed. *This section has been redacted as its publication would be prejudicial to the effective conduct of public affairs.*
19. As the Board will be aware, some of these consultations were originally scheduled to open in July 2021 and so have already been delayed by up to five months. This has been a useful learning experience for the team and something we will need to consider when planning our work programme and resourcing. The use of external specialists may be particularly difficult to co-ordinate around repeatedly shifting timelines. This highlights the importance of ensuring we have the right call-off contracts and supplier management approaches so experts can be appointed to support our work at relatively short notice.
20. *This section has been redacted as its publication would be prejudicial to the effective conduct of public affairs.*

21. The NI environment strategy consultation is now open and due to close on 18 January. This is intended to provide the basis for the NI Environmental Improvement Plan, on which we will essentially have the same role as for the 25 YEP in England. We therefore plan to provide advice to Ministers on the strategy once our remit in NI is confirmed and our functions commenced. This is currently expected to be the end of February. This is discussed further in the specific section of this paper on NI below. We are in discussions with DAERA to agree a letter from Minister Poots requesting our advice. This means we will be able to respond after the consultation deadline.
22. More generally, we continue to use the decision tool previously agreed by the Board to screen consultations and have a comprehensive log to track our decisions. This includes those consultations we have screened out, together with our rationale. There have been fewer consultations across government this month and all those we ran through the decision tool were screened out meaning there is nothing further for the Board to consider this month. Some examples are:
- Green Growth for NI - This is a high-level strategy to build environmental thinking and action within the NI economy and community. Whilst there is an overarching environmental and climate change focus, we believe we should use our limited resources to respond to the NI environment strategy.
 - Two linked consultations on plastics – one on proposals to ban commonly littered single-use plastic items in England, and the other a call for evidence on these items. Whilst this is an important issue, the consultation includes questions with ‘tick box’ answers rather than substantive responses. Moreover, whilst the consultation audience is listed as ‘anyone with an interest’, the document specifically seeks comments from users with particular needs (e.g. people who use plastic straws or wet wipes due to specific needs), businesses and manufacturers of the listed items and NGOs. The questions reflect these audiences.
23. We have not yet had capacity to consider how we may wish to give overarching advice on the various consultations related to the water environment. The deadline for the river basin management plan and flood risk management plan consultations does not close until April 2022 so we have time to consider this further.

Establishing the OEP

Programme Management

24. The Board delegated decisions related to the establishment of the OEP to the Interim CEO, in consultation as necessary with the Chair, at its November meeting.

Vesting

25. The Board was informed that the Interim CEO, alongside the senior responsible owner in Defra, made the decision to allow the statutory instruments to legally create the OEP to be laid in parliament. The OEP was legally created on 17 November 2021.
26. At the time two items of our readiness criteria were notified to the Board to be at risk. The first, relating to the appointment of Interim CEO as accounting officer, and receipt of the letter of delegation, was resolved by the time the OEP was legally created. The

second related to the signing of an agreement between OEP and Defra to govern the transitional arrangements to be in place before completion of operational go-live, and our functional independence from Defra.

27. We have now entered into a transitional services agreement with Defra. This provides a legal basis for the Interim OEP staff to continue working for the OEP from vesting and until 1 January when staff transfer into the OEP. The agreement sets out in general terms the work the Interim OEP staff are doing and the limited ancillary work currently delivered by others in our Defra sponsorship team. Defra will recharge the OEP for the actual cost (plus VAT) of these 'services'. The agreement also establishes governance arrangements that protect the OEP's independence whilst, temporarily, we remain so heavily reliant on Defra staff.
28. Two further agreements, a 'transitional partnership agreement' and data processing agreement are not yet concluded. We anticipate entering into these agreements to provide for Defra group corporate services (estates, HR, finance, IT, etc) support during our transitional period. Defra will recharge the OEP for the actual costs of this support (estimated to be approximately £90,000 plus VAT).

Operational Go-Live

29. The Defra SRO and the OEP's Interim CEO made the decision to begin phase 1 of the operational go-live transition from Defra on 29 November. This enables the establishment of independent financial, human resources, information technology, communications and other services by OEP.
30. At the time the decision was taken, the majority of the programme was on track for on time delivery. The status of the individual elements of the work programme are set out in further detail below. Overall, however, later than expected receipt of all new IT equipment owing to global supply issues, and the consequences of this for other work needed, has delayed completion of the programme beyond the 1 January 2022 end-date intended. We now expect the transition programme to complete at or around the week of 24 January, in line with the commencement of our functions.
31. Phase 2 of our operational go-live relates primarily to the transfer of assets and staff into the OEP, and the associated establishment of the HR and payroll system. This has been previously outlined to the Board as the single area of most risk in the establishment programme, with key concerns relating to dependencies on external suppliers. Material progress has been made here, set out below, and we now report this part of the programme on track.

Commencement of Functions

32. It remains expected and on track that OEP's functions in England will commence on 24 January 2022 through statutory instruments to be laid on 11 January 2022.

Staff Transfer Scheme and HR Transfer

33. *This section has been redacted as it includes personally identifiable data.*
34. The first cut of payroll data from Defra's HR Shared Services team (SSCL) as part of the data transfer between Defra and the OEP, has been received. SSCL provided the data earlier than expected, following escalation within Defra, and I am pleased to say

that the data is to a satisfactory level and provides the OEP payroll provider with enough information to complete the build and transfer of staff on 1 January 2022. As a contingency plan, and so that the data can be verified, staff have been asked to provide some information from their payslip so that the OEP HR team can quality assure what they have received from SSCL and fill in any gaps.

35. The user acceptance testing for the HR and Payroll system has been completed and was successful. We have high confidence that the system is ready to be used from 1 January 2022.
36. Employee benefits are on track to be available to OEP staff from 1 January 2022. We are working with the Defra employee benefits team to ensure that the benefits portal is up and running. Staff will have access to the cycle to work scheme, eyecare, retail discounts, financial wellbeing and other benefits as part of this service. Crucially, we are able to meet our responsibility as an employer through the COSOP rules to continue to provide for those employees transferring from Defra who are eligible for childcare vouchers under the old scheme.
37. *This section has been redacted as its publication would be prejudicial to the effective conduct of public affairs.* We have consulted with Defra's Trade Unions during the Staff Transfer Scheme process and they are supportive of the proposals we have made in terms of HR policies and Terms and Conditions.
38. Work continues to draft and refine the remaining HR policies and make sure they are presented on the intranet for staff to access and refer to. This is on track for delivery by 1 January 2022. We also plan to hold information sessions for staff who are about to transfer on key HR policies so that they understand our new policies and processes.

IT Establishment

39. Due to supply chain issues in delivering computing equipment, the timeline for End User Computing (EUC) delivery has been delayed into January 2022. We will still be conducting user acceptance testing before Christmas, but on fewer devices, and further testing is required in early January.
40. It is likely that the first employees will receive their OEP laptops from 13 December 2021 for testing purposes. We are working closely with the supplier to understand what impact this has on delivery of final equipment and will keep staff informed of any changes. To mitigate the risk of a delay to delivery, we have agreed a transitional agreement with Defra whereby we can postpone the need to return Defra equipment until the OEP's own IT is up and running.
41. In terms of provision of phones and laptops, we are planning for the Board members to be among the last to receive these. This allows time for any emerging technical issues to be resolved so as to make the Board's transition to the new kit as straightforward as possible. It is therefore currently anticipated that the Board members would receive their new laptops and phones from 17-24 January 2022.
42. We are developing the website, ready for 24 January, to ensure it is simultaneously compliant with all regulations, updated and accurately reflecting the OEP's new powers, and based on user research. We have contracted a user research supplier to support this work and to ensure the website fully meets all Government Digital Service

standards. This will involve engaging internal and external stakeholders through virtual interviews to develop the user journey. From there, the website can be iteratively updated. This will also apply to the consultation portal, which will be launched on 24 January and be subject to user research from members of the public.

43. *This section has been redacted as its publication would be prejudicial to the effective conduct of public affairs.*

Corporate

Finance and Procurement

44. The organisation's finance position and progress made in establishing the OEP's finance function are set out in the separate Finance Report to the Board (item 21.52).

Recruitment

45. New Joiners – Four staff have joined since the last board meeting (set out in the table overleaf) with two other new starters, Joe Hayden and Mike Fox, due to arrive in December before the Staff Transfer Date. An updated organisational chart is appended at Annex B which also identifies candidates where the appointment process is complete but they are not yet in post.

OEP Role	Staff Member
Head of Natural Science Analysis	Tim Graham
Head of Environmental Law	Helena Gauterin
Head of Monitoring Environmental Law	Neil Emmott
Principal Complaints Manager	<i>This section has been redacted as it includes personal data.</i>
Head of Communications and Strategic Relations	Mike Fox
Head of Complaints, Investigation and Enforcement	Joe Hayden

46. Offers have been made for our Senior Investigations Officer and Principal Analyst roles. Sifting has commenced for the Senior IT and Digital Officer and G6 Head of IT and Digital Services roles. We expect all successful candidates to start after the staff transfer scheme, hence joining directly as OEP employees.

47. IT recruitment remains a challenge, with our recent contingent labour recruitment also proving unsuccessful. We are working with Defra's IT team (DDTS) to come up with alternative solutions until we can find permanent resource amongst a competitive marketplace

48. Offers have been made to the successful candidates for all four Senior Executive Director roles, which have been accepted and we are close to completing the pre-appointment process with them all. We expect the first appointment to commence in January 2022 and may be able to confirm the names of the incoming Executive Directors by the time that the Board meets.
49. We are now preparing for our third wave of Grade 6 and below recruitment for up to 19 roles which will be recruited directly into the OEP. These campaigns will be launching from January 2022.

Interim Staff Transition

50. The establishment of the OEP has been supported by interim staff, provided by or seconded to Defra. The transitional arrangements agreed with Defra see these interim staff (where they have not desired or been successful in securing OEP roles) return to their substantive posts on a staged basis between now and 31 March 2022. From 1 April 2022, there will be no interim OEP staff.
51. The transitional services agreement provides for these staff to continue to support OEP under current arrangements until 1 January 2022. Individual contractual arrangements for each member of staff are being put in place from that time. These include formal secondments from Defra (or other government departments) to OEP, transition of staff to new roles, or for a small number of staff to continue to support OEP informally from Defra where their continuing commitment to OEP is short.
52. We are taking an approach supportive to each staff member securing the right next step for their careers, and being flexible with release dates where the right opportunity for redeployment exists. Inevitably this creates some planning uncertainty, which we are managing on a case by case basis. The experience of working to establish the OEP appears to have been formative for a number of staff, with a notable proportion of staff returning to expanded or higher graded roles.
53. It is to be noted that the period from August 2021 to April 2022 will see full turnover of all but ten of the Interim OEP staff in post at the start of this period, with around 25 leavers in that time.

Asset Transfer Agreement

54. During the period the OEP existed as a shadow body Defra generated or obtained certain assets on our behalf. Relevant assets include a small number of physical items (books, specialist office chairs, etc) but primarily comprise intangible assets such as contracts, intellectual property (including the OEP brand) and the contents of our electronic case management and document storage systems.
55. *This section has been redacted as its publication would be prejudicial to the effective conduct of public affairs.* We have therefore instructed external solicitors (Borges Salmon) to prepare an agreement that would effect this transfer contractually. We are now in negotiations with Defra over the detailed content of that agreement. Negotiations are on track for Defra and the OEP to enter into this agreement before Christmas. However, it is drafted so that legal ownership of assets only passes to the OEP concurrently with staff transfer on 1 January, for no financial consideration.

Estates

56. Lease negotiations are progressing well for our preferred permanent office and Defra Property Group (DPG) are of the opinion that the landlord will be ready to sign the lease for *this section has been redacted as its publication would be prejudicial to the effective conduct of public affairs* before the end of December 2021. We do, however, require Cabinet Office permission to enter into a new agreement to use new non-government estate. We have submitted our request and expect a decision before the end of December. *This section has been redacted as its publication would be prejudicial to the effective conduct of public affairs.*
57. DPG are also in the process of preparing a Memorandum of Terms of Occupation agreement to formalise the current arrangement for the OEP to continue to occupy the dedicated space in Worcestershire County Hall from 1 January 2022 until the permanent office is ready to occupy.

Communications and Launch

58. At its November meeting the Board considered a communications plan for the launch of the OEP, which included an event on 24 January at the Royal Society and to be attended by ministers, and a wide range of stakeholders. The venue is now secured, and Board members have been invited to hold the time to attend.
59. Given the changing course of the Coronavirus, and in light of the Omicron variant, we are considering whether this remains appropriate. We are also mindful that the strategy launched on 24 January is our draft strategy, and introduces a period of consultation. Our final strategy will be adopted in April. We are therefore considering delaying our launch event to coincide with the finalisation of our strategy.
60. We are considering alternatives for a smaller launch, as a partner to the launch of our 25YEP report in February or March, and ahead of a more significant event in April. The Board's views on this alternative approach would be welcome

Northern Ireland

61. While we are now a vested body with our role in England settled, our NI remit still requires formal approval by the NI Assembly as part of the commencement process. *This section has been redacted as its publication would be prejudicial to relations within the United Kingdom.* The date of the Assembly debate is still to be agreed. It may be before the commencement of our functions and planned date for publication of our strategy in England, but the timing is tight.
62. In anticipation of our NI role being confirmed, DAERA are currently undertaking the recruitment process for our NI Board member. Our Chair is actively involved in the process. The closing date for applications was 3rd December and 18 applications were received, with sifting taking place later this month. Interviews are planned for the week commencing 10 January 2022. It is currently anticipated that the NI Board member will be appointed on 28 February 2022.
63. DAERA will also look to commence the full range of our NI functions on 28 February 2022, in line with the NI Board member appointment. This will be approximately five weeks after our functions commence in England. *This section has been redacted as it*

contains legally privileged advice. DAERA have not yet publicly confirmed the expected date of 28 February. However, in a recent event with a broad range of stakeholders they anticipated that our NI functions would start “weeks rather than months” after those in England. This did not raise any comment or concern from the stakeholders present.

64. We do not need our NI functions to have been commenced before we consult on our strategy. The determining factor here is the NI Assembly’s agreement to our role. If the NI Assembly confirms our remit ahead of 24 January, we intend to consult on a single strategy covering both England and NI. We are drafting the strategy to allow for this. If our NI remit is not confirmed, then we will consult initially on an England-only basis and then follow up with a separate consultation for NI when it is legitimate to do so.
65. Similarly, while we have an active programme of engagement with stakeholders on the development of our strategy, we cannot currently lead our own specific NI stakeholder engagement. We were therefore pleased to join a roundtable event “What next for the OEP in NI?” on 30 November convened by RSPB-NI and involving about 40 stakeholders. The OEP was invited to speak alongside panellists from DAERA, Queen’s University Belfast and Greener-UK. Our input and anticipated role were welcomed.
66. Prior to our vesting, we were able to receive and triage complaints for England and NI in the same way, with the latter considered by staff in DAERA. Following our vesting, and in discussion with DAERA, we have agreed that they should no longer participate in any handling of complaints. The OEP will therefore continue to receive complaints about matters in NI, but these will not be progressed until commencement of our functions. The four existing NI complaints will be held until then.
67. We also need to agree with Defra and DAERA the funding required in 2022/23 for the OEP to extend to NI as anticipated. *This section has been redacted as its publication would be prejudicial to the effective conduct of public affairs.*

Spending Review and Business Planning

68. At its last meeting the Board was informed that Defra’s spending review settlement for 2022-2025 did not include a specific ring-fence of the OEP’s budget by HM Treasury.
69. Ministers have made commitments to Parliament regarding the OEP’s budgetary certainty, most recently in September 2021. These commitments are contained in formal government responses to Environmental Audit Committee and Environment, Food and Rural Affairs Committee reports, Written Ministerial Statements, responses to Parliamentary Questions and statements in Commons’ and Lords’ Bill debates. Key features are:
- a) for long-term financial certainty, that the OEP will have an indicative five-year budget (sometimes also stated as being agreed with HM Treasury)
 - b) to provide safeguards over budgetary reductions, the OEP will have its budget ring-fenced for each spending review period (sometimes also stated as being ‘formally’

ring-fenced and/or ring-fenced 'by HM Treasury' – and where not stated, no alternative basis of a potential ring-fence is offered)

- c) for transparency, the OEP's budget will be shown as a separate line in Defra's Supply Estimates, and
- d) to afford the OEP opportunities to explain and justify funding requests directly to Parliament, we will be able to submit our own Estimate Memoranda alongside Defra's.

70. We are pressing firmly and at multiple levels for clarity on how these commitments are to be given effect, in the absence of a ring-fence by HM Treasury *this section has been redacted as its publication would be prejudicial to the effective conduct of public affairs.*

71. I have, however, received my delegation letter setting out the OEP's financial budget for the rest of this year. While the amount of the budget is as expected, the letter is a standard template for all Defra accounting officers. It provides discretion for Defra which is inconsistent with the concept of a ring-fenced budget (such as to review the budget quarterly, in light of broader financial pressures across Defra). We have made clear the need for this to change. While the process is uncertain, the relevant sections of the framework document relating to budget management are not agreed.

72. Our intent is to secure that the commitments made on OEP's budgetary independence are fully and properly reflected in reality, and in all the documents which govern the arrangements. *This section has been redacted as its publication would be prejudicial to the effective conduct of public affairs.* We are maintaining a firm position, and escalating, including as necessary to ministers.

73. Beyond this debate, the spending review settlement Defra group has received is yet to be allocated between its business units and across the group. This is to complete through a business planning process now in train. The OEP will participate. The process is to complete in March. *This section has been redacted as its publication would be prejudicial to the effective conduct of public affairs.*

74. We expect to bid for these, as well as our core funding, within the business planning process which is yet to formally begin. We have been asked to have preliminary discussions on our budget needs, but are yet to understand the process in which we are to take part and how the OEP's unique constitutional arrangements are to be respected in it. My team is holding a firm position not to engage out of governance, and without a clear understanding of the information needed and the use to which it is to be put.

75. A decision is needed on the approach we take to the 3-year planning process now to be initiated. We are yet to experience live operations, and we expect a tailored review late in 2022 through which we will seek to analyse our budgetary needs based on this experience. *This section has been redacted as its publication would be prejudicial to the effective conduct of public affairs.*

76. *This section has been redacted as its publication would be prejudicial to the effective conduct of public affairs and commercial interests*

OEP Governance

77. The Board agreed to establish its Audit and Risk Committee ('ARAC') at its last meeting, and to co-opt an independent financially qualified member to support the committee's work. We advertised the opportunity through the government finance network, and have received four expressions of interest from finance directors within arm's-length bodies outside of the Defra group. Our Chair and the Chair of ARAC are to meet the candidates in December, prior to an appointment being made.
78. It is intended that the ARAC meets for the first time in January. Amongst other items, it will consider the first draft of the OEP's risk policy, its standing financial instructions governing financial control within the organisation, and its non-financial scheme of delegation. These are each in development, and will be brought to the Board to agree at its February meeting.

Stakeholder Relations

79. Since the last meeting, the team has been busy putting our engagement plan into action. We have held twelve roundtable discussions and nine interviews with key stakeholders to seek feedback on the developing strategy and the 25 YEP monitoring report. These have helped challenge and shape our thinking and ensured we have early buy-in and support. The feedback has been very positive, with stakeholders impressed with the quality of our thinking and with the team. Board member's participation and leadership of these sessions has been noted and appreciated. A summary of stakeholder feedback has been provided to the Board as an Annex to the OEPs Strategy Consultation paper (item 21.46).
80. For eNGOs we have held a series of four roundtables with key representatives seeking their detailed feedback on the strategy and the key messages of the 25 YEP monitoring report.
81. For ALBs we have held a series of three roundtable discussions with the main Defra ALBs representatives to seek detailed feedback on the strategy. The level of engagement has varied across the ALBs and we are following up further where needed. The Environment Agency and Natural England were notably active participants. Valuable feedback was received on our level of ambition and specifically on our strategic objectives and prioritisation approach.
82. For *Business and Environmental Groups* we held a roundtable discussion in partnership with Aldersgate Group and Broadway Initiative on 22 November, where we sought views on our developing strategy and the 25 YEP key messages. Attendees included techUK, Federation of Small Business, Home Builders Federation, British Chambers of Commerce, Chemical Industry Association, National Grid and Crown Estate. The opportunity to engage with the OEP was very much welcomed, with encouragement for OEP to think actively and broadly about the role of private sector, and for us to continue to work with them.
83. For Local Government and following my presentation at the Association of Directors of Environment, Economy, Planning and Transport's (ADEPT) autumn conference on the 18 November, we held a roundtable in partnership with ADEPT on 23 November. We had wide representation from different delivery areas, with conversation focused around better understanding the role of the OEP and ways in which we will be able to hold government to account. Much of the conversation focused on the need for clarity and funding.

84. For legal expertise we held a series of roundtable discussions in partnership with UKELA, seeking specialist input from practising lawyers and academics on our proposed strategy, enforcement policy and the development of our monitoring and advice functions. Detailed feedback was received to inform our approach to assessing seriousness, and how the OEP's prioritisation framework should feed into how we use our various functions.
85. As a Standing Forum: we brought together the Scrutiny and Advice subgroup on 19 November to test the key messages of our 25YEP monitoring report. There was overall support for our approach, with helpful steers and challenges for the team to consider.
86. Alongside our workshops, the team has held semi-structured interviews where we have sought more in-depth feedback and includes CCC, EA, NE, FC, PHSO and LGSCO. The Chair and the Interim CEO have also been out to meet with key stakeholders to including David Hill (Defra), Baroness Parminter (Lords' Environment and Climate Change Committee), Brendan Callaghan (ESS) and Tony Juniper and Marian Spain (NE) to provide them with an update and seek their views on our formative thinking and how we work together. By the time of our meeting we will have met with the Secretary of State.
87. We are taking stock of the feedback we have received as part of the development of our strategy with some remaining events still in the diary, including tailored strategy sessions planned with Defra and a cross-government forum at Deputy Director level, alongside Defra Ministerial engagement. We are also starting to look forward to thinking about a proactive programme of engagement during the formal consultation period as set out in the Board's subsequent papers.

Litigation

88. *This section has been redacted as it contains legally privileged advice.*

Culture

89. Following the Board's steer to be conscious to not define culture too early, whilst recognising culture's effect on the success of strategy, we have started staff engagement on the culture that the OEP will need to succeed. We intend to continue this engagement until April 2022. This will allow time for the executive team to join and be part of the culture charter development. Alongside independent, expert, and strategic, other emerging values from engagement to date include trust and curiosity. We have referenced these in the draft strategy for consultation, following the Boards request to not forget external views and to learn from others.

Impact Assessments

Risk Assessment

90. *This section has been redacted as its publication would be prejudicial to the effective conduct of public affairs.*

Equality Analysis

91. Equality related matters arise largely in relation to recruitment. We have strategies in place to make every effort to recruit and retain as diverse a range of staff as possible and that we remain an inclusive employer.

ANNEXES LIST

This section has been redacted as it relates to information recorded for the purposes of OEP's functions relating to investigations and enforcement and includes personal data.