



Corporate Plan 2022/23

June 2022



Office for
**Environmental
Protection**

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The Office for Environmental Protection (OEP) is a new public body. We protect and improve the environment by holding government and other public authorities to account.

We were legally created in November 2021, under the Environment Act 2021. Our substantive functions in England commenced on 24 January 2022. Those for Northern Ireland commenced on 28 February 2022.

www.theoep.org.uk/what-we-do

This document is also available in Irish or Ulster Scots. Please contact us for a copy.



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Foreword by the Chair

I am delighted to present the OEP's first corporate plan, setting out our priorities for our first operational year. We are a new organisation, with a broad remit and powerful tools. The environment and people's health and wellbeing will be best served when we use these to their greatest effect.

We are experiencing worrying and persistent trends of environmental decline in England and Northern Ireland, but there is now a real prospect of change. The Environment Act provides for environmental principles, new statutory environmental targets (in England) and future Environmental Improvement Plans. Together these present a unique opportunity for the UK government and Northern Ireland Executive to set a firmer course to protect, restore and improve the environment.

Northern Ireland is poised to publish its first Environmental Improvement Plan, with the UK government due to produce its second plan next year. We recently took the opportunity to [take stock](#) and to provide advice on how best to plan for and deliver the changes to the environment so much needed. In future, we will report annually on progress, in England and in Northern Ireland.

We have set out in a [separate strategy document](#) how we intend to approach annual reporting and our wider roles and responsibilities. Here, in this plan, we set out our priorities for the year ahead and beyond. They centre around those aspects of the environment we consider to be in pressing need. We intend to use our full range of powers to stimulate improvement in these areas.

We know also the critical importance of our investigatory and enforcement function to hold government and other public authorities to account for their commitments in law on these and other issues. We are about to commence our first investigations.

I am enormously grateful for the wide support we have had, in getting this far. Our commitment now is to act expertly, purposefully and independently, and to strive to make the most positive difference, so as to protect, restore and improve the environment. We at the OEP have high ambitions for the role we can play, by making the most of the independent role Parliament and the Northern Ireland Assembly have given us.



Dame Glenys Stacey, Chair

A handwritten signature in black ink, which appears to be 'G Stacey', written in a cursive style.

Foreword by the Chief Executive

It is a privilege to lead the OEP in preparing and presenting our first corporate plan. We set out the work we will do to complete the establishment of our organisation and make our contribution to protect and improve the environment in England and Northern Ireland.

Our functions were confirmed by Parliament and the Northern Ireland Assembly early in 2022. This plan sets out how we will use our powers and fulfil our duties – in many cases for the first time. We want our work to drive positive change on critical environmental issues – nature depletion, the quality of soils, air, water and marine environments, alongside other material matters we prioritise. We are ambitious for the contribution we can make.

We are committed to being a learning organisation. We will subject our approach and our actions to continuous evaluation, engaging with others to understand our impact and making any changes we need to maximise our effectiveness. We will review our strategy underpinning this plan in 12 to 24 months' time, with the benefit of experience.

We are, however, a small organisation with a broad remit. We still have work to do to fully complete our establishment. Our confirmed funding and headcount allows us to grow to be an organisation of up to 70 staff this year, with between 50 to 60 currently agreed for future years. The Department for Environment, Food and Rural Affairs has committed to review our long-term resourcing needs this year. We already see clearly that we can achieve more for the environment with more people.

We intend to act strategically in relation to those pressing matters where we can make the most difference. We must use our resources wisely. We will be flexible and responsive to the opportunities as circumstances change and adapt our plans where we should.

Our Northern Ireland remit and resourcing is now confirmed. We know we have a particular need to grow our capability, capacity, presence and relationships in Northern Ireland and commit to this whole-heartedly in this plan.

I am grateful to all those who have given their time, support and insight to help us to establish our functions, develop and consult on our strategy, and to inform the priorities we have set in this plan. I am immensely proud to lead the talented team we have recruited to deliver it. I look forward to working with them, those we are yet to recruit, and the broadest scientific, legal and environmental communities in government and beyond to seize the opportunity the OEP has to have a lasting impact on the environment we all depend on to thrive.



Natalie Prosser, CEO

A handwritten signature in black ink, appearing to read 'N. Prosser', written over a light blue horizontal line.

Introduction and Context



Introduction and Context

The Office for Environmental Protection was established by the Environment Act 2021. We are a public body with powers to advise ministers and government departments and to hold them and other public authorities to account against their environmental responsibilities and the law. Our independence is protected in law.

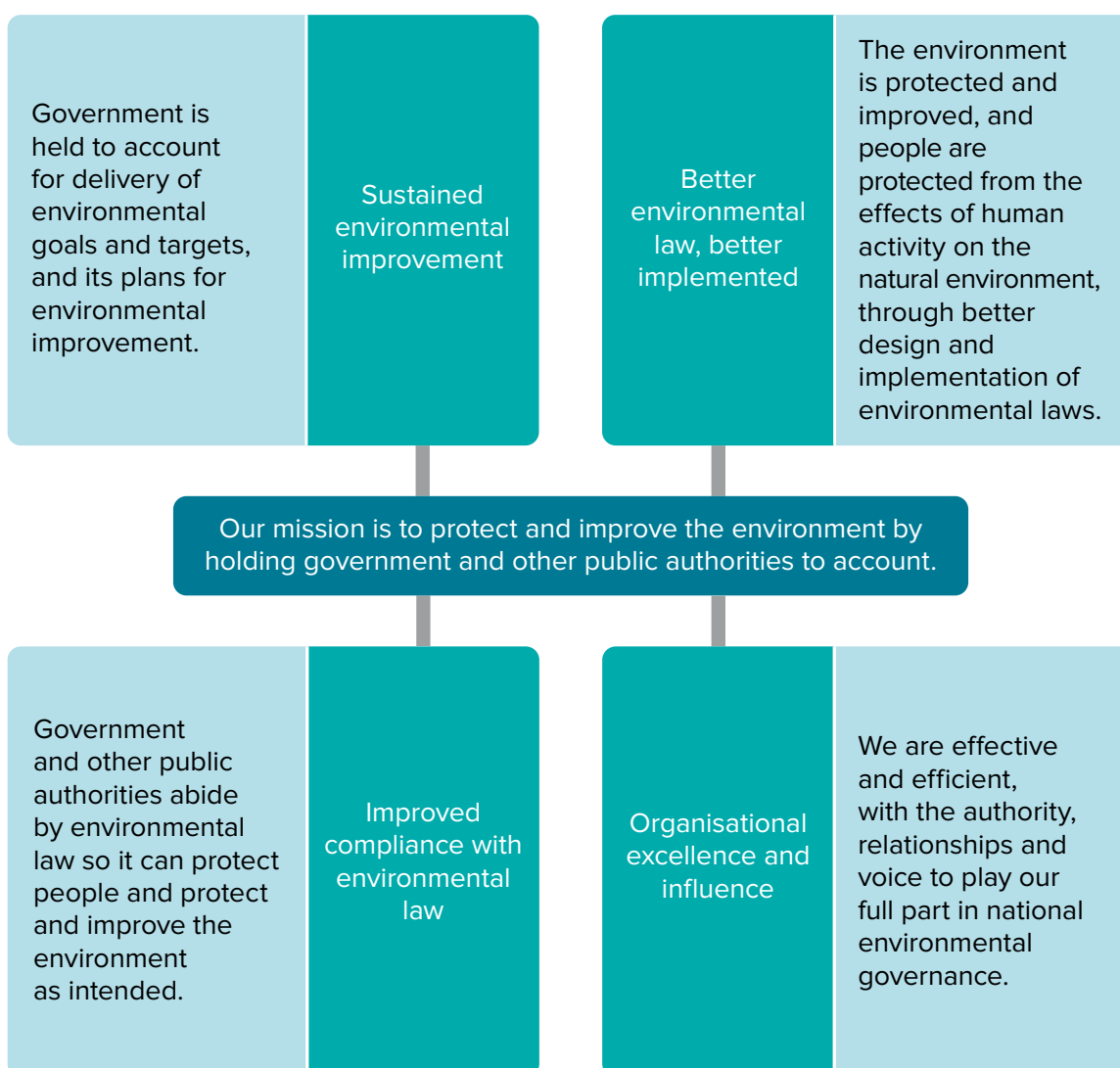
Our principal objective is to contribute to environmental protection, and the improvement of the natural environment. Our work covers England and Northern Ireland, and environmental matters reserved to the UK government. This includes matters in the marine environment dealt with in environmental law, government targets and improvement plans.

Our strategy and approach

Mission

Our mission is to protect and improve the environment by holding government and other public authorities to account.

We have set four strategic objectives to pursue this mission:



We are established with four main functions that contribute to these objectives.



[Our strategy](#) explains how we will work to deliver our mission and strategic objectives, and the approach we will take to each of our four main functions. It also sets out our enforcement policy.

About this plan

This plan covers our first year of operation. It represents our current priorities, based on the judgements we have made about where we can make the most difference with the resources available to us. We present a one-year plan, so we can learn most from exercising our functions ahead of the review of our strategy we have planned for 2023/24. We expect to present a three-year plan in future years.

To inform our priorities, we considered evidence from our analysis of pressing issues for the environment, engaged with stakeholders, reviewed issues of concern to Parliament and the Assembly, considered research into public priorities in the environment as well the complaints we have received. We applied the prioritisation approach set out in our strategy, to identify where we could have most impact, in exercising our functions.

In deciding our priorities, we have considered and prepared preliminary work programmes beyond those we set out in this plan. These include the laws controlling for statutory nuisances, the regulation of chemicals and waste, as well as further activity to build on the work we propose amongst many others. We aim to progress these and other work programmes in future years, or sooner if capacity allows.

We recognise circumstances will change. We prioritise each year to set an outline work plan, which we will publish in this, our corporate plan. We will also actively prioritise throughout the year in light of events and information we receive, including from complaints. We expect our priorities to change in year. In this way we aim to ensure we are responsive, and for our effort to always be targeted to where we can make the most difference. We will explain the choices we have made in our annual report and accounts.

Sustained Environmental Improvement



Sustained Environmental Improvement

We aim that government is held to account for delivery of environmental goals and targets, and its plans for environmental improvement.

Government is uniquely placed to protect and improve the environment, through its own activities and its ability to influence others. Our aim is that the UK government and Northern Ireland Executive set ambitious national environmental plans, goals and targets and makes sure they are delivered.

What we will do each year

- i. Publish a report to independently assess the UK government's progress in delivering its 25-year environment plan and against environmental targets for England, making recommendations for improvement
- ii. Publish a report to independently assess progress in delivering DAERA's environmental improvement plan for Northern Ireland when in place, making recommendations for improvement

What we will do this year

- i. Publish our first monitoring report providing a stocktake of the UK government's progress in delivering its 25-year environment plan for England, and our first statutory report monitoring progress later this year
- ii. Provide and publish advice to the UK government on its approach to setting targets, and on the proposed targets to be set under the Environment Act
- iii. Evaluate and report on the UK government's approach to its required test of whether environmental targets will significantly improve the natural environment in England
- iv. Provide and publish advice to DAERA and the UK government on their environmental improvement plans as they are adopted or revised
- v. Evaluate the UK government and DAERA's plans and measures for reducing nutrient, sediment and ammonia pollution in the aquatic environment
- vi. Consider the UK government's soil health action plan for England and evaluate the drivers and pressures, governance for and monitoring of soil health in light of the action plan government proposes
- vii. Evaluate evidence of the drivers and pressures of air quality in England and Northern Ireland

Better environmental law, better implemented



Better environmental law, better implemented

We aim that the environment is protected and improved, and people are protected from the effects of human activity on the natural environment, through better design and implementation of environmental laws.

To be effective, environmental law must be designed well to require or incentivise behaviours that can deliver the intended outcomes. It also needs to be implemented well to achieve these outcomes in practice.

Our objective is for environmental law and its implementation to be well designed and delivered, so that positive outcomes for the environment and people's health and wellbeing are achieved. We aim to increase the effectiveness of existing environmental laws and support the good design and implementation of new ones.

What we will do each year

- i. Monitor the implementation of environmental law by engaging widely with those who design, implement and are affected by it, to gather information and intelligence
- ii. Publish in-depth reports on selected areas of environmental law
- iii. Provide and publish advice to the UK government and Northern Ireland Executive on proposed changes to environmental law, or other matters related to the natural environment

What we will do this year

- i. Advise the UK government on its nature recovery green paper, proposals to introduce biodiversity net gain, and other changes to environmental laws intended to promote government's ambitions for nature recovery and restoration
- ii. Publish reports on the implementation of existing environmental law which protects nature in England and Northern Ireland, including the Habitats Regulations Assessment, Environmental Impact Assessment and Strategic Environmental Assessment regimes
- iii. Monitor implementation of the Environmental Principles Policy Statement across UK government departments and publish an evaluation of its implementation in a future year
- iv. Report on the implementation of environmental law, including regulatory governance, that supports inland water quality in England and Northern Ireland and evaluate the river basin management plans for England against relevant legal requirements
- v. Respond to the UK government and DAERA on the UK governments' consultation on their Joint Fisheries Statement, and monitor other environmental law influencing governments' approaches to secure good environmental status in UK marine waters

- vi. Respond to the UK government on any updates to their air quality strategy, and any other changes to environmental laws intended to promote governments' ambitions to improve air quality
- vii. Respond to any draft ammonia strategy prepared by DAERA

Improved compliance with environmental law



Improved compliance with environmental law

We aim that government and other public authorities abide by environmental law so it can protect people and protect and improve the environment as intended.

We expect government and other public authorities to comply with their obligations under environmental law so that the outcomes those laws intend to achieve are realised.

Our aim is to hold government and other public authorities to account for their compliance with environmental law, and to challenge and remedy serious failings. This will enable the law to protect and improve the environment and protect people as intended.

What we will do each year

- i. Assess complaints about potential breaches of environmental law by public authorities, and respond to complainants in accordance with our customer charter
- ii. Investigate serious failures to comply with environmental law by public authorities in line with our enforcement policy
- iii. Work with public authorities to resolve serious failures to comply with environmental law which we prioritise, and take steps using our enforcement powers to secure resolution where necessary

What we will do this year

- i. Adopt our enforcement policy in light of our consultation so that we can undertake our first investigations and use our enforcement powers
- ii. Launch our first investigations, and develop the information we publish about the investigations we are undertaking
- iii. Decide our response to each complaint received by the interim organisations¹ which came before us, and communicate the outcome to each complainant
- iv. Make improvements to the accessibility of our complaints portal and information available to complainants following user research and government good practice
- v. Gather information on recent infraction cases against the UK government by the European Union, and consider the seriousness and priority of each in accordance with our enforcement policy and strategy
- vi. Develop our approach to communicate our findings to drive compliance with the law among all public authorities
- vii. Agree memoranda of understanding with the ombudsmen services in England and Northern Ireland, and develop our ways of working with other environmental regulators

¹ The Interim Environmental Governance Secretariat operated from January to June 2021. The Interim OEP operated from July to November 2021. Both were operating divisions of Defra established in advance of the OEP being created by the Environment Act.

Organisational excellence and influence



Organisational excellence and influence

We are effective and efficient, with the authority, relationships, expertise, and voice to play our full part in national environmental governance.

We aim to operate as efficiently as we can, and be as effective and influential as we are able. We have designed our organisation to be responsive and flexible, so we can deliver the most we can for environmental protection and improvement with the funding we receive.

What we will do each year

- i. Publish timely information about our work on our website and in Parliament and the Northern Ireland Assembly
- ii. Engage regularly with stakeholders including in Parliament, the Northern Ireland Assembly, civil society, environmentalists, scientists, experts, business, government and the legal profession to inform and support our work, and champion our recommendations
- iii. Prioritise our activity and resources to where we judge we can make the most difference, managing public money carefully to ensure value for money
- iv. Publish our corporate plan and annual report and accounts setting out how we have prioritised and made good use of public funds
- v. Operate efficient corporate services and governance which underpin our effectiveness, deliver for our staff, support our independence and are tailored to our size and scale

What we will do this year

- i. Recruit the expertise and experience we need to deliver our role in Northern Ireland
- ii. Develop our people strategy, and fully embed our values: we are independent, act with purpose, are evidence-led, and trust one another
- iii. Embed our approach to stakeholder engagement, and extend the depth and reach of our stakeholder engagement in Northern Ireland
- iv. Develop our media and social media channels, improve the accessibility of our website and develop and implement a strategy to engage the public in our work
- v. Evaluate our long-term resourcing needs, support Defra and DAERA in their review of these, and submit an evidenced case for the resources we need
- vi. Develop our procurement strategy and establish responsive and cost-effective arrangements to access technical, legal and other expertise by gaining access to relevant expert panels, and setting up our own
- vii. Develop our digital, data and technology strategy including how we use and store data and intelligence, so they are more easily available to inform our decisions

- viii. Move into our permanent office in Worcester, and set up access to premises for us to work and meet in Northern Ireland
- ix. Finalise and publish our strategy taking account of responses to our consultation, develop our approaches to continuous learning and improvement and refine our operating model, ready to review our strategy and enforcement policy in future years
- x. Work with Defra and DAERA to agree and publish a framework document, setting out the governance, accountability and funding arrangements within which we work
- xi. Develop and publish our policies for sustainability and transparency



Measuring our performance

Measuring our performance

We have developed a performance framework to monitor and strengthen our work.

We include measures of our activity, indicators of the outcomes and impact we have as well as structured evaluation of the impact of our work. We recognise the environment is a complex system and do not seek to oversimplify it through this framework. We will improve this framework over time based on our experience and expect to review it, as part of our review of our strategy in 12-24 months' time.

We will publish information about our performance in our annual report and accounts so that the public and other stakeholders can see the contribution we make to protecting and improving the environment.

In time, we will develop a programme of targeted evaluations and reviews to assess our work. We will focus these on our most important activities, and those which are most indicative of our impact. We will regularly discuss our work with stakeholders to gather feedback on our effectiveness.

Indicators of our performance which we have and will develop include:

- the extent to which we deliver the priorities set out in this plan
- the timeliness of our reporting and advice to government
- how our recommendations are judged by a range of stakeholders who act to protect and improve the environment, and who implement and are impacted by environmental plans, policy and law
- the extent to which our recommendations are adopted and influence the UK government, Northern Ireland executive and other public authorities
- UK government's progress in delivering its environmental improvement plan, and targets, and the progress in delivering DAERA's environmental improvement plan for Northern Ireland
- the number of complaints we receive, the experience of those who complain, and the proportion of complaints which we investigate and manage through our enforcement process
- how we resolve matters we progress through investigation and enforcement
- our recruitment and retention, and the engagement of our staff
- the effectiveness of our financial management and procurement controls
- the reach of our communications channels

We recognise that there is no single indicator of our performance, and will consider evidence of our impact holistically and in context.

Our resources



Our resources

We are funded by the Department for Environment, Food and Rural Affairs (Defra) in England and the Department of Agriculture, Environment and Rural Affairs (DAERA) in Northern Ireland. We pursue our objectives and implement our functions independently and impartially. The priorities and allocation of resources we set out in this plan have been determined independently, by us.

Defra has provided us a ring-fenced budget for the period until April 2025 – the period covered by the UK government’s own spending plans. This budget is committed and protected for this period. Defra has also provided an indicative budget for the subsequent two years to April 2027.

We apply annually to DAERA for the resources to deliver our Northern Ireland functions. We can apply to Defra and DAERA for additional resources necessary to fulfil our functions before the start of each business year, and in year should circumstances change.

Our confirmed funding (including our ring-fenced, or indicative budget) is as follows. This does not include funding we apply for annually.

	2022/23	2023/24	2024/25	2025/26	2026/27
Defra revenue	£8.506m	£7.251m	£7.396m	£7.544m	£7.695m
DAERA revenue	£0.631m	—	—	—	—
Capital	£2.967m	—	—	—	—
Total Resources	£12.104m	£7.251m	£7.396m	£7.544m	£7.695m
Maximum Staff²	71	53	50	50	50

Government has set these budgets as we begin to exercise our functions. Defra has committed to review our long-term resourcing needs this business year. We anticipate this review will consider the financial resources and staff we need to deliver our role. We believe there is a case for more resources beyond 2022/23 for us to deliver our functions.

Allocation of resources to priorities

The OEP is designed to be as flexible and responsive to priorities as possible so that we can focus on where we can make the most difference. Below we set out an indication of how we allocate resources to support this plan. This will vary over the course of this and subsequent years as we prioritise in the light of emerging issues, in the way we set out in our strategy.

² Full time equivalent posts

Through our detailed business planning, we estimate the indicative allocation of resources to our priorities is as follows.

	Sustained environmental improvement	Better environmental law, better implemented	Improved compliance with environmental law	Organisational excellence and influence
Non-pay revenue expenditure	22%	21%	14%	43%
Capital				100%
Staff Time	23%	20%	21%	36%

In this, our first operational year, approximately 13% of our total time, 25% of our non-pay revenue expenditure, and all our capital expenditure relate to work to establish the OEP and its functions. This includes moving into premises, recruitment, completing the establishment of our independent IT, finance and communications operations, and completing our policy framework.

