

## **Woodland Policy Enabling Programme: update and request for feedback July-September 2013**

The [Government's Forestry and Woodlands Policy Statement January 2013](#) made a number of commitments to support the future of our forests in England. One of the most important was that England's Public Forest Estate would remain secured in public ownership. It said that a new body will be created to hold the Estate in trust for the nation: 'The new body will have greater independence from Government and greater freedom to manage its resources and maximise its income, but with the right safeguards in place to operate for the long-term benefit of people, nature and the economy'.<sup>1</sup>

Government's forestry policy statement of January 2013 also set out that Government would retain a core of forestry expertise with the capacity to deliver a range of functions, duties, and powers; work with devolved nations to deliver cross-border functions such as research, standards, and tree health centrally where appropriate; and that we would review Government's forestry functions alongside the [triennial review of Natural England and the Environment Agency](#).

Conclusions from the review of forestry functions were announced at the Forestry Forum on 3<sup>rd</sup> July 2013 and published in a [report](#). The triennial review of Natural England and the Environment Agency, concluded, among other things, that Forest Services would not be merged with Natural England or the Environment Agency. We are now working with Forestry Commission Trade Unions (FCTU), staff, Defra, and external stakeholders on the best way of advancing the conclusions of the review. Ministers have not yet made any decisions arising from the forestry functions review report.

The Woodland Policy Enabling Programme was set up by the Forestry Commission and Defra in May this year to ensure that the work to develop advice to Ministers on all these issues, and in due course to implement the changes which are made, is carried out in an integrated manner, taking full account of the implications for all the objectives of the Forestry Commission in England and the work and interests of all the staff who contribute to it. This includes the work of staff providing corporate functions and cross-border functions, including Forest Research.

Your feedback is now sought on two documents: "Towards a new public forest estate management body", which develops further the initial working premises document published on 3<sup>rd</sup> July, and the final report of the "Review of Forestry Functions". In giving us your views, you may also want to refer to the Forestry and Woodlands Policy Statement.

The Forestry Commission is formally consulting its trades unions and staff in connection with the Woodland Policy Enabling Programme, and we welcome your input too. It would assist us in collating feedback if you could provide your comments with reference to the questions below.

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<sup>1</sup> Government Forestry and Woodlands Policy Statement, Jan 2013, Ministerial Foreword, p2.

## **Public Forest Estate**

1. Does the draft document 'Towards a new public forest estate management body' adequately reflect the conclusions of the 'Government Forestry & Woodlands Policy Statement'?
  - If so, in what way?
  - If not, what further developments do you think are needed to this draft document?
2. What are your views on the proposed mission and objectives for the new organisation (see Annex A of the draft document)?
3. It is proposed that the new body will have clear statutory duties, powers and functions focused on maximising the economic, social and environmental value of the Estate, including a requirement that it should improve the financial sustainability of the Estate. What are your views on how the new organisation could improve the financial sustainability of the Estate?
4. What are your views on the significant assets and disposals arrangements set out in the document?
5. It will be necessary to give the new body a new name because Forestry Commission is established in law as a cross-border body. Do you have any ideas on a suitable name?
6. What are your views on the arrangements proposed for the new organisation's accountability to Parliament?
7. What are your views on the proposed Board's remit, size and composition?
8. What are your views on the Guardians' remit, role, numbers and composition?
9. What are the most important things to put in a public charter for the new organisation?
10. Do you have any general comments that you believe would be of assistance in creating the new organisation?

## **Forestry Functions in England**

11. The forestry functions review concluded that the current arrangements 'complicate governance and obscure a clearer "line of sight" between forestry and woodland policy and delivery'. What do you think should be done to address this?
12. What more do you think should be done to improve the efficiency with which government's forestry functions are delivered?

13. Would you like to make any other comments about the conclusions of the review of forestry functions in England, including on any impacts of the creation of the Public Forest Estate management body.

### **Cross-Border Functions and Shared Services**

14. Would you like to make any other comments at this early stage about how setting up the Public Forest Estate management body and advancing the conclusions of review of forestry functions in England might affect:

- a. Forestry Commission's cross-border functions; and/or
- b. Forestry Commission's shared services; and/or
- c. Forestry Commission England's National Office.

### **General comments**

15. Would you like to make any other comments about any aspect of this work?

### **How and when to respond**

The best way to let us know your views is online at [Citizen Space](#).

This will help you save time completing the survey and us when we collate and analyse the responses.

Alternatively email to [WPEP@forestry.gsi.gov.uk](mailto:WPEP@forestry.gsi.gov.uk), or post to WPEP Team, Forestry Commission England, 620 Bristol Business Park, Coldharbour Lane, Bristol, BS16 1EJ.

**Please get your feedback to us before 17:00, 25th September 2013.** Earlier responses are encouraged, as these will help inform work in progress. Feedback by 28<sup>th</sup> August would help inform the stakeholder workshop planned for early September.

**Background**

**Current governance arrangements in the Forestry Commission:** Top level governance of the Forestry Commission is provided by Forestry Commissioners at cross-border level. The Forestry Commissioners are established by statute and derive their duties and powers primarily from the Forestry Acts (principally 1967 and 1979) but also from other legislation such as the Plant Health Act 1967 and the Environmental Impact Assessment (Forestry) (England and Wales) Regulations 1999. The Commissioners delegate most of their powers and duties to a country National Committee. The England National Committee covers Forest Services, Forest Enterprise England, and the England level corporate functions.

**Back and middle office and front-line:** The forestry functions review said that the strategic alignment of back-office (and middle-office) functions could offer some increased organisational “resilience” and efficiencies in comparison to the current arrangements. Back office functions provide general support to the body itself, e.g. Information Technology, Human Resources. Middle-office functions support the delivery of front line functions while not involving direct contact with customers; e.g.: form processing and grant administration. In the report of the forestry functions review we used “back-office” but for consistency from now on we are adopting the terms here as used in the Triennial Review of Natural England and Environment Agency. In practice, very few if any Forestry Commission roles are purely back or middle office, most involve an element of customer contact. Table 1 shows which of the functions analysed we consider to be back, middle or front line and which are currently cross-border.

**Table 1: Government’s forestry functions in England: back or middle-office or front-line and cross-border illustrative categorisation.**

Function	Sub-function	Mainly back or, middle office or front-line / cross-border (England level if not shown)
1. Advising on forestry policy.	1.1. Advice & policy support to Defra, other Government departments and agencies, and Forestry Commissioners.	Front, Middle, cross-border and England level.
	1.2. Developing the evidence base to make better policy decisions.	Front, Middle, cross-border and England level
	1.3. Setting standards for sustainable forest management.	Middle, cross-border
2. Delivering Government policy	2.1. Engage sector and support partnerships at national and local scales to develop a more resilient woodland resource through protecting, improving and expanding England's woodland ("PIE").	Front
	2.2. Expert advice to the sector at national and local scales on how to PIE	Front
	2.3. Providing grants to incentivise PIE.	Front, Middle
	2.4. Market development for PIE	Front

Function	Sub-function	Mainly back or, middle office or front-line / cross-border (England level if not shown)
	2.5. Manage Government's agreement with the public forest management organisation on what it does for PIE.	Middle
3. Regulating to enhance the resilience of the woodland resource.	3.1. Competent authority on tree health.	Front, cross-border and England level
	3.2. Competent authority for forestry Environmental Impact Assessments.	Front
	3.3. Felling licences.	Front
	3.4. Dedication of woodlands under the Countryside and Rights of Way Act.	Front
	3.5. Forestry Reproductive Materials regulations.	Front, cross-border
	3.6. Statutory consultee functions for the planning system.	Front
	3.7. Statutory element of Regional Advisory Committees - advising on disputed cases.	Front
	3.8. Informal consultee for the planning system on ancient woodland and veteran trees.	Front
4. Corporate Management	4.1. Running the business, e.g.: HR, Info. Services, finance, executive office.	Back Cross-border shared services and England level.
	4.2. Reform business systems, e.g.: Common Agricultural Policy delivery.	Middle
	4.3. Institutional reform to manage wider changes (e.g.: devolution) and deliver Government priorities, e.g.: power shift, deficit reduction.	Middle
	4.4. Communications.	Middle

**Forestry Commission Central Services** provides a range of common functions and services to all parts of the organisation. These include:

- cross-border functions, such as: Forest Research, Plant Health, Corporate Governance and specialist advice
- shared services, such as: Human Resources, Finance and Accounting Services, Information systems and Inventory, Forecasting and Operational Support.

### **How the Forestry Commission is changing already in England and at cross-border level:**

The current organisation that manages the public forest estate is Forest Enterprise England, an executive agency of Forestry Commission England. Around\* 785 of the 1,010 or so Forestry Commission England staff currently work for Forest Enterprise England. Around 180 work for the Forest Services part of Forestry Commission England that carries out Government's forestry functions apart from managing the public forest estate. About 43 provide corporate functions to both Forest Enterprise and Forest Services such as finance, Executive Office, human resources, and communications. Another 243 or so staff work for the Forestry Commission at cross-border level running corporate functions such as Human Resources and Information Technology, known as shared services and functions such as commissioning research; inventory, forecasting and operational support; plant health; and the UK Forestry Standard. There are around another 164 staff in Forest Research, a cross-border agency of the Forestry Commission from which the three countries get most of their science needs. Shared services and cross-border functions are used by Forestry Commission England, Forestry Commission Scotland (about 970 staff), Forest Research and currently by Natural Resources Wales, which took over most of Wales' forestry functions in April 2013. Forest Enterprise England also provides some corporate functions to the rest of Forestry Commission England such as managing most of the office buildings across England. Setting up the public forest management organisation would involve moving a proportion of Forestry Commission England staff into a new body. This new body would be operationally independent so there would be changes in its relationship with the Forestry Commission at England and cross-border level.

\* Staff numbers are budgeted full time equivalents hence use of "around", "about", or "or so".

Other change initiatives include:

- Spending Review 2010 which unified a number of functions into Forest Services and moved administration of grants and regulations from a regional to a national basis, among other changes.
- Formation of Natural Resources Wales which changed the Forestry Commission from a Great Britain wide to a Scotland and England body, with cross-border corporate functions temporarily supplied to Natural Resources Wales.
- Implementing the conclusions from the [Tree Health and Plant Biosecurity Expert Task Force](#).
- Developing a single IT system across the Defra network for Common Agricultural Policy grants and bringing together Natural England's and Forestry Commission England's grant schemes into a single integrated Natural Environment Land Management Scheme under the next Rural Development Programme for England.
- Further work to further improve the efficiency with which the Defra network works together.
- [Review of the Science and Innovation Strategy for Forestry in Great Britain](#). Consultation in progress.
- [Forestry Regulation Task Force](#) and [Red Tape Challenge](#) including plant health and forestry.

Primary legislation would be required to establish the proposed Public Forest Estate Management body. Its establishment will therefore depend on the parliamentary timetable, and is subject to the will of Parliament. Primary legislation concerns laws made by Acts of Parliament, such as the Forestry Acts. See <http://www.parliament.uk/site-information/glossary/acts-of-parliament/> and <http://www.parliament.uk/site-information/glossary/delegated-or-secondary-legislation/> for more information. Any other changes that required additional primary legislation would take time and could not be implemented quickly.