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Workstream 1: Service Level Agreements

Service Level Agreements developed

- Managed estate
- Enabling tree planting
- Water Quality
- New Control of Agricultural Pollution Regulations
- Incident Management & Enforcement
- Flood Risk Management
- Monitoring
  - Freshwater
  - Marine
  - Terrestrial

Approach to Service Levels

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- Jointly developed an SLA template - keeping it simple
  - Descriptor, exclusions, objectives, output and input metrics(£ & people)
  - Three options:
    - Current service
    - Reduce service
    - Improve service
  - Opportunities for process improvement/ efficiency invest to save

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SLA Summary Heatmap

Service	Current	Reduced 1	Improved 2	Improved 3	Improved 4
NRW Estate	Recommend				
Pollution Incident Management			Recommend		
Enforcement			Recommend		
Agri Pollution Regulations				Recommend	
Water Quality			Recommend		
Flood Management					
Enabling Tree Planting			Recommend		
Monitoring – Freshwater			Recommend		
Monitoring – Marine			Recommend		
Monitoring - terrestrial			Recommend		

Commitment to additional SLAs – Potential list

- Biodiversity – including inland fisheries
- Marine
- Water Resources
- Air
- Sustainable land management scheme
- Area Statements/PSBs
- Climate/decarbonisation
- Development Planning Advice Service

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SLA Summaries

Pollution Incident response SLA

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Scope

- NRW's pollution incident response activities

Service level	Outputs
Current	Assessment of 8000 reports of environmental incidents, response to 1400 high risk incidents. Operation of 24/7/365 incident response service
Reduced Option 1	Raise threshold of high impact and/or stop all work on lower impact incidents and/or reduce out of core hours activities.
Improved Option 2	As current + address knock-on impact on other core activities of responding to incidents
Improved Option 3	As 2 + fill gaps in current service provision + invest in preventative work
Improved Option 4	As 3 + and lower threshold of response to include a proportion of low impact incidents, and/or investigate more lower impact incidents

Budget and Risks

	Current	Reduced Option 1	Improved Option 2	Improved Option 3	Improved Option 4
Staff (FTE)	48*, plus 38 **	48	86	106	126
Budget	£2.1m*, plus £1.5m**	£2.1m****	£3.6m***	£4.4m***	£5.2m***

*core planned staff resource/budget funded from incident management allocations

** unplanned staff resource/budget from environment and regulatory teams

*** fully from incident management allocations, reallocating £1.5m back to env/reg effort (so in reality costing an additional £1.5m)

**** £1.5m reallocated back to env/reg work and not replaced by incident budget (so in reality costing an additional £1.5m)

Reduced Service Risks

- Significantly more pollution impacts, on health, environment, economy
- Significant reputational risks to WG and NRW

Enforcement

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Scope

- Enforcement responses across full range of NRW regulatory regimes to stop offending, restore/remediate or punish/deter

Service level	Outputs
Current	*1000+ enforcement responses (Advice, Warning, Formal Caution, Prosecution or Civil Sanction)* following; a. non-compliance with permit/consent/registration conditions (40%) and/or; b. illegal activity e.g. where no authorisation in place (60%) Variable enforcement activity & outcomes across regimes
Reduced Option 1 (nominal -20%)	Stop: More offending will receive lesser enforcement responses Reduce: Process improvement, support for regulatory reform e.g. wider ability to utilise civil sanctions
Improved Option 2 (nominal +20%)	As current + increased delivery against enforcement priorities, intelligence analysis & targeting organised/serious crime, process improvement, regulatory reform, improving systems & data architecture, collaboration with other enforcers

Budget and Risks

	Current	Reduce Option 1	Improved Option 2
Staff (FTE)	60	48	72*
Budget	£3.1M	£2.5m	£3.7M

* Proposed phasing 30%/70% over 2 years

Reduced Service Risks

- Erosion of public confidence in our enforcement capability
- Illegal/non-compliant activity likely to increase
- Support for other enforcement bodies (e.g. police, rural inspectorate) is withdrawn, weakening their enforcement capability
- Reduced capability to modernise our enforcement approach and tools
- NRW not delivering or supporting the climate and nature emergencies.

The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021 (CoAPR)

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Scope

Provision of applied evidence, compliance and enforcement, internal/external statutory advice and guidance in relation to the introduction and implementation. Note substantial increase in regulatory requirement from 1 Jan 2023

Service level	Outputs
Current	No inspection programme. Limited cross compliance (XC) inspections with WG. Incident related enforcement. Provision of limited advice and guidance. Agri Regulatory Campaign (ARC) former Dairy project
Reduced 1	As above, without XC inspections and ARC
Improved 2	In addition to current: a) Inspection programme high risk agri activities. 8 year return period b) Complex cross compliance inspections attend with WG
Improved 3	In addition to current *a) Inspection programme of high risk agri activities 4 year return period*
Improved 4	In addition to current: a) Inspection programme of high risk agri activities 4 year return period AND lower risk activities 8 year return period

Budget and Risks

	Current	Reduce 1	Improved 2 MVP	Improved 3	Improved 4 Ambition
Staff (FTE)	4.6 + 12.8 ACR	2	31.2	51.2	77.7
Budget	£360k	£0.1	£1.56m	£2.53m	£3.84m

Reduced Service Risks

- Unable to support the transitioning to measures into the Control of Agricultural Pollution Regulations.
- Increase in agricultural pollution incidents.

Water Quality

Scope

- **Our work to support and pursue the sustainable management of water**

Service level	Outputs
Current	NRW Business Plan • working with WG to set and implement sustainable water management policy, develop and implement plans for improving the quality of our Water environment, working collaboratively with stakeholders • Over the last 18 months water quality issues have been the subject of intense public and political scrutiny, and we have had to significantly re-prioritise and adjust our workplans to respond, leading to minimal service or less in some other areas of our water quality work whilst we instigated SAC Rivers projects.
Reduced 1	Stop: less than minimal level of service, cease critical projects such as SAC Rivers with consequences for development and programme for Government commitments (or decisions elsewhere on stopping other lower priority services elsewhere, with consequences to be defined).
Improved 2	*Preferred Option: As current + CSO roadmap commitments, new obligations including DWMPs, further work on SAC Rivers, chemicals and ramping up to deal with Pr24, support for Programme for Government commitments around Inland BW
Improved 3	As 2 + being in a position to replicate the improvements made to bathing waters around the coast inland, initiating a “decade of River Restoration”

Budget and Risks

	Current	Reduced 1	Improved 2	Improved 3
Staff (FTE)	46.5*	37.2	131**	219
Budget	£2.2m*	£1.7m	£6.3m**	£10.3

* + 26 FTA posts temporarily funded by NRW, at a cost of £1,026,429 for 2022/23 plus £215k non-staff costs, (to support work on SAC rivers, some of our new or enhanced obligations and to support the start of a review of water quality work)

** proposed phased of 50% / 50% profile over 2 years.

Risks of a reduced service or not further enhancing current service

- Failure to deliver programme for Government commitments – inland BW, new homes
- SAC Rivers Project works stops affecting planning and development and Programme for Gov commitments around building of new homes.
- Water Quality status remains static or further declines, with consequences for biodiversity, ecosystem resilience and public services it provides.
- We are unable to respond to public and political concern around the status of Water Quality
- Reduced support leading to inability to support changes in legislation, policies etc

Flood Management

Scope

- All NRW flood risk management activities

Service level	Outputs
Current	Manage 500km of defences, 4000 assets, operate, maintain and improve assets. Flood warning service for 130,000 customers, 190 locations. Regulate 380 reservoirs, operate and maintain 340 river gauges, deliver flood modelling and mapping, advise on flood risk. All on a prioritised risk basis (no or reduced activity at medium/lower risk sites)
Reduced 1	Stop: All community/resilience work, all collaborative work, enforcement work, reduce all other activities. Retreat to core high risk asset and basic flood warning services.
Improved 2	As current + address gaps in current service provision e.g. we are doing ~25% less than optimal maintenance now
Improved 3	As 2 + respond to climate change and improve service delivery (e.g. expand flood warning coverage)
Improved 4	As 3 + more on integrated catchment planning and community resilience and adaptation planning and delivery

Budget and Risks

	Current	Reduced 1	Improved 2	Improved 3	Improved 4
Staff (FTE)	357	321	429	501	573
Budget	£36m	£32m	£43m	£50m	£58m

Reduced Service Risks

- Flood risk increases drastically: more people and livelihoods at risk, including risk to life, more often;
- Significant social, health, economic and environmental impacts and disbenefits to Wales;
- Opportunities for multi-benefits and to respond appropriately to climate and nature emergency disappear;
- Huge reputational risks to WG and NRW

Managed Estate

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Scope

- Welsh Government's Woodland Estate (WGWE) & National Nature Reserves
- Land Stewardship and Commercial Teams

Service level	Outputs
Current	As NRW Business Plan Climate change adaptation: upgraded infrastructure (roads, tracks, bridges, culverts, coal & waste tips over 40 years Market up to 750,000m^3 timber *(in line with current forestry staff capacity)*
Reduced Option 1	Stop: Formal recreation, visitor centres, new tracks Keep: Safety, liabilities and climate change programmes Reduce: All other programmes including biodiversity
Improved Option 2	As current + faster climate change adaptation through infrastructure improvements over 15 years. Increase commercial recreation opportunities
Improved Option 3	As 2 + enhanced biodiversity, recreation and safety work
Improved Option 4	As 3 + market up to 850,000m^3 timber *(in line with our plans to increase forestry staff skills & capacity)*

Budget and Risks

	Current	Reduced Option 1	Improved Option 2	Improved Option 3	Improved Option 4
Staff (FTE)	409.1	300.5	424.3	424.3	424.3
Budget	£51.7M	£41.5 M	£56.9M	£58.8M	£59.3M

Reduced Service Risks

- Lack of formal recreation facilities resulting in unmanaged visitors access across the estate, increasing the liabilities and cost of claims, reduction in health benefits, and knock-on implications to private enterprises reliant on NRW visitors experience.
- Stopping forest track building will lead to inability to access for future management, impacting delivery of climate resilience and nature recovery activities;
- Delaying forest track building leading to just in time delivery increasing risk of damage and costs if track is used before it beds in;
- Reduced support leading to inability to support changes in legislation, policies etc
- Increased risks of catastrophic failure of infrastructure, flood risk, large scale tree & habitat loss, soil erosion and peatland loss resulting from significant climatic events such drought, fire, windblow and pests/disease.

Enabling tree planting

Scope

- WG verification service (of WG grant funding for woodland creation)
- NRW Liaison Officers to support WG National Forest programme
- Other services to support woodland creation, including Plant!, implementing recommendations of the Ministerial Deep Dive, forestry regulation, and forestry policy, strategy, advice, guidance and evidence.

Service level	Outputs
Current	1) Target 2,000 ha verified (£9M of grant funding) 2) Delivery of 30 National Forest Sites by 2024/25 and Plant! 3) All other areas delivered on time and within budget
Reduced 1	1) Target 400 ha verified (£2M of grant funding). 2) Delivery of 30 National Forest Sites by 2024/25 and Plant! 3) Do minimum / stop work across all other areas.
Improved 2	1) Target 4,500 ha verified (£20M grant funding) 2) More workstreams, e.g. Sustainable Land Management Framework guidance, enhanced evidence capabilities.
Improved 3 (recommended)	1) Target 7,500 ha verified (£30M grant funding) 2) Delivery of 50 National Forest sites (i.e. plus 20) 3) More workstreams, e.g. integrated spatial planning, green finance development, casework conflict resolution, skills

Budget and Risks

	Current	Reduced Option 1	Improved Option 2	Improved Option 3
Staff (FTE)	31.66	12.95	43.79	64.51
Budget	£2m	£0.8m	£2.6m	£3.6m

Note: NRW liaison officers to support WG's National Forest programme is a fixed 3 year level of service, and is common across Current, Reduced Option 1 and Improved Option 2. Improved Option 3 is an enhanced option, but has not been discussed with WG.

Reduced Service Risks

- NRW's role to promote and facilitate tree planting will be significantly reduced.
- WG's ambition to expand tree cover to deliver climate mitigation targets will not be delivered
- Lack of support across all areas so inability to respond to changes in legislation, policies etc

Freshwater Monitoring and Analysis

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Scope

- Chemical and biological monitoring of rivers, lakes, groundwaters and bathing waters
- Whole monitoring and analysis cycle – network/programme design, sample collection, laboratory analysis, data processing/validation, data management, data analysis/synthesis

Service level	Outputs
Current	Sampling and analysis of freshwaters is close to the absolute minimum level of compliance for most statutory monitoring and reporting duties. Only 63% of WFD water bodies are able to be classified. The frequency and spatial coverage of sampling is not sufficient to provide a comprehensive evidence base on state and trends of water quality in Wales.
Reduced 1	Stop: lab method development for new pollutants; national trend analysis of water quality parameters; evaluation of water quality improvement schemes Reduce: sampling and analysis of WFD water bodies (50% are classified), bathing waters and SAC rivers; quality assurance of monitoring data;
Improved 2	As current + increased sampling and analysis in WFD water bodies (75% are classified), bathing waters, SAC rivers, and new inland recreational water designations.
Improved 3	As 2 + additional sampling and enhanced data analysis / synthesis provides comprehensive evidence base. 100% of WFD water bodies classified; bathing waters monitored at WHO recommended frequency. Instrumented catchments allow real-time collection and communication of water quality parameters

Budget and Risks

	Current	Reduced 1	Improved 2	Improved 3
Staff (FTE)	102.8	82.2	126*	199
Budget	£5.5m	£4.5m	£6.7m*	£11m

* recognised need to go further to meet WG stated ambition (something between options 2 and 3)

Reduced Service Risks

- Failure to meet Programme for Government commitments to strengthen water quality monitoring and to increase inland recreational water designations
- Failure to collect sufficient samples to meet statutory monitoring and reporting duties
- Insufficient evidence to support SoNaRR and SMNR, and to inform our response to the nature and climate emergencies
- Reputational damage from having insufficient up-to-date evidence on the condition of freshwaters and trends in pollutants
- Likelihood of deterioration in the condition of the freshwaters due to a lack of evidence to inform management of pressures and impacts
- Enhanced public health risks resulting from fewer bathing water samples being taken
- Economic risk if bathing waters lose Blue Flag status due to insufficient sampling or inaccurate classification based on limited number of samples

Marine Monitoring

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Scope

- Marine chemical, biological and physical monitoring focussed on Marine Protected Areas (MPAs) to provide evidence of environmental condition and trends.
- All components of the monitoring and analysis cycle – network and programme design, sample collection, laboratory analysis of samples, data processing and validation, data management, and data analysis and synthesis, MPA condition reporting

Service level	Outputs
Current	Only 5% of marine MPA features are monitored adequately, 17% partially. Condition reporting confidence moderate/poor. WFD monitoring just sufficient to provide data confident classification results for those elements at 'high' risk.
Reduced 1	Stop/Reduce by 15% - <5% MPA habitat features monitored. Poor confidence levels. Non-compliant with statutory reporting duties. WFD monitoring only just sufficient to provide data confident classification for the highest risk elements.
Improved 2	50% of MPA habitat features get monitored adequately. MPA condition reporting with good confidence. WFD monitoring at required level for all WFD elements and sufficient to achieve a data confident classification.
Improved 3	80% of MPA features get monitored adequately. MPA condition reporting with v. good confidence. All WFD waterbodies 'at risk'/ 'probably at risk' monitored for data confident classification.

Budget and Risks

	Current	Reduced 1	Improved 2	Improved 3
Staff (FTE)	24.3	20.8	42	57
Budget	£3.05*m	£2.6*m	£6.5*m	£10.4*m

Reduced Service Risks

*includes estimated lab costs

- Insufficient sample data to meet statutory reporting duties (eg. WFD,HD)
- Lower confidence associated with assessments leading to increased potential for challenge when used as evidence inform permitting and policy decisions, or reporting on status/ classification.
- Level of uncertainty remains high therefore more cautious approach to permitting.
- Economic/ reputational risks from the resulting increased burden of monitoring/ survey falling on developers instead (eg marine renewables).
- Deterioration in condition of MPAs due to lack of evidence to inform management – climate and nature emergency. risks

Terrestrial Monitoring

Scope

- All components of the terrestrial monitoring & analysis cycle covering design, sampling, data processing, validation, data management, analysis, synthesis and reporting.

Service level	Outputs
Current	Monitor 30% of terrestrial protected site features within 5 a year cycle. Size & quality of evidence base will remain largely unchanged.
Reduced 1	Reduce service to 15% of terrestrial features. Failure to update condition data for c. 85% of features, leading to significant deterioration in our evidence base.
Improved 2	Monitor 60% of terrestrial features within SACs, SPAs & SSSIs over a 5-year programme cycle.
Improved 3	Monitor 90% of terrestrial features within SACs, SPAs & SSSIs over a 5-year programme cycle.

Budget and Risks

	Current	Reduced 1	Improved 2	Improved 3
Staff (FTE)	15.67	8	33	64
Budget	£0.72m	£0.37m	£1.98m	£3.71m

Reduced & Current Service Risks

- Lack of delivery - number of features lacking assessments will rise significantly.
- Poor resilience - due to limited skills, staff and infrastructure.
- Failure to innovate - reduced resources will prevent investment in innovation.
- Reputational damage - will have significant reputational issues given the current nature and climate emergencies.
- Environmental damage - risks deterioration in the condition of the Welsh environment.
- Reduced confidence in reporting -Weaker evidence will result in a fall in the confidence we can have in inferences