



House of Commons

Environment, Food and Rural  
Affairs and Environmental Audit  
Committees

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**Pre-appointment hearing  
for the Chair-Designate of  
the Office for Environmental  
Protection (OEP)**

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**First Joint Report of the Environment, Food  
and Rural Affairs and Environmental Audit  
Committees**

*Second Report of the Environment, Food and Rural  
Affairs Committee of Session 2019–21*

*Second Report of the Environmental Audit Committee  
of Session 2019–21*

*Report, together with formal minutes relating to the  
report*

*Ordered by the House of Commons  
to be printed 16 December 2020*

## The Environment, Food and Rural Affairs Committee

The Environment, Food and Rural Affairs Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Department for Environment, Food and Rural Affairs and associated public bodies.

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[Robbie Moore MP](#) (*Conservative, Keighley*)

[Mrs Sheryll Murray MP](#) (*Conservative, South East Cornwall*)

[Julian Sturdy MP](#) (*Conservative, York Outer*)

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### Committee staff

Ian Blair (Committee Operations Officer), Ian Bradshaw (Committee Clerk), Mary Caple (Senior Digital Content Producer), Jonathan Finlay (Committee Specialist), Andy French (Committee Specialist), Tim Jarrett (Second Clerk), Xameerah Malik (Senior Committee Specialist), Emily Pritchard (Media Officer), Annabel Russell (Committee Operations Officer), and Chloe Sawyers (Committee Operations Manager).

### Contacts

All correspondence should be addressed to the Clerk of the Environment, Food and Rural Affairs Committee, House of Commons, London SW1A 0AA. The telephone number for general enquiries is 020 7219 1119; the Committee's email address is [efracom@parliament.uk](mailto:efracom@parliament.uk).

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## Environmental Audit Committee

The Environmental Audit Committee is appointed by the House of Commons to consider to what extent the policies and programmes of government departments and non-departmental public bodies contribute to environmental protection and sustainable development; to audit their performance against such targets as may be set for them by Her Majesty's Ministers; and to report thereon to the House.

### Current membership

[Rt Hon Philip Dunne MP](#) (*Conservative, Ludlow*) (Chair)

[Duncan Baker MP](#) (*Conservative, North Norfolk*)

[Sir Christopher Chope MP](#) (*Conservative, Christchurch*)

[Feryal Clark MP](#) (*Labour, Enfield North*)

[Barry Gardiner MP](#) (*Labour, Brent North*)

[Rt Hon Robert Goodwill MP](#) (*Conservative, Scarborough and Whitby*)

[Ian Levy MP](#) (*Conservative, Blyth Valley*)

[Marco Longhi MP](#) (*Conservative, Dudley North*)

[Caroline Lucas MP](#) (*Green Party, Brighton, Pavilion*)

[Cherilyn Mackrory MP](#) (*Conservative, Truro and Falmouth*)

[Jerome Mayhew MP](#) (*Conservative, Broadland*)

[John McNally MP](#) (*Scottish National Party, Falkirk*)

[Dr Matthew Offord MP](#) (*Conservative, Hendon*)

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[Claudia Webbe MP](#) (*Independent, Leicester East*)

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### Committee staff

Andrew Bax (Committee Specialist), Medha Bhasin (Second Clerk), James Camp (Committee Operations Officer), Jon Davies (Committee Researcher), Nick Davies (Committee Specialist), Laura Grant (Committee Specialist), Lloyd Owen (Clerk), Jonathan Wright (Committee Operations Manager).

## Contacts

All correspondence should be addressed to the Clerk of the Environmental Audit Committee, House of Commons, London SW1A 0AA. The telephone number for general enquiries is 020 7219 8890; the Committee's email address is [eacom@parliament.uk](mailto:eacom@parliament.uk).

You can follow the Committee on Twitter using [@CommonsEAC](https://twitter.com/CommonsEAC).

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## Summary

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Following the conclusion of the hearing, we are satisfied that the recruitment campaign and Dame Glenys Stacey's selection as the Government's Chair-designate of the Office for Environmental Protection were in accordance with the Governance Code on Public Appointments, and that Dame Glenys Stacey is a suitable candidate for this position.

We welcomed her candid recognition that she does not yet have a deep environmental understanding; we would expect her to focus on and grow that understanding and ensure that the Office for Environmental Protection's staff, and in particular the chief executive, have that deep knowledge and experience of environmental issues, policy and law.

# 1 The Office for Environmental Protection

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1. A large proportion of existing environmental law and policy in the UK derives from the EU, with its implementation largely monitored and enforced by EU institutions such as the European Commission. The Environment Bill provides a new domestic framework for environmental governance upon leaving the EU.<sup>1</sup> The Bill has not yet completed Report stage in the Commons and will then need to be considered by the House of Lords. **Given the early stage of the Bill's passage, our conclusions in this report are provisional upon their being no subsequent relevant amendments, and we reserve the right to revisit them in the event that there are.**

2. The Environment Bill establishes an Office for Environmental Protection (OEP), which will have scrutiny, advice and enforcement functions in England and on reserved matters. The Bill also makes provisions for the OEP to function in Northern Ireland since there was no functioning Executive at the time of introduction.<sup>2</sup> The Northern Ireland Assembly has since agreed that consent for the UK Parliament to legislate in these devolved areas should be granted. Part 1 of the Bill on environmental governance and principles stems from a draft Environment (Principles and Governance) Bill, which was published in December 2018. The Environmental Audit (EAC) and Environment Food and Rural Affairs (EFRA) Committees conducted pre-legislative scrutiny on this part of the Bill (Part 1 and Schedule 1).<sup>3</sup>

3. The OEP will have two main sets of functions:

- a) Scrutiny and advice functions—Monitoring and reporting on environmental improvement plans and targets (clause 27); Monitoring and reporting on environmental law (clause 28); Advising on changes to environmental law, where requested by a Minister (clause 29).
- b) Enforcement functions—Investigation followed by environmental review (clauses 30–37); Judicial review by OEP itself (clause 38).

4. The OEP is to be a Non-Departmental Public Body (NDPB). The Secretary of State will be responsible for appointing the non-executive members of the OEP, including the Chair. The Chair is to appoint the chief executive following consultation with the Secretary of State.

5. The Government has acknowledged that interim arrangements will be needed since the OEP will not be operational by 1 January 2021, and has said that there will be a mechanism for the OEP to receive a report of any perceived or claimed breaches of environmental law made during this period. We wrote to the Secretary of State on 23 October 2020, questioning the powers and structure of the provisional OEP. In response, the Rt Hon George Eustice MP told us:

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1 All references to the Bill in this report are to the version as amended in Commons Committee, see [Environment Bill 2019–21](#).  
 2 Clause 48 and Schedule 3  
 3 Environmental Audit Committee, Scrutiny of the Draft Environment (Principles and Governance) Bill, Eighteenth Report of Session 2017–19, HC 1951, 25 April 2019. Environment, Food and Rural Affairs Committee, Pre-legislative scrutiny of the Draft Environment (Principles and Governance) Bill, Fourteenth Report of Session 2017–19, HC 1893, 30 April 2019.

Defra is establishing an Interim Environmental Governance Secretariat, which will be hosted in Defra and will operate from 1 January 2021 until the Office for Environmental Protection can begin its statutory functions following the Royal Assent of the Environment Bill. The interim Secretariat will operate under the guidance of both the Chair and the other Board members when they have been confirmed in post, initially on a designate basis if needed ahead of Royal Assent of the Bill.

...my officials are in contact with their counterparts in Northern Ireland as they consider whether and how any similar interim arrangements might operate there. This is a matter for Northern Ireland's Ministers to determine but we are pleased to assist.<sup>4</sup>

## Independence of the Office for Environmental Protection

6. The predecessor EAC in its report into the 25 year plan for the environment recommended that the OEP should report to Parliament, similar to the National Audit Office, and a statutory body of parliamentarians, modelled on the Public Accounts Commission, should set its budget, scrutinise its performance and oversee the governance of the oversight body.<sup>5</sup> This recommendation was repeated in its pre-legislative scrutiny report which was concerned that in the drafting of the Environment Bill, the OEP was not independent enough from Government.<sup>6</sup> The Committee heard from constitutional experts who said there was no impropriety in the OEP being established in this way. The predecessor EAC also recommended that Parliament must have a greater role in the appointments process with a Parliamentary Committee having a veto over the appointment of the OEP's Members and Chief Executive.

7. The predecessor EFRA Committee in its pre-legislative scrutiny report stated that the OEP must not be seen to be just another arm's length public body attached to Defra, given its elevated watchdog status.<sup>7</sup> It did not consider that the Office for Environmental Protection will have anything close to the same level of independence as currently exercised by the European Commission. The predecessor EFRA Committee recommended that the Government should revisit the legal status of the Office for Environmental Protection to provide greater independence than a standard Non-Departmental Public Body allows. It said lack of precedent should not be a barrier to establishing a constitutionally innovative model, especially given the Secretary of State's ambition for the watchdog to be "world leading". It also supported strengthening the appointment process for the Chair, recommending that the Secretary of State's appointment should be subject to confirmation by the relevant Select Committee, following the process for the appointment of the Chair of the Budget Responsibility Council at the Office for Budgetary Responsibility.

8. The Government did not accept the Committees' recommendations and maintained that the body will be a non-departmental public body and all non-executive members

4 [Letter](#) from the Rt Hon George Eustice MP to the Chairs of the Environmental Audit and Environment, Food and Rural Affairs Committee Chairs, November 2020

5 Environmental Audit Committee, The Government's 25 year plan for the Environment, Eighth Report of Session 17–19, HC 803, 18 July 2018

6 Environmental Audit Committee, [Scrutiny of the Draft Environment \(Principles and Governance\) Bill](#), Eighteenth Report of Session 2017–19, HC 1951, 25 April 2019.

7 Environment, Food and Rural Affairs Committee, [Pre-legislative scrutiny of the Draft Environment \(Principles and Governance\) Bill](#), Fourteenth Report of Session 2017–19, HC 1893, 30 April 2019.

should be appointed by the Secretary of State.

9. At Committee stage, the Government amended the Bill in a manner which green groups suggested would weaken the independence of the OEP further.<sup>8</sup> A new power was added for the Secretary of State to issue guidance to the OEP on matters concerning its enforcement policy; a new power for the Government to direct an interim chief executive; and the “environmental review” enforcement action proceedings will not now be held in the Upper Tribunal and will instead go back to being held in the High Court. This, it is argued, will reduce the effectiveness of an environmental review and make it more like a judicial review, where there are very narrow and limited grounds for bringing a case.

**10. We note our predecessors’ concerns about the need for the Office for Environmental Protection and its Chair to have its independence from Government enhanced, and note the concerns of stakeholders about the recent Government amendments to the Bill. The independence of the Chair of the Office for Environmental Protection will be crucial to its ability to hold the Government to account. This therefore formed a central plank of our questioning of the Secretary of State’s preferred candidate.**

**11. We are encouraged by Dame Glenys Stacey’s recognition that the OEP’s effectiveness as a regulator will rely on its ability to act independently from Government. In the absence of the statutory safeguards on independence that our predecessor Committees recommended, we will continue to monitor the ability of the OEP to maintain its independence from Government and encourage Dame Glenys to raise any concerns in this area with our two Committees, should the need arise.**

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8 Green Alliance and Wildlife and Countryside Link, [Environment Bill briefing for Commons Committee](#); BBC news, [Fears over ‘weakening’ of UK green watchdog](#), 27 October 2020; ENDS Report, [Watchdog or Lapdog? Will the Office for Environmental Protection secure independence?](#) 5 November 2020

## 2 Recruitment process

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### Job specification and recruitment campaign

12. The recruitment campaign was launched on 10 August 2020 and closed on 08 September 2020. There were 21 applications, of which 4 were shortlisted and 3 were deemed appointable by the Advisory Assessment Panel chaired by the Permanent Secretary, with Lord Kakkar acting as the senior independent member.<sup>9</sup>

13. The advert described the role as:

The Chair of the OEP will provide leadership and strategic vision for the board, ensure good governance and, with the board, hold the executive to account. The chair will promote a positive and constructive relationship with everyone that works with the OEP including Parliament, government Ministers, departments, and public authorities; along with a wide range of interest groups as well as others. The chair is appointed by, and is accountable to, the Secretary of State for Environment, Food & Rural Affairs.<sup>10</sup>

With the essential criteria for the role being:

- A credible and authoritative figure, able to communicate effectively on behalf of the OEP and build confidence across multiple sectors.
- Ability to understand, influence, and lead within a complex political or administrative system, corporate or public body, while remaining objective and evidence led.
- Ability to guide the strategic direction of the OEP as a new and innovative organisation; lead the board to reach well-considered decisions, maximising the contribution of its members; and, provide support or challenge to the Executive members as appropriate.
- Ability to demonstrate a good understanding, or the ability to attain that understanding swiftly, of the focus of the OEP's work, along with an understanding of the relative fields of expertise involved.

14. The role was advertised on the basis that the successful candidate would be appointed as "Chair-designate" from 1 January 2021 to oversee the work of the Interim Environmental Governance Secretariat (see paragraph 5 above), employed by the Department on a fixed-term contract, and then formally appointed as Chair of the OEP once the relevant legislation was commenced. It was expected that the Chair would spend a minimum of two days a week on OEP business.

### Government's preferred candidate

15. The Secretary of State wrote to the Chairs of the Committees on 8 December to inform them that Dame Glenys Stacey was his preferred candidate as Chair-designate.<sup>11</sup>

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<sup>9</sup> Further details on the recruitment process provided by the Department are appended as appendix A

<sup>10</sup> ["Chair of the Office for Environmental Protection"](#) HM Government Appointments [accessed 9 December 2020]

<sup>11</sup> Appendix B

16. Dame Glenys' CV is appended to this report.<sup>12</sup> A solicitor by training she has held a number of senior public sector positions. She is currently the interim Chief Regulator of Ofqual, appointed in August 2020, having served as Her Majesty's Inspector of Probation from 2016 to 2019. From 2012 to 2016 she was the permanent Chief Executive and Chief Regulator of Ofqual. Previous roles have included being the founding CEO of the Criminal Cases Review Commission from 1997, and Chief Executive of the Defra NDPB Animal Health (now the Animal and Plant Health Agency) from 2004 to 2008. She also carried out an independent review of farm inspection and regulation for Defra in 2018.

## Pre-appointment hearing

17. Prior to the hearing the Committees asked Dame Glenys to fill out a questionnaire. Her responses; an extract from her supporting statement from her original application; and her declaration of interests and political activity are all appended to this report.<sup>13</sup> She declared no relevant interests or political activity.

18. The pre-appointment hearing was held on 15 December 2020. The areas covered included:

- Dame Glenys' reasons for applying for the role and what she would bring to it from her previous experience;
- Her vision for the role of the OEP, and what her priorities would be on taking up the role;
- How she would enhance and protect the OEP's independence, and her experience of demonstrating independence from Ministers;
- The challenges of setting up a new organisation and how she would manage the period before the OEP was created on a statutory basis;

19. We pressed her on her willingness to hold Government to account and she assured us that she saw this as an essential component to her role and would have no fear nor favour in doing so.

## Conclusion

20. Following the conclusion of the hearing, we are satisfied that the recruitment campaign and Dame Glenys Stacey's selection as the Government's Chair-designate of the Office for Environmental Protection were in accordance with the Governance Code on Public Appointments, and that Dame Glenys Stacey is a suitable candidate for this position.

21. We welcomed her candid recognition that she does not yet have a deep environmental understanding; we would expect her to focus on and grow that understanding and ensure that the Office for Environmental Protection's staff, and in particular the chief executive, have that deep knowledge and experience of environmental issues, policy and law.

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12 Appendix C

13 Appendixes D, E, and F

# Appendix A: Campaign information

## Campaign Information for Pre-Appointment Scrutiny hearing

### Chair of the Office for Environmental Protection

Campaign Launch Date	10th August 2020
Campaign Closing Date	8th September 2020
Reason for any changes in timetable to that originally published	The final Interview date was advertised as 30 October however all interviews were held on the 23 October as all parties were available. The candidate pack highlighted both 23 and 30 October as interview dates.
Advertising strategy	<p>The post was advertised with remuneration of £56,784 per annum for a time commitment of a minimum of two days per week.</p> <p>The advert was placed online on the Centre for Public Appointments website. Awareness of the vacancy was spread through a wide array of networks including:</p> <ul style="list-style-type: none"> <li>• The Secretary of State highlighted the OEP Chair appointment campaign in the Secretary of State's Environmental Recovery speech prior to campaign launch.</li> <li>• A video launching the campaign shared on Defra and Defra Public Appointments Twitter accounts.</li> <li>• Requests to stakeholders to share the campaign within their networks and through social media channels.</li> <li>• The role was shared with a wide range of diversity networks with members encouraged to apply.</li> <li>• A soft talent search was undertaken to identify a broad range of potential candidates.</li> <li>• Potential candidates were directly targeted and previous Defra public appointment applicants with an interest in future roles were contacted.</li> </ul>

Advisory Assessment Panel	<ul style="list-style-type: none"> <li>Panel Chair: Tamara Finkelstein Permanent Secretary, Defra</li> <li>SIPM: Lord Kakkar Crossbench Peer &amp; Professor of Surgery, University College London</li> <li>IPM: Dame Fiona Reynolds Master of Emmanuel College, Cambridge</li> <li>IPM: Henry Dimbleby Lead non-executive Board member, Defra</li> <li>IPM: Lord Cameron of Dillington Crossbench Peer</li> </ul>
Number of Applicants	21
Number of candidates invited to interview	4
Number of candidates found appointable	3

## Diversity data

**Table A: Gender**

	Percent Male	Percent Female	Percent Identify another way	Percent Not declared
Applicants	52.4%	47.6%	0%	0%
Shortlist (applicants invited to interview)	See note 2	See note 2	-	-

**Table B: Ethnicity**

	Percent White	Percent Ethnic Minority	Percent Not declared
Applicants	100%	0%	0%
Shortlist (applicants invited to interview)	See note 2	-	-

**Table C: Disability**

	Percent Disabled	Percent Non-Disabled	Percent Not declared
Applicants	0%	100%	0%
Shortlist (applicants invited to interview)	-	See note 2	-

**Notes on diversity data**

1. Departments must consider their obligations under data protection legislation when sharing this data with select committees. Candidates must be made aware at the outset of the campaign that their data will be shared with the select committee in this way. The data should not be shared in a way which means that individuals are identifiable.
2. Departments should follow ONS guidance on statistical disclosure control to meet this requirement. Where there are fewer than 5 candidates in any given category, diversity data must not be shared as this is potentially identifiable. For example, if you have six women and four men on a shortlist—you should not give any gender information.

# Appendix B: Letter from Secretary of State

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## Appointment of the Chair: Office for Environmental Protection

I am writing to inform you that following an open recruitment competition my preferred candidate for the role of chair of the Office for Environmental Protection (OEP) is Dame Glenys Stacey. This campaign was run in accordance with the Ministerial Governance Code on Public Appointments and, as a significant appointment, Lord Kakkar served as the Senior Independent Panel Member.

I should be grateful if you would submit Dame Glenys Stacey's name to your committees for their consideration and arrange for a joint pre-appointment scrutiny hearing to take place. I understand that the 15 December 2020 is being held for this hearing.

Dame Glenys will be announced as my preferred candidate as soon as possible. Additional information on Dame Glenys and the process to identify her as my preferred candidate for the role will be provided by my officials to your committees ahead of the hearing.

Yours Sincerely,

Rt Hon George Eustice MP

## Appendix C: Dame Glenys Stacey's CV

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### Acting Chief Regulator, Ofqual

#### **August to year end 2020**

*Key responsibilities:* Leading Ofqual (the exams regulator) in the wake of the summer 2020 results crisis, pending recruitment to the permanent role.

*Key achievements:* Stabilising the organisation, retaining and motivating key staff, restoring good governance and critical external relationships, leading work on the shape and detail of summer 2021.

### Member, Challenge Panel, Probation Programme

#### **June 2019 to date**

Providing advice to the Ministry of Justice on significant changes to probation delivery.

*Key responsibilities:* Providing challenge in a complex, large-scale change programme.

*Key achievements:* Expert advice on a range of issues. Providing assurance to ministers.

### Founding Board Member, CDEI

#### **February 2019 to date**

The Centre for Data Ethics and Innovation investigates and advises government on how we maximise the benefits of data-enabled technologies, including artificial intelligence.

*Key responsibilities:* The usual board member responsibilities.

*Key achievements:* Advice on governance. Leading a ground-breaking report on targeting.

### Chair, Professional Standards Authority

#### **March to August 2020**

The Authority is the oversight body for the ten health and social care professions' regulators.

*Key responsibilities:* Leadership of the Authority and board. Key external relationships Figurehead. Support and constructive challenge to CEO and wider executive.

*Key achievements:* Uniting and galvanising the board. Initiating a strategic review of the organisation's position in relation to health-related occupations (e.g. chiropractors).

## Her Majesty's Chief Inspector of Probation

### *March 2016 to May 2019*

HMI Probation is an independent inspectorate, reporting on standards and delivery.

*Key responsibilities:* Leadership, influence, advising government, strategy, stakeholder relationships, figurehead (public speaking and media work).

*Key achievements:* Implementing new inspection methodologies, quality standards and ratings. Developing power of voice. Maintaining influential relationships with ministers while producing incontrovertible evidence that the government's model for probation was failing.

## Chair, Independent Review of Farm Inspection and Regulation

### *March to December 2018*

At the behest of government, conducting a review, reporting and making recommendations to transform the way farming in England is regulated. The report can be found here: <https://www.gov.uk/government/publications/farm-inspection-and-regulation-review>. It was well received by farmers and government alike. Government accepts the thrust of the report.

## Chief Regulator and Chief Executive, Ofqual

### *March 2011 to February 2016*

Ofqual is the independent regulator of qualifications and examinations.

*Key responsibilities:* Leadership, influence, advising government. Strategy, performance, key regulatory decisions, standard-setting, the reform of qualifications, figurehead.

*Key achievements:* Establishing and developing a new regulator. Establishing and maintaining examination and assessment standards. Leading effective tripartite relationships with government and industry to deliver qualifications reform at an unprecedented pace.

## Chief Executive, Standards for England

### *April 2008 to February 2011*

SfE regulated standards and ethics in local government.

*Key responsibilities:* Leadership, strategy, performance, managing closure.

*Key achievements:* Halving the time taken to complete complex misconduct investigations.

## Chief Executive, Animal Health

### **October 2004 to March 2008**

Animal Health (now APHA) implements and enforces legislation and regulations relating to animal health/welfare and public health and the control of animal diseases. In emergencies it implements control and eradication strategies on the ground.

*Key responsibilities:* Leadership, strategy, performance, contingency planning, national operational command in emergencies, stakeholder relationships.

*Key achievements:* Restoring pride in its people and trust in the organisation following the nadir of Foot and Mouth Disease 2001. Leading the effort to contain and eradicate ten outbreaks of exotic disease successfully. Maintaining the confidence of prime ministers.

## Justices' Chief Executive, GMMCC

### **November 2000 to September 2004**

Greater Manchester Magistrates' Courts Committee delivered summary justice in ten courthouses across Greater Manchester, with some 800,000 cases annually.

*Key responsibilities:* Strategy, performance, delivery. Maintaining the quality of local justice. Managing and accounting for fines collection. Member of the Local Criminal Justice Board.

## Founding CEO, Criminal Cases Review Commission

### **January 1997 to October 2000**

The Commission is responsible for the investigation of suspected miscarriages of justice.

*Key responsibilities:* Establishing a new organisation from scratch. Strategy, performance, ways of working, relationship management, influencing, and representing the organisation.

## Previous employment (summary)

Area Manager, northern region, Legal Aid Board, March 1990 – December 1996

Senior Solicitor, Law Society/Legal Aid Board, July 1988 – February 1990

Solicitor, Law Society, June 1980 – June 1988

Articled Clerk/Solicitor, Snow & Bispham solicitors, February 1978–May 1980

## Education and professional qualifications

2018: Postgraduate Diploma in Educational Assessment (with merit), University of Warwick

2000: MBA (The Open University)

1980: Admitted as a Solicitor

1978: Law Society Part II (two distinctions)

1977: BA (Hons) Law, University of Kent at Canterbury, 2.2

## Appendix D: Candidate Questionnaire

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### **1. What motivated you to apply for this role, and what relevant experience would you bring to it?**

This organisation will be dealing with the most important issue of our time and for the foreseeable future: our environment. I am thrilled at the prospect of applying my skills and experience to this endeavour—there is no field of activity more motivating than this, for me.

I have experience of establishing, growing and developing independent public sector organisations, including regulators and super-regulators. I have a wealth of experience of regulation and oversight. I have board and chair level experience. I am used to working alongside governments while being independent, challenging government where appropriate. And with 70% of our land in agricultural use, I hope my understanding of farming and the way it is regulated will be helpful in the role.

### **2. If appointed are there specific areas within your new responsibilities where you will need to acquire new skills or knowledge?**

Yes.

Although I understand regulation and have experience of establishing and running the key functions of the new body—monitoring, analysis, research, investigation, complaints handling, enforcement, external engagement and reporting and so on—I am not an environmentalist per se, and so have much to learn. That is an attraction of the job for me. I do not come with pre-conceptions.

### **3. How were you recruited? Were you encouraged to apply, and if so, by whom?**

I received a standard email from the OEP recruitment team, suggesting this role might be of interest to me. I applied through the established procedure.

I have spoken maybe half a dozen times with the Secretary of State, about regulation. On one occasion some time ago—I can't remember when—we discussed OEP and he suggested I might be interested, but also said he would be looking for a broad range of candidates. I thought nothing of it at the time.

### **4. Do you currently or potentially have any business, financial or other non-pecuniary interests or commitments, that might give rise to the perception of a conflict of interest if you are appointed? How do you intend to resolve any potential conflicts of interests if you are appointed?**

No.

### **5. If appointed what professional or voluntary work commitments will you continue to undertake, or do you intend to take on, alongside your new role? How will you reconcile these with your new role?**

I am likely to act as independent chair for a sub-committee of the Ofqual Board during 2021, but not thereafter. That is expected to occupy up to two days of my time each week during 2021. It will end by December 2021 at the latest.

I sit on a challenge panel for the Ministry of Justice, part of its governance arrangement in moving probation services to a new delivery model. This takes up a few hours every six weeks or so and is due to end in April. I intend to see this to fruition.

I am a board member of the Centre for Data Ethics and Innovation. I will resign should I be appointed to OEP.

I have no other role and do not intend to take on any other role.

**6. Have you ever held any post or undertaken any activity that might cast doubt on your political impartiality? If so how will you demonstrate your political impartiality in the role if appointed?**

No. Quite the contrary. I believe I am known to be politically impartial, and independent in all senses.

**7. Do you intend to serve your full term of office?**

Yes.

**8. If appointed what will be your main priorities on taking up the role?**

- a) Establishing the organisation and its ways of working, including embedding our duty to act objectively and impartially in all we do
- b) Developing and consulting on the organisation's strategy (to include our enforcement strategy) and our priorities
- c) Developing and implementing monitoring and complaints handling strategies
- d) Developing stakeholder relations
- e) Demonstrating our independence, and our capability as it builds—enabling us to dissipate (over time) any pre-determined views and fears.

**9. How will you protect and enhance your personal independence in the role, and the institutional independence of the OEP from the Government?**

*Personal independence*

I believe I start from a good position: I bring a strong, uncompromised reputation for independence, integrity, and doing the right thing. In my experience, independence is best exercised responsibly, but in steadfast fashion and from day one. An early test will be in relation to the resourcing of OEP.

OEP needs to build and demonstrate heft. It must develop its own well-informed, evidence-based opinions on central matters. I intend to build an organisation well able to do that. And OEP must develop its power of voice. I will be central to that.

*Institutional independence*

A combination of transparency and carefully thought-through ways of working (as between the organisation and others, including government) will be important, alongside good Non-Executive Director and Executive staff appointments. I and other OEP leaders must set the tone and culture of OEP, to suit its remit and position.

An early test will be in relation to the structure and operating model of OEP. Others have already considered this and there are various proposals afoot, but organisational design is a matter for OEP of course.

**10. How will you ensure the operational independence of the “Interim Environmental Governance Secretariat” prior to the OEP being established?**

I appreciate the good work done by the secretariat to date. It should enable us to hit the ground running to some extent, and I am grateful for that, as time is pressing. But candidly, the sooner OEP can recruit its own board and staff and cut the umbilical cord, the better. Those of us who will form and be part of the new organisation must develop its ways of working and its strategy and policy, rather than those within Defra who have dutifully nurtured the concept of OEP.

Meanwhile, I am absolutely conscious of the risks, and will be determined not to compromise the organisation and its potential effectiveness. A first step is to recruit a capable and independent interim CEO.

There is a balance to be struck, in taking (with thanks) the good work of the secretariat but being clear what now rests with the chair and the interim CEO.

**11. What risks do you think the OEP will face over your term of office? How do you intend to manage them?**

- a) Resource constraints. I have no doubt that like others in the public sector, we will be pressed for resource. Here, I will be determined—able to present well-crafted and evidence business cases and resource bids, and ready to escalate if required.
- b) An unmanageable number of complaints—in the sense that they become the main body of work for the organisation, at a cost to other important work. The answer lies not just in sufficient resourcing overall. We must develop sensitive complaints triage, able to identify the material or potentially material and target our efforts to where they matter most.
- c) Risks to public confidence. OEP must be seen to be credible—influential with government but independent of it, focused on the right things, a responsible organisation keeping government on track and able to point out to government any failings. This is different to being a campaign group of course, or the champion of complaints on immaterial matters, yet some will wish for that. The proof of the pudding will be in the eating: we must crack on and do our job.

## Appendix E: Dame Glenys Stacey's supporting statement

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I wish to apply for the post of chair of the Office for Environmental Protection (OEP), and I enclose my CV. I am an experienced independent regulator, super-regulator, board member and chair, used to creating/reinvigorating organisations so that they become expert, influential, and able to hold others to account with ease and authority. I hope that the information I provide below is helpful, in assessing my suitability for the role.

### **Credible and authoritative, able to communicate effectively and build confidence**

I believe myself to be a respected public figure, ready to challenge ministers when appropriate. I am known for doing the right thing in whatever circumstances.

I strive to communicate clearly, elegantly and honestly at all times. Where helpful, I work hard at developing my organisation's 'power of voice'. At HMI Probation for example, I took every public opportunity to describe probation services and the contribution they make to public protection and to society more broadly, when these services are delivered well.

I have appeared often in print and on radio and TV, and now that I am sufficiently experienced I do it with ease. A recent broadcast was more personal and lengthy than most: <https://www.bbc.co.uk/programmes/m0009jfl>.

In my recent roles it has been critical to enjoy the confidence of a good range of other players. I apply myself to that and make sure that any organisation I lead does the same. In my recent review of farm regulation for example, I visited farms and associated enterprises in every sector, and met with local authority representatives and environment groups to hear and listen to their concerns and their ideas, and to explain our work.

### **Understand, influence and lead within a complex political or administrative system**

I believe myself to be a good leader, able to attract and inspire good people and bring organisations to life. People find me authentic, wise and able to command respect and influence others—all seemingly welcome attributes in a challenging environment. I am rated as exceptional in my formal annual appraisals.

In recent roles I have developed organisations so that they are able to provide credible evidence of how things are in our field of endeavour. In such organisations it is incumbent on leaders to then come to the evidence without any pre-determined view, to challenge any assumptions held by team members and reach a fair, rational and authoritative position.

With that groundwork done, leaders must then do the right thing. I have a track record here, having influenced Secretaries of State for Education and for Justice, enabling them to make politically difficult but proper decisions to change tack. By way of example, government is making significant changes to the delivery model for probation services in large part because of the evidence-based and authoritative stance I took as Chief Inspector and the advice and support I provided confidentially.

Complex political and administrative environments are just the sort I enjoy, and thrive in. I am about to take on a particular role for a short period that should exemplify that.

### **Strategic direction, leading and developing the board and overseeing the executive**

I enjoy strategic work and believe myself to be a strong strategic thinker. As first Chief Executive of the Criminal Cases Review Commission, I worked with the chair and founding board members to develop an innovative approach. So for example, all historical case documentation was scanned and stored electronically, to enable data mining and search within and across all cases. This was ground-breaking in the public sector, in 1997.

Appointed as first CEO of Animal Health in the aftermath of Foot and Mouth Disease (FMD) 2001, I focused strategy with one overriding aim: to be able to eradicate swiftly about fifty quite different exotic diseases across species, thereby re-building confidence and allowing the nation to restore international trade promptly following an outbreak. We successfully eradicated the following ten exotic disease outbreaks (including another FMD outbreak, in 2007).

In HMI Probation, I moved the organisation from trying to make a difference at a local level to making a difference nationally—because it was needed. We moved from a subjective inspection approach to a robust and objective one underpinned by standards, and developed effective data analysis, to identify where and why probation services were not working as intended.

Most recently, I have enjoyed my first experience of chairing an organisation's board. A good board is worth more than its constituent parts and can prove its worth tenfold. Together we are taking a determined and bold approach to established programmes of work that are inherently problematic. I have taken readily to supporting and challenging the CEO and senior team.

### **Understanding the focus of OEP's work**

I have some knowledge of environmental law and the OEP's field of endeavour, gained as CEO of Animal Health and in my work chairing the review of farm regulation. I am familiar with the regulatory strategies and approach deployed by the Environment Agency, for example. I appreciate that should I become chair of OEP, then I must broaden and deepen my understanding. That is an attraction of the role for me, and I can claim to have grasped the detail of several quite different fields of endeavour in my career.

### **Conclusion**

OEP will be a small but extremely significant organisation. There will be influential commentators expecting it to be weak, and perhaps partisan in one way or the other. It needs to get up and running smoothly, and to start as it means to go on. Good leadership will be essential.

I would relish the challenges inherent in the role of founding chair. I do hope that you consider me a viable candidate.

Dame Glenys Stacey

# Appendix F: Dame Glenys Stacey's declaration of interests and political activity

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## Part 1: Conflicts of Interest

If you have any interests that might be relevant to the work of the ALB, and which could lead to a real or perceived conflict of interest if you were to be appointed, please provide brief details below.

**Do you consider yourself to have a real or perceived conflict of interest in relation to the role you are applying for?**

No

## Part 2: Conduct

**If there is anything relevant to your suitability as a public appointee—for example any criminal convictions, bankruptcy or anything which could impact on public confidence on your suitability, please provide brief details below.**

No

## Part 3: Political Activity

Significant political activity is defined as being employed by a political party, holding significant office in a party, standing as a candidate for a party in an election, having publicly spoken on behalf of a political party or having made significant donations or loans to a party. Significant loans and donations are those of a size which are reported to the Electoral Commission, in line with a central party's reporting threshold.

**Have you undertaken any political activity for a political party in the past five years?**

No

Declaration: G Stacey

# Formal minutes

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**Tuesday 15 December 2020**

The Environment, Food and Rural Affairs and Environmental Audit Committees met concurrently, pursuant to Standing Order No. 137A.

Members present:

<b>Environment, Food and Rural Affairs Committee</b>	<b>Environmental Audit Committee</b>
Neil Parish	Rt Hon Philip Dunne
Ian Byrne	Duncan Baker
Geraint Davies	Barry Gardiner
Rosie Duffield	Mr Robert Goodwill
Barry Gardiner	Marco Longhi
Dr Neil Hudson	Caroline Lucas
Robbie Moore	Cherilyn Mackrory
Mrs Sheryll Murray	Jerome Mayhew
	Alex Sobel
	Nadia Whittome

Neil Parish was called to the Chair, in accordance with Standing Order No.137A (1)(d).

## **Draft Report: Pre-appointment hearing for the Chair-Designate of the Office for Environmental Protection (OEP)**

The Committees considered this matter.

Draft Report (*Pre-appointment hearing for the Chair-Designate of the Office for Environmental Protection (OEP)*) proposed by the Chair, brought up and read.

*Ordered*, That the Chair's draft Report be considered concurrently, in accordance with Standing Order No. 137A (1) (c).

*Ordered*, That the Chair's draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 21 read and agreed to.

Summary agreed to.

Papers were appended to the Report as Appendices A to F.

## The Environment, Food and Rural Affairs Committee

The Environmental Audit Committee withdrew.

Hybrid meeting

Neil Parish, in the Chair

Ian Byrne	Dr Neil Hudson
Geraint Davies	Robbie Moore
Rosie Duffield	Mrs Sheryll Murray
Barry Gardiner	

Draft Report (*Pre-appointment hearing for the Chair-Designate of the Office for Environmental Protection (OEP)*) proposed by the Chair, brought up and read.

*Resolved*, That the draft Report prepared by Environment, Food and Rural Affairs and Environmental Audit Committees, be the Second Report of the Committee to the House.

*Ordered*, That the provisions of Standing Order No. 137A (2) be applied to the Report.

*Ordered*, That the Chair make the Report to the House.

[Adjourned till Thursday 17 December at 11.00 a.m.]

## Environmental Audit Committee

The Environment, Food and Rural Affairs Committee withdrew.

Hybrid meeting

Rt Hon Philip Dunne, in the Chair

Duncan Baker	Cherilyn Mackrory
Barry Gardiner	Jerome Mayhew
Mr Robert Goodwill	Alex Sobel
Marco Longhi	Nadia Whittome
Caroline Lucas	

Draft Report (*Pre-appointment hearing for the Chair-Designate of the Office for Environmental Protection (OEP)*) proposed by the Chair, brought up and read.

*Resolved*, That the draft Report prepared by Environment, Food and Rural Affairs and Environmental Audit Committees, be the Second Report of the Committee to the House.

*Ordered*, That the provisions of Standing Order No. 137A (2) be applied to the Report.

*Ordered*, That Neil Parish make the Report to the House.

[Adjourned till Wednesday 16 December at 02.00 p.m.]

## Witnesses

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The following witnesses gave evidence. The transcript can be viewed on the [inquiry publications page](#) of the Committees' website.

### **Tuesday 15 December 2020**

**Dame Glenys Stacey**, Chief Regulator, Ofqual

[Q1–38](#)

# List of Reports from the Environment, Food and Rural Affairs Committee during the current Parliament

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All publications from the Committee are available on the [publications page](#) of the Committee's website.

## Session 2019–21

<b>Number</b>	<b>Title</b>	<b>Reference</b>
First Report	COVID-19 and food supply	HC 263
First Special Report	COVID-19 and food supply: Government Response to the Committee's First Report	HC 841
Second Report	Pre-appointment hearing for the Chair Designate of the Office for Environmental Protection (OEP)	HC 1042

# List of Reports from the Environmental Audit Committee during the current Parliament

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All publications from the Committee are available on the [publications page](#) of the Committee's website.

## Session 2019–21

<b>Number</b>	<b>Title</b>	<b>Reference</b>
First Report	Electronic Waste and the Circular Economy	HC 220
First Special Report	Invasive species: Government response to the Committee's First report of Session 2019	HC 332
Second Special Report	Our Planet, Our Health: Government Response to the Twenty-First Report of Session 2017–19	HC 467
Second Report	Pre-appointment hearing for the Chair Designate of the Office for Environmental Protection (OEP)	HC 1042