



## SNCB MCZ Advice Project – Quality assurance and independent expert review (Protocol B)

### Version control

Build status:

Version	Date	Author	Reason/Comments
1.0	7 Nov 11	Angela Moffat	Updated following comments from JNCC
2.0	15 Nov 11	Angela Moffat	Updated following comments from Standards Team
2.1	19 Dec 11	Angela Moffat	Updated following consultation
2.2	11 Jan 12	Angela Moffat	Updated following comments from JNCC
2.3	27 Jan 12	Angela Moffat	Updated following further comments from Defra and JNCC
3.0	30 Jan 12	Angela Moffat	Final version following Director sign-off
4.0	29 March 12	Chris Davis	Clarification of the sign off processes in JNCC and Natural England

Distribution list:

Copy	Version	Issue Date	Issued To
Electronic	0.1	15 Sept 11	Internally to JNCC
Electronic	0.2	2 Nov 11	Internally to JNCC and Standards Team
Electronic	1.0	7 Nov 11	James Marsden and Jon Davies for sign off
Electronic	2.0	15 Nov 11	Defra, Defra marine Arms Length Bodies, Independent Expert Review Panel, stakeholders
Electronic	2.1	19 Dec 11	Internally to JNCC and Natural England
Electronic	2.2	11 Jan 12	James Marsden and Jon Davies for sign off
Electronic	2.3	27 Jan 12	Chris Davis and Jon Davies
Electronic	3.0	30 March 12	Natural England and JNCC staff involved in the MCZ Advice and made publically available on

			website.
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## Part 1: About this protocol

### Background

Natural England and the Joint Nature Conservation Committee (JNCC) (the Statutory Nature Conservation Bodies (SNCBs) for England) are providing advice to Defra on a series of Marine Conservation Zones (MCZs) in England that will contribute to delivering the legal requirements of the Marine and Coastal Access Act 2009 to establish a network of Marine Protected Areas (MPAs).

The advice package from the SNCBs will provide Defra with the recommendations from the four regional MCZ projects on sites, boundaries and conservation objectives alongside additional information or advice from the SNCBs requested by Government<sup>1</sup> and will enable Government to designate sufficient MCZs to meet its legal obligations.

The SNCBs will also provide a draft Impact Assessment of the MCZ recommendations prepared by the regional project economists.

Delivery of the SNCBs' advice requires a high level of transparency due to the potential impact of that advice, its novelty and the consequent risks to the reputation of the SNCBs. Following this protocol will enable the SNCBs to confirm that the processes established for the development of their advice package to Government have been followed and that the development of the advice has not involved misinterpretation or bias.

### Application of standards to development of the SNCBs' advice on MCZs

The SNCBs' advice is being produced in accordance with the relevant corporate standards of JNCC and Natural England for the provision of statutory advice and with a series of MCZ-specific protocols that will set out the processes and procedures to be followed by the SNCBs in developing their advice on MCZs. The protocols (listed below) expand on the relevant corporate standards and tailor them for the MCZ advice work meaning that some are in the form of guidelines to authors whereas others are technical protocols setting out how to make the required assessments.

#### MCZ Protocols

The SNCBs are developing their advice to Government on MCZs in accordance with a series of protocols, that have been developed and agreed jointly between Natural England and JNCC. The protocols cover the following areas:

- A - Strategic protocol
- B - Quality assurance and independent expert review
- C - Document style and format
- D - Version control, record keeping and evidence panels
- E - Technical protocol for assessing the scientific confidence of the presence and extent of features in recommended marine conservation zones
- F - Technical protocol for assessing scientific confidence of feature condition;
- G - Technical protocol for the assessing Marine Conservation zones most at risk

<sup>1</sup> Government Technical protocol for assessing the contribution of existing sites to the network

Compliance with the relevant JNCC and Natural England corporate standards for quality assurance, and this protocol, will help ensure the SNCBs' advice complies with the *Government Chief Scientific Adviser guidelines on the use of scientific and engineering advice in policy making*, in particular the need to ensure that appropriate quality assurance and independent expert review processes are carried out to provide confidence in the evidence gathering process and evaluation of the evidence itself.

### **What does this protocol cover?**

This protocol covers the quality assurance and independent expert review relating to the decisions and advice on MPAs that JNCC and Natural England will apply before that advice is submitted to Government.

### **Who is this protocol for?**

This protocol applies to everyone in Natural England and JNCC who is directly engaged in the production of the MCZ advice for England and should also be applied by the Independent Expert Review Group who which will review the SNCB draft advice package.

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## **Part 2: The protocol**

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### **Principles underpinning the development of SNCBs' advice on MCZs**

The following four principles **apply to all stages** of gathering and use of evidence to make decisions or to provide advice and will be applied to the quality assurance and independent expert review of the SNCBs' advice:

- **Evidence** used is of a quality and relevance appropriate to give advice or reach decisions<sup>2</sup>;
- **Analysis** carried out is appropriate to the evidence available and the issue under consideration;
- **Conclusions** are drawn which clearly relate to the evidence and analysis; and,
- **Uncertainty** arising due to the nature of the evidence and analysis is clearly identified and explained.

### **The quality assurance process**

Quality assurance sets out the way we will test whether the processes set out in the MCZ protocols have been adhered to and aims to ensure that the above principles have been followed. Quality assurance will be carried out internally by JNCC and Natural England and by the Independent Expert Review Group. The results of these quality checks will be formally documented in the SNCB advice package.

### **Internal quality assurance**

This internal quality assurance will be carried out in advance of the relevant parts of the advice being subject to independent expert review

1. For each of the protocols, a and c-h above, a lead person will be identified within Natural England or JNCC tasked with ensuring that that the procedures set out in the MCZ protocols have been adhered to, for example, checking that documentation has been produced in the agreed document style and format, that the terms of reference of evidence groups are appropriate and have been followed and that the overarching principles have been applied.

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<sup>2</sup> Recognising that one of Defra's MPA network design principles is the use of the best available evidence.  
A Moffat

2. The protocol on version control, record keeping and evidence panels (Protocol D) guides the operation of evidence groups. Where evidence panels have been established to co-ordinate and manage technical aspects of the task, each panel Chair will be asked to confirm that the agreed process has been followed and that the required audit trail and, for example, version control, is in place and up to date. Evidence panels should also apply the principles set out above when carrying out their work and these principles should be incorporated into their terms of reference.
3. Technical aspects of the advice will be developed by evidence panels. Where there are difficult aspects requiring wider consideration, or where agreement on approach between Natural England and JNCC is required, this will be done through appropriate routes within Natural England and JNCC, for example:
  - The Head of Profession for Marine in Natural England and the relevant JNCC Marine Programme Leader<sup>3</sup>
  - The MCZ Project Board
  - The JNCC Marine Protected Area sub-group<sup>4</sup> and other appropriate internal committees.
4. An independent expert review will also be carried out of the draft advice to ensure that it covers the components set out in the Government expectations note.
5. Before submission to Defra, and following independent expert review, the advice will be signed off by the respective Chairmen of JNCC and Natural England. The advice will be signed off following reviews by the JNCC Marine Protected Area sub-group and a specially convened combined Board and Executive sub-group in Natural England.

### Independent expert review

External expert review is the highest level of quality assurance and will include testing whether the SNCBs have developed the technical content of their advice in accordance with the four principles set out above. External expert review is the appropriate method to apply because of the high level of transparency required, the potentially high impact of the advice and the high level of novelty and technical difficulty of the analysis.

External expert review will be carried out by the Independent Expert Review Group that has been established by Defra.

- The Natural England Head of Profession for Marine and the JNCC MPA Programme Leader will review the advice against the four principles prior to it being sent to the Independent Expert Review Group.
- The Independent Expert Review Group, comprising 5 independent members, will review the SNCB's draft advice:
  - against the protocols listed on page 2, providing views on their application in the formulation of the draft advice; and

<sup>3</sup> JNCC has four marine programmes covering MPAs, Marine Management Advice, Marine Surveillance & Monitoring and Marine Assessment.

<sup>4</sup> JNCC MPA Sub-group is a formal non-executive advisory group for the Joint Committee itself.

- provide views on the appropriateness and robustness of any additional evidence, analysis and assumptions, whether the rationale and evidence support the conclusions drawn and the objectivity and rigour by which the SNCBs have formulated their advice.
- The SNCBs will consider the comments of the reviewers and address these taking account of the project timescales.
- The SNCBs will provide a summary of the reviewers comments and an explanation of how each issue raised was dealt with.

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**Annex 1: Implementing and communicating the protocol**

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The lead author from JNCC and Natural England will be responsible for ensuring the protocol is implemented. They will ensure that all internal contributors to the MCZ advice will have a copy of the protocol and understand the requirements.

Defra's Marine Biodiversity team, Chief Scientific Advisor, Defra Arms Length Bodies, and the Independent External Review Group will review the draft protocol and provide comments to Natural England and JNCC. Natural England and JNCC will consider the comments and update the protocol accordingly. The draft and final protocols will be placed on JNCC and Natural England's website. Stakeholders will be invited to comment on the draft protocol.

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**Annex 2: Monitoring and review**

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Lead authors will monitor assessments and draft advice from section leads to ensure the protocol is followed. An independent expert review panel will assess whether the draft advice package is consistent with the protocol.

This protocol is currently time limited for the duration of the SNCBs' advice on MCZ recommendations. The MCZ Project Board may commission a review of the protocol in the light of any changes to timetables or policies.

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**Annex 3: Related documents**

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List of all of the MCZ advice protocols:

- A. Strategic protocol – The Principles Underpinning Our Statutory Nature Conservation Body Advice On Marine Conservation Zone Designation (this protocol);
- B. Quality control, assurance and peer review;
- C. Document style and language;
- D. Audit trail – version control and record keeping;
- E. Assessing the scientific confidence of the presence and extent of features in recommended Marine Conservation Zones;
- F. Assessing the scientific confidence of feature condition;
- G. Assessing Marine Conservation Zones most at risk;
- H. Assessing the contribution of existing sites to the network.