

WaterLIFE - Delivery of the Water Framework Directive through collaborative action between civil society and the private sector

Analysis of civil society capacity to influence Water Framework Directive River Basin Management Plans



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This report has been commissioned by WWF-UK, however, the views are those of report author, Alex Inman, and do not necessarily reflect the views of WWF-UK.

1. Background

The purpose of this exercise has been to better understand the current capacity of Civil Society Organisations (CSOs) to engage with and influence the Water Framework Directive (WFD) River Basin Management Planning (RBMP) process, to identify capacity needs and to develop strategies to implement them.

2. Methodology

The work consisted of the following stages:

Developing a database of Civil Society Organisations

This involved identifying CSOs of relevance to WFD implementation operating at both a national level and within three test catchment areas identified for the study: the Tamar, the Camlad and the Soar catchments.

In total, the following numbers of CSOs were identified at each level which have been segmented into different typologies of CSO, with each segment quantified to build a picture of the number of CSOs within each typology.

| CSO Typology | National Level | Catchment Level |
|--|----------------|-----------------|
| Academic institutions | 2 | 6 |
| Allotment Organisations | 1 | |
| Animal Rights | 4 | |
| Business Sustainability Groups | 5 | 7 |
| Certification Schemes | 3 | |
| Charitable / Non-Profit Membership Organisation | 3 | |
| Community / Social Organisations | 8 | 12 |
| Conservation Organisations | 43 | 85 |
| Consumer Organisation | 2 | |
| Country Sports Organisations | 4 | |
| Culture / Community / Sustainability / Environment | 6 | 10 |
| Farming Organisations | 6 | 46 |
| Funders | 2 | 2 |
| Gardening Groups/Associations | 2 | 4 |
| Historical Organisations | 3 | |
| Knowledge Exchange | | 1 |
| Law | 2 | |
| Lobbying/Interest Groups | 2 | 3 |
| Local Food Groups | 1 | 6 |
| Memberships Organisations | 4 | 1 |
| Not For Profit | 2 | 1 |
| Other Charitable Organisations | 3 | 1 |
| Partnership | 4 | 5 |
| Pride of Place Groups | 1 | 3 |
| Professional Bodies | 8 | 14 |
| Public sector bodies | 4 | 12 |
| Recreational users – non-water related | 13 | 18 |
| Research Institutes | 5 | 1 |
| Trade Associations | 8 | 4 |
| Water User Organisations (anglers, boaters, swimmers, etc) | 10 | 35 |
| Youth Worker and Work Experience Organisations | 1 | |
| Total | 162 | 277 |

A full list of the CSOs identified during this exercise can be accessed within the accompanying MS excel file to this report entitled A3 CSO Database Final.

Developing a set of assumptions about capacity and capacity needs

In order to provide a framework to explore capacity issues, a set of assumptions were developed with an expert Panel of NGOs experienced with working with civil society groups across the UK and Europe. These included The Wildlife Trusts, The Rivers Trust, The Royal Society for the Protection of Birds and The Angling Trust. An initial set of assumptions were put to Panel members for comment with feedback suggesting the assumptions were valid and suitable for being tested. The capacity assumptions were:

- CSOs have a low understanding of the WFD process and opportunities within it
- CSOs are disengaged with the WFD process
- CSOs have low confidence in their ability to engage
- CSOs have a focus on hands-on-work rather than a wish to influence and lobby

Qualitative Research

A series of in-depth interviews and focus groups were conducted involving individuals identified during the CSO database collation exercise. The aim of the qualitative research was to test the capacity assumptions developed during the consultation with the NGO Panel outlined above. Respondents were chosen to represent a broad spectrum of CSO typologies. In total 25 respondents took part in the depth interviews and 23 respondents participated in the three focus groups, one held in each of the three study areas. Topic areas explored with respondents included:

- Levels of interest in water related matters
- Perceived relevance of WFD to organisations remit
- Knowledge base regarding WFD process
- Previous experience of involvement with WFD issues
- Resource availability to engage in WFD planning
- Key perceived barriers to participating
- Likelihood to engage in WFD planning in the future

The focus groups provided a useful forum for cross checking some of the findings emerging from the depth interviews.

Quantitative Research

Following the qualitative research, a quantitative survey was undertaken with senior respondents from a random sample of national organisations developed at the CSO database collation exercise (these respondents were different to those interviewed at the qualitative phase). The purpose of the survey was to complement the qualitative findings with a quantitative dataset derived from a structured questionnaire.

Attitudinal segmentation questions were included to identify any specific clusters of CSO typologies with specific capacity issues and needs. In total, 54 respondents replied to the questionnaire with the following profile: 20 NGOs, 21 Membership Organisations, 11 Parish Councils and 2 Others.

3. Main Findings

This section of the report presents synthesised findings from both the qualitative and quantitative research highlighting current capacity baselines, capacity gaps and suggestions for strategies to fill these gaps. It is envisaged these insights will help the overall WaterLIFE project to form an action plan for how best to support CSO engagement with the WFD River Basin Management Plan delivery process.

Results from the quantitative study are presented in data tables with pertinent findings from the qualitative research outlined in the accompanying narrative. Verbatim comments from the qualitative research are also included to help illustrate particular points and are denoted by italicised text.

Attitudes towards the WFD

Table 1.

| Please state whether you agree or disagree with each of the statements below using a scale of 1 to 7 where 1 = 'completely disagree' and 7 = 'completely agree' | | | | | | | |
|---|----|---|----|----|----|----|----|
| Answer Options | 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| The Water Framework Directive delivers significant opportunities for my organisation' | 6 | 0 | 16 | 6 | 16 | 28 | 28 |
| The Water Framework Directive is very relevant to my organisation's remit' | 9 | 0 | 6 | 9 | 9 | 25 | 41 |
| We see the Water Framework Directive as a major opportunity to improve the water environment' | 6 | 0 | 0 | 9 | 9 | 34 | 41 |
| We do not have sufficient resources to engage properly with Water Framework Directive catchment planning and consultation processes' | 16 | 9 | 19 | 13 | 16 | 13 | 16 |

Figures are given as a percentage of respondents answering question

As indicated in Table 1 above, the vast majority of survey respondents view the WFD as a valuable piece of legislation with the potential to deliver considerable benefit to the environment and also for their own respective organisations. For example, WFD is seen as beneficial because it has enabled access to funding by some CSOs although there is perceived uncertainty as to whether this funding will continue going forward.

WFD is regarded as having formalised catchment management as a philosophy and a delivery mechanism within the UK. However, over 40% of survey respondents indicated they do not have sufficient resources to engage effectively in the dialogue surrounding river basin planning. Several respondents believed the process *'grinds you down'* inferring that engagement in WFD is perceived as a protected process requiring patience and resilience for those involved:

'Generally we think that lack of resources all round is key – the EA don't have enough to be on top of all the issues and we don't have enough to challenge the direction of RBMPs effectively'

Qualitative feedback suggest most CSOs perceive WFD to be useful as it sets fixed targets (Good Ecological Status) for freshwaters encompassing ecological parameters. These targets were seen as lacking pre WFD. Some respondents,

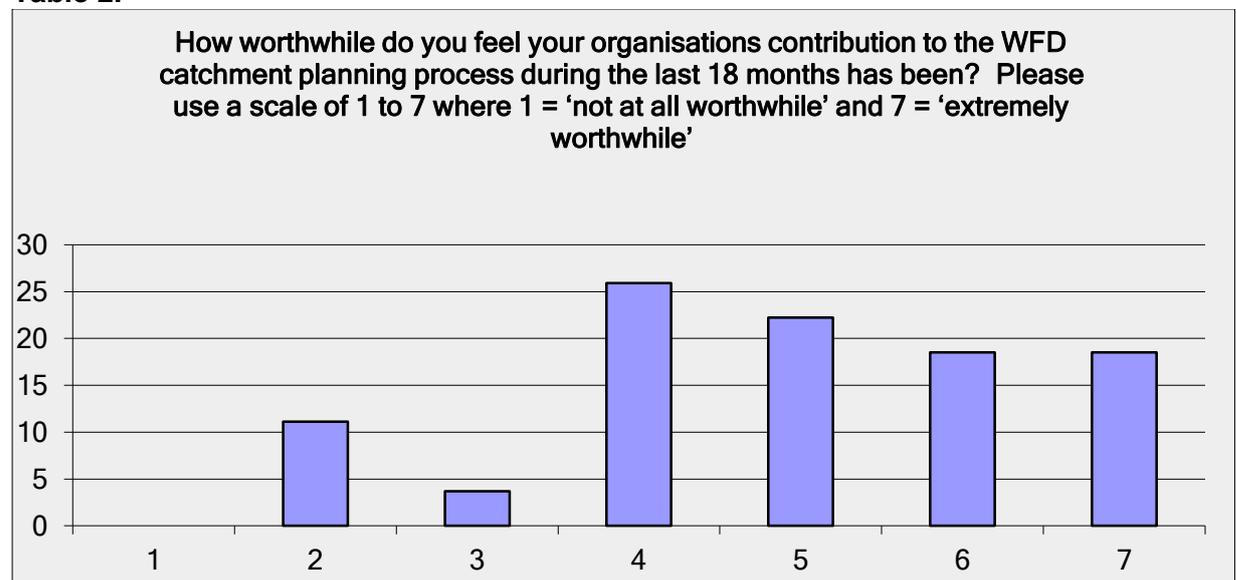
however, expressed cynicism that WFD targets have been '*watered down*', in particular due to over use of the heavily modified waterbody designation.

Some respondents felt WFD is too ecologically focussed and does not incorporate recreational and access issues into catchment management planning. This is considered important for the purposes of engaging the general public.

Level of engagement with the WFD process

85% of survey respondents stated their organisation has engaged with the Environment Agency's Water Framework Directive catchment planning process during the last 18 month period. It appears that the vast majority of respondents felt their contribution has been worthwhile (Table 2). 78% stated they are planning to respond to the EA's current consultation on River Basin Management Planning.

Table 2.



Figures given as percentage of respondents answering the question

Those respondents who did not feel their contribution has been worthwhile believe this is due to them representing a very small organisation with little influence. They do, however, feel that their representative bodies at a national level (e.g the Rivers Trust) will be listened to.

Perceived level knowledge on the WFD

Table 3.

How much knowledge would you say you have within your organisation regarding the following aspects of the Water Framework Directive? Please use a scale of 1 to 7 where 1 = 'very little knowledge' and 7 = 'extensive knowledge'

| Answer Options | 1 | 2 | 3 | 4 | 5 | 6 | 7 |
|--|---|----|----|----|----|----|----|
| The key objectives of the Directive | 6 | 0 | 0 | 13 | 22 | 22 | 38 |
| The benefits of implementing the Directive | 6 | 0 | 0 | 13 | 9 | 41 | 31 |
| What is legally required of Defra and the Environment Agency to implement the Directive | 6 | 6 | 13 | 19 | 19 | 22 | 16 |
| The process of developing the River Basin Management Plans | 6 | 0 | 3 | 16 | 25 | 25 | 25 |
| The classification system used to determine the health of water bodies under the Directive | 6 | 6 | 3 | 16 | 22 | 22 | 25 |
| The data used to determine water body health under the Directive | 6 | 16 | 3 | 16 | 19 | 22 | 19 |
| The actions or measures needed to protect enhance and restore water bodies under the Directive | 6 | 3 | 0 | 9 | 28 | 28 | 25 |

Figures are given as a percentage of respondents answering question

The majority of respondents appear to have an understanding of the overall objectives of WFD and the process of developing River Basin Management Plans. Interestingly, however, a sizeable proportion indicated they do not have a full grasp of the data used to derive water body classifications and a quarter are unsure about Defra and the Environment Agency's legal responsibilities regarding the implementation of the Directive. More detailed questioning within the qualitative research revealed that several respondents did not have a detailed understanding of the classification system and did not, for example, understand the 'one out all out' rule.

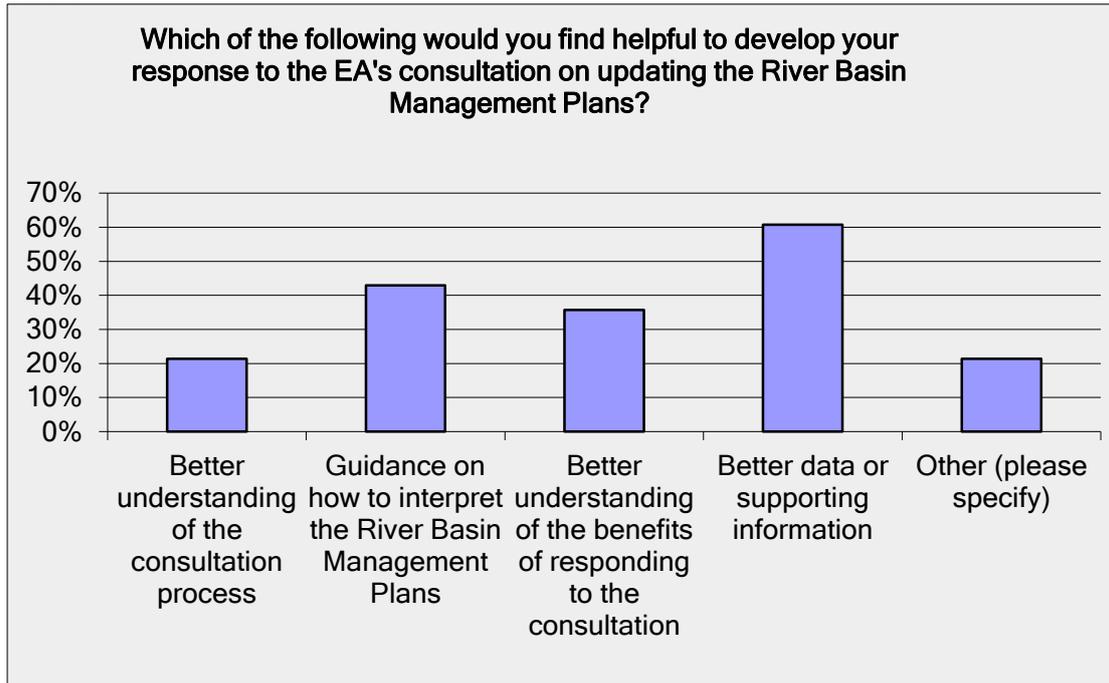
There was a clear sense from the qualitative research that many of the smaller CSO groups felt ill equipped to engage with the Environment Agency and other influential stakeholders on technical matters:

'We've flagged a pollution issue on a local river to the EA many times and have not even got a response – It's a complete waste of time dealing with them as we are seen as an amateur local group'

'EA wouldn't listen to us (local angling club). If we had two or three retired solicitors then maybe. Angling Clubs haven't got the expertise to challenge the EA but Angling Trust can provide assistance although not in all areas'

'We are volunteers rather than qualified scientists so we have to go with the published EA evidence as this is the best available...we don't know any better'

Survey respondents planning to respond to the current River Basin Management consultation were asked to consider how they might be supported in this task. As can be seen in Table 4 below, help with data and interpretation figure highly in the response profile.

Table 4.

Figures given as percentage of respondents answering the question

Detailed questioning during the qualitative research also indicated that the size of documents and volume of technical information contained surrounding the implementation of River Basin Management Plans is debilitating for many respondents. Several requests were made for 'synthesis' documents on a catchment level basis outlining: current classifications, the uncertainty surrounding the data used for these classifications; source apportionment of different pressures; potential mitigation options and indicative costs for these.

Perceptions on influence

Table 5.

How much influence and control would you say each of the following organisations has regarding making improvements to the water environment? Please use a scale of 1 to 7 where 1 = 'no influence and control' and 7 = 'a very high degree of influence and control'

| Answer Options | 1 | 2 | 3 | 4 | 5 | 6 | 7 | Don't Know |
|---|---|----|----|----|----|----|----|------------|
| Environment Agency | 6 | 0 | 3 | 0 | 15 | 29 | 44 | 3 |
| Natural England | 6 | 9 | 9 | 15 | 21 | 21 | 15 | 6 |
| Water Companies | 3 | 3 | 6 | 12 | 21 | 24 | 29 | 3 |
| Ofwat (Water Industry Regulator) | 3 | 12 | 12 | 12 | 6 | 29 | 18 | 9 |
| Local Government (inc Planning Authorities) | 6 | 3 | 9 | 24 | 26 | 18 | 12 | 3 |
| Defra | 6 | 6 | 6 | 9 | 9 | 26 | 32 | 6 |
| Environmental NGOs | 3 | 6 | 12 | 29 | 29 | 12 | 0 | 9 |

Figures are given as a percentage of respondents answering question

The data in Table 5 reveals that CSOs perceive a significant differential in influence between the environmental NGO community and the other main parties involved in the WFD agenda. The Environment Agency is regarded as having most influence in relation to the other organisations although some respondents during the qualitative research suggested it is 'difficult to know who to prod to get things done'.

Interestingly, Catchment Partnerships are not regarded as having any significant influence in catchment planning, a perception existing that decisions are being made bi-laterally by the 'usual power holders':

'Catchment Partnerships haven't got any power. For example, the Water Company's don't want to engage with catchment groups – they bypass catchment groups and work direct with the EA and Local Authorities'

'Catchment Partnerships under the CaBA programme are a great idea but for them to be successful, they need money and they need power'

Whilst the EA is seen as influential, several respondents interviewed during the qualitative research suggested even the EA is hamstrung by factors beyond its control. With regard to dealing with agricultural pollution, the Common Agricultural Policy support system was seen by many respondents as the overriding barrier to change; which sits outside the sphere of EA influence. When discussing issues surrounding the enforcement of agricultural regulations, many respondents were of the view the EA is weak in this area because of a political steer from 'above' (meaning government ministers) to apply a 'light touch'. The belief here is that the EA is operating with 'one hand tied behind its back'. In a similar frame, dealing with emissions from sewage treatment works is not regarded as within the EA's gift by many, either because emissions are below statutory thresholds or because water company investment is perceived as being restricted by the government regulator OFWAT. This has caused some respondents to conclude that lobbying MPs rather than the EA is the most effective strategy to pursue:

'We pursue a policy of influencing our local MP who has influence with the Cabinet Office, EA, and Water Companies. Involving our MP has been very successful with regard to addressing problems caused by over abstraction in our local river'

'EA can't really do much. You can have a go at them but all you'd be doing is giving some poor person a load of grief. The EA are caught between a rock and a hard place...more can be done through engagement than warfare'

There was also a feeling expressed by some respondents that the EA is an organisation dominated by flood defence priorities which results in 'WFD people within the EA being the poor relation without their own budgets to do anything'.

Do CSOs see it as their role to challenge?

Table 6.

Please state whether you agree or disagree with each of the statements below using a scale of 1 to 7 where 1 = 'completely disagree' and 7 = 'completely agree'

| Answer Options | 1 | 2 | 3 | 4 | 5 | 6 | 7 |
|---|----|---|---|----|----|----|----|
| Our organisation has a role to challenge the Environment Agency and other governmental organisations where we feel they are not doing enough to improve the water environment | 3 | 6 | 6 | 9 | 12 | 15 | 50 |
| Our organisation has a role to challenge the farming community where we feel they are not doing enough to improve the water environment | 12 | 9 | 9 | 12 | 18 | 6 | 35 |
| Our organisation has a role to challenge the water companies where we feel they are not doing enough to improve the water environment | 9 | 6 | 3 | 15 | 15 | 12 | 41 |

Figures are given as a percentage of respondents answering question

A majority of respondents regard it as their role to challenge the EA, Water Companies and the farming community to take greater steps to address water degradation issues. This is a role they accept very reluctantly however, believing central government should be giving clear guidance and expectations to regulators and the water industry rather than 'leaving it up to civil society groups to push them into doing something.'

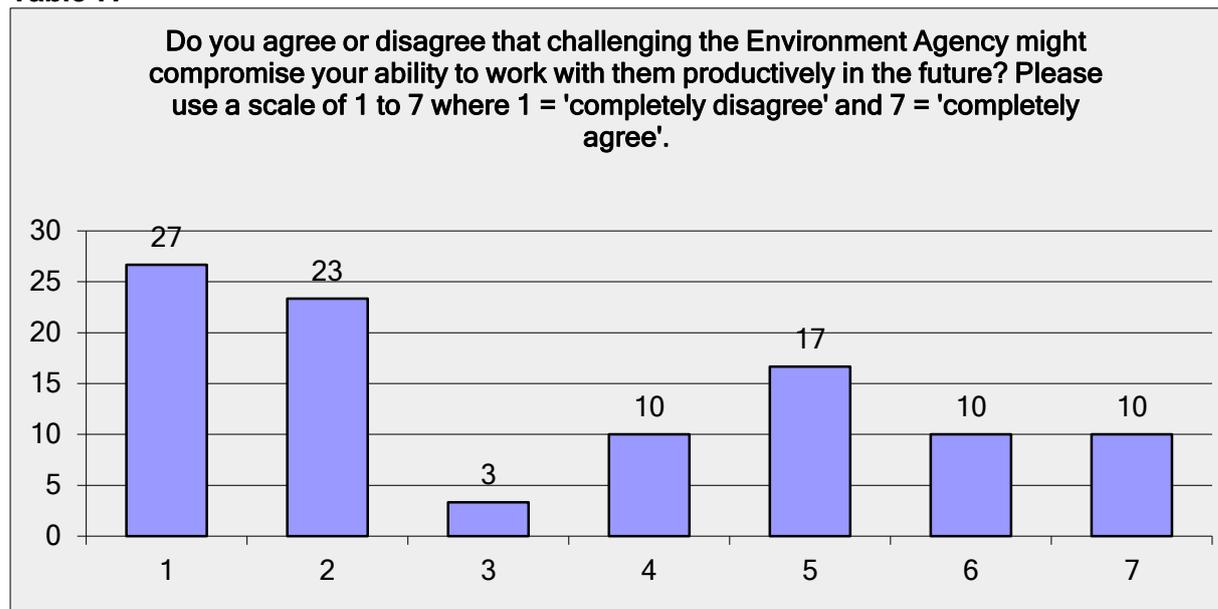
Challenging the EA

88% of survey respondents have on-going contact or a working relationship with the EA. When asked to consider whether challenging the EA might compromise working relationships, although over half didn't feel this was a problem, a sizeable minority – approximately 4 out of 10 – did see potential complications (Table 7).

'I'm happy to take on the EA but there is a reluctance in the rest of the Council to challenge the EA because people don't want to rock the boat. It's about looking out for each other...it's an easy life not to challenge'

'We receive money from the EA and the Water Companies. It is very difficult to bite the hand that feeds you. As soon as we make a noise on our website that something is not right with our local stream, someone from the water company is on the phone asking what we are doing'

Table 7.



Figures given as percentage of respondents answering the question

The qualitative research suggested CSOs see challenging the EA as best achieved through a combination of understanding their priorities, developing strong personal contacts and through *'dogged persistence'*. The following verbatim responses serve to illustrate these points:

'You need to develop good contacts with enthusiasts in the EA and support them to make sure they get recognition'

'It is possible to challenge the EA but you have to go gentle and keep at it. Trusted long term relationships is key. We recruit senior EA and Water Co people to our board to provide links'

'The way to get something out of the EA is to work out what they are trying to achieve and then help them with this. We specifically try to employ ex EA staff as they understand EA processes and relationships'

'We invest time in building contacts with Senior EA staff to let them know we are not going away. When dealing with the EA we think three ingredients are key 1) have evidence 2) have persistence and 3) have solutions'

It appears that approximately half of the survey respondents are from organisations that engage with the EA at a senior level, with 40% engaging at a Director level (Table 8). Several respondents expressed a belief that it is only through engagement at a senior level that significant pollution or water resources issues can be successfully addressed.

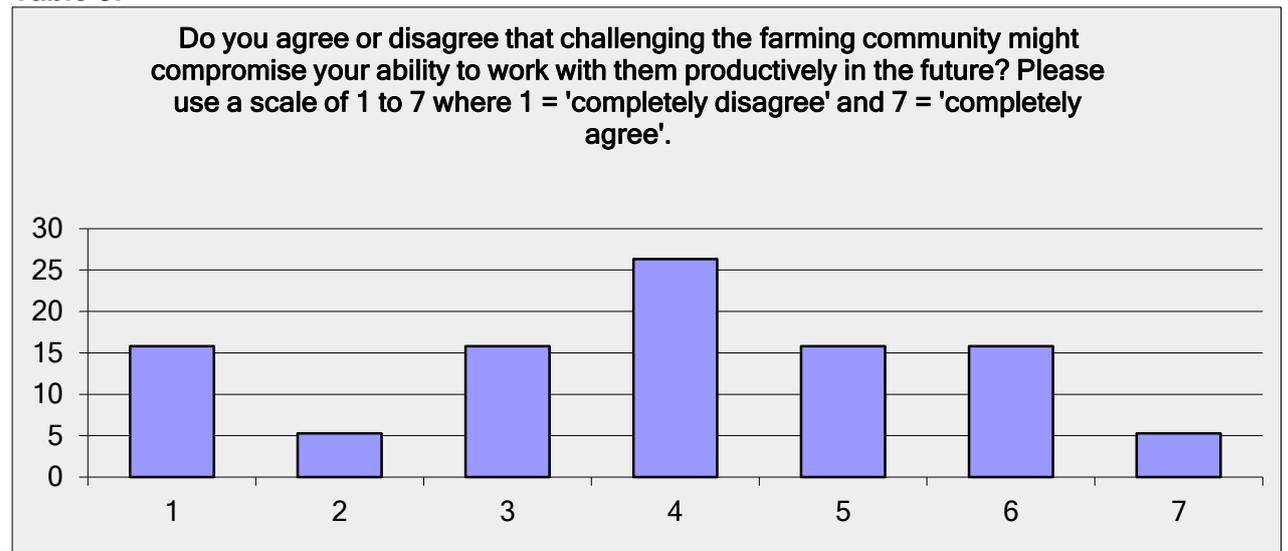
Table 8.

| At what level do you engage with the Environment Agency? | |
|---|-------------------------|
| Answer Options | Response Percent |
| Officer/Technical Level (Area Level) | 73% |
| Officer/Technical Level (National Level) | 40% |
| Middle Management Level (Area Level) | 77% |
| Middle Management Level (National Level) | 40% |
| Senior Management Level (Area Level) | 53% |
| Senior Management Level (National Level) | 47% |
| Director Level (Area or National Level) | 40% |
| Don't Know | 3% |

Figures given as percentage of respondents answering the question

Challenging the Farming Community

59% of survey respondents were from organisations that work with farmers. Opinions appear very mixed regarding whether challenging farmers over water pollution issues will compromise working relationships (Table 9).

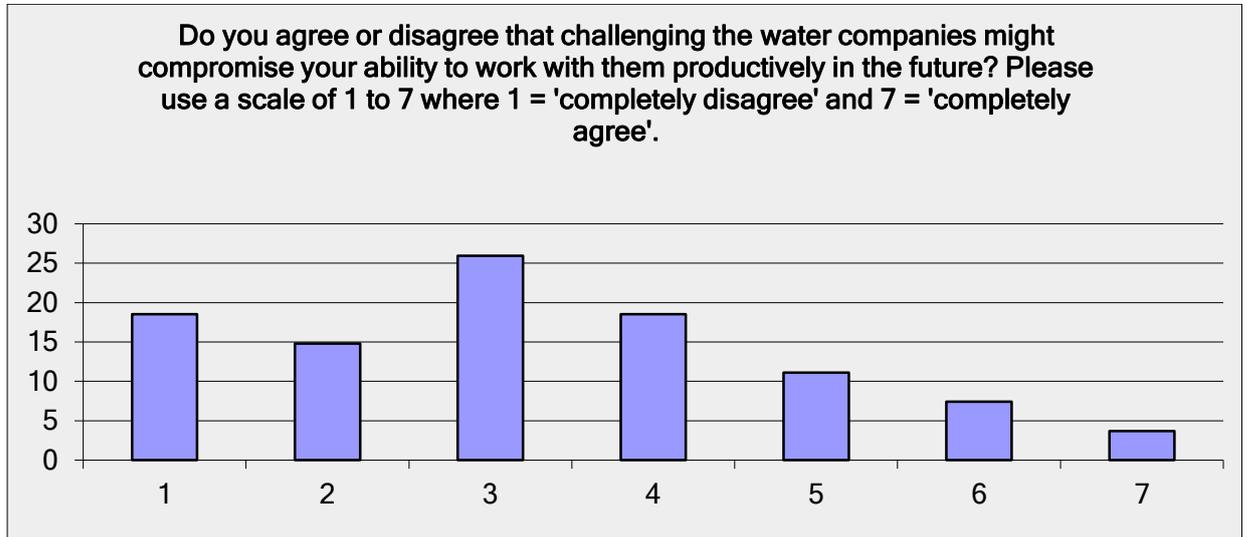
Table 9.

Figures given as percentage of respondents answering the question

Challenging Water Companies

82% of respondents have on-going interaction with the water industry. Respondents appear less concerned that challenging water companies will compromise relationships, compared to challenging the EA and farmers (Table 10).

Table 10.



Figures given as percentage of respondents answering the question

Data collection capacity

Approximately two thirds of survey respondents are from organisations that collect some form of monitoring data. Of these, 85% share this data with the EA in an attempt to influence the targeting of water quality mitigation work. It appears those sharing their data with the EA consider this to be a worthwhile exercise as over 80% of respondents were of the view this data influences the EA's decision making process. Several comments obtained during the qualitative research indicate that collecting and being able to interpret data is key to successful engagement with the EA:

'We do challenge EA on issues because I have knowledge of their dodgy data collection processes – I've been doing this job for 30 years'

'We can't challenge without having effective monitoring data. The River Fly Partnership Monitoring Process is accepted by the EA so we are training volunteers and trainers to fuel this process'

'It's OK to criticise EA as we have evidence – but how well this is received depends on the individual'

'We were seen as an irritant initially by the water company and EA. But then we started collecting proper data and got some professors on our board which then got us taken seriously. We moved from irritant to an Authority with data'

Table 11.

Thinking about your organisations in-house resources, please state whether you agree or disagree with each of the statements below using a scale of 1 to 7 where 1 = 'completely disagree' and 7 = 'completely agree'

| Answer Options | 1 | 2 | 3 | 4 | 5 | 6 | 7 | Don't Know |
|--|----|----|----|----|----|----|----|------------|
| 'We have enough trained staff and/or trained volunteers to expanding our environmental data collection activities if we want to' | 26 | 22 | 9 | 22 | 22 | 0 | 0 | 0 |
| 'A lack of financial resources for administration and insurance is a barrier to expanding our data collection activities' | 9 | 0 | 13 | 22 | 9 | 26 | 17 | 4 |
| 'We have sufficient in house expertise to interpret any environmental monitoring data we collect' | 4 | 4 | 13 | 17 | 35 | 17 | 9 | 0 |

Figures are given as a percentage of respondents answering question

Those respondents from organisations either currently or planning to collect environmental data were asked to consider the quality and quantity of their in-house resource. As demonstrated in Table 11, it would appear that resourcing issues are a problem for a significant number of respondent organisations.

4. Recommendations

Based on the research exercise undertaken under Action A3, the following recommendations are made regarding how CSOs can be empowered to play a greater role in facilitating the aims of the Water Framework Directive:

Develop a WFD guidance pack and key contacts list for CSOs

Whilst many of the CSOs interviewed perceive a benefit in engaging with the WFD process, understand the WFD classification system and believe they know how to influence the catchment planning process, there is a sizeable minority who remain confused about the relevance of WFD and how they can best make a difference.

It was, therefore, suggested by several respondents that a guide is produced for each CaBA catchment area including:

- Engagement summary – a ‘why and how to’ guide outlining why the WFD is relevant to different stakeholder groups, what it has the potential to achieve, and how they can get involved in influencing decisions
- Technical summary - current classifications, the uncertainty surrounding the data used for these classifications, source apportionment of different pressures, potential mitigation options and indicative costs for these
- A Who’s Who profile – a list of personnel (with contact details) from key organisations (e.g EA, Water Companies, Farming Organisations, Natural England, Local Authorities) who have a responsibility of WFD related matters

Train CSOs to collect and interpret catchment data

The research clearly indicates that CSOs make a link between ‘knowledge and influence’. When in possession of sufficiently bone fide monitoring data, CSOs have a far greater ability to successfully lobby for specific actions to be taken within river basin management plans. It is recommended that steps are taken to support CSOs to increase their ability to collect and interpret monitoring data. Support for existing initiatives such as the River Fly Partnership and the Data Resources Package made available by the Rivers Trust should be maintained. In addition, additional training for CSOs in the interpretation and synthesis of data emerging from these programmes should be rolled out nationally.

Train CSOs to write funding applications

Lack of ability to engage in WFD planning and delivery largely revolves around lack of human resources; either time, skills or both. Financial resources enable paid staff or volunteers to be acquired and trained but obtaining finance is a skill set in itself which was seen as lacking by several respondents interviewed during the research. Appropriate training in funding applications and bid writing has been identified as a means of plugging this gap.

There is potential for CSOs to increase the recruitment of volunteers to assist with the collection of monitoring data but this will carry unavoidable overheads in the form of Health & Safety procedures and liability insurance. Financial support would greatly facilitate CSOs to accommodate these overheads which links to the need for finance raising skills as mentioned above.

Help CSOs identify and support ‘Change Agents’ within public and private sector organisations

A reoccurring theme emerging from respondent interviews is that key individuals within the Environment Agency, Water Companies, the Farming Community and the Business Community more widely can make a significant difference to finding solutions to WFD relevant issues and driving through changes in approach. Whilst these individuals tend to have senior status within their specific sectors, this is not always the case. They are defined by having a blend of attributes including a willingness to take risks, diplomacy, technical ability and a public benefit ethos.

It is suggested CSOs are trained to identify and support these people to circumvent institutional and cultural barriers that might stand in the way of them taking positive action.

Provide CSOs confidence to engage in WFD by giving them ‘catchment collaborator’ affiliation with a high profile Conservation NGO

Several respondents felt their respective organisations are not large enough and do not have sufficient status to effectively lobby the EA, Water Companies or other key stakeholder organisations. They asked whether it would be possible for them to obtain some sort of official ‘*collaborator status*’ with high profile NGOs such as WWF (subject to an appropriate vetting of their suitability) which they felt would give them increased standing and improve the chances of being taken seriously. Being part of a national or indeed international initiative backed by a respected well known conservation brand(s) was seen as particularly attractive.

Assist CSOs to examine their relationships with key stakeholder groups to assess the potential for developing a ‘challenging friend’ role

Survey responses suggest that a number of CSOs are reluctant to challenge stakeholders they work with – particularly the Environment Agency and farmers – through fear that such action will compromise working relationships. WWF might consider further dialogue with these CSOs to explore whether they see any merit in developing a ‘challenging friend’ role. This could involve the use of evidence based constructive criticism and the adoption of appropriate language and engagement techniques.

Address perceived power relationship imbalances between the CSO community (third sector) and other catchment stakeholders

The research findings strongly indicate that CSOs do not feel they have as much influence and control over catchment management decision making as other stakeholders such as the Environment Agency and Water Companies. Catchment Partnerships established under the Catchment Based Approach are not perceived to be influential decision making bodies. Such perceptions from within the CSO community may lead to disengagement from the WFD planning process going forward. To prevent this from happening, it is suggested the legitimacy and standing of Catchment Partnerships is clarified; possibly incorporating a formal MOU between governmental and non-governmental stakeholder entities.



This report has been commissioned by WWF-UK, however, the views are those of report author, Alex Inman, and do not necessarily reflect the views of WWF-UK.