

DE&S SAFETY AND ENVIRONMENTAL PROTECTION LEAFLET 18/2023

**DELIVERING SOUND ENVIRONMENTAL PERFORMANCE IN DE&S
ACQUISITION**

Sponsor: DES EngSfty- QSEP Hd

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INTRODUCTION

1. The roles and responsibilities defined in this Leaflet provide the formal structure for environmental delegations to be used in DE&S throughout the acquisition lifecycle of Products, Systems and Services (PSS). This structure is essential *“to ensure environmental performance is consistently and appropriately influenced across decision-making points”* [1] in DE&S.
2. To enable individuals to successfully exercise and discharge their environmental responsibilities, this leaflet also defines measures of success to ensure ‘PSS delivers sound environmental performance’.
3. Together these provide a consistent framework within which:
 - a. decision makers can make informed, balanced, and proactive decisions to improve the environmental performance of PSS; and
 - b. DE&S will report on the environmental performance of PSS through an enhanced and clearer environmental governance framework.

BACKGROUND

4. The UK Government published its Environmental Principles Policy Statement [2] which commits that *“we will be the first generation to leave the environment in a better state than that in which we found it”*. Consequently, as a government organisation, the MOD is required to place environmental considerations at the heart of policymaking.
5. The Defence wide environmental assurance framework, laid out in Joint Service Publication (JSP) 816 [3], outlines that the success of a Defence Organisation’s Environmental Management System (EMS) can be established by *“the extent to which a Defence organisation has a vision, clear aims and objective about what it can and wants to achieve in terms of the Environment”*.
6. This also reflects the ISO 14001 EMS [4] requirement that *“top management shall ensure that the responsibilities and authorities for relevant roles are assigned and communicated within the organization”*. This includes the responsibility for *“reporting on the performance of the environmental management system, including environmental performance, to top management”*.

7. In order to meet UK Government commitments, the requirements of JSP 816 and ISO 14001, DE&S will be update¹ its corporate Environmental Protection Policy Statement to reflect three principal environmental commitments for DE&S across all activities, as shown in Figure 1.

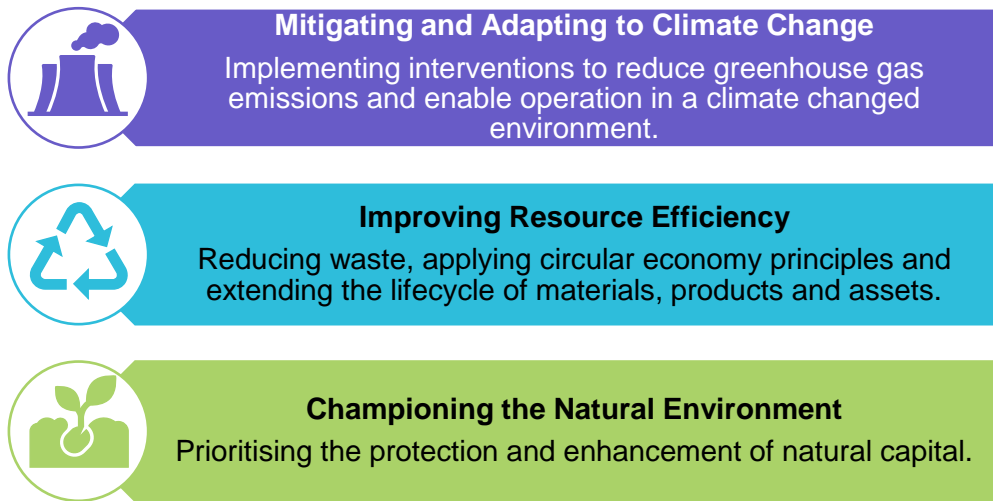


Figure 1: DE&S Principal Environmental Commitments

8. DE&S must therefore champion these three principal environmental commitments in the context of its acquisition activities. To enable robust performance against these commitments it is necessary to improve the defined purpose, responsibilities and governance of the DE&S acquisition EMS. This will be achieved through a set of defined environmental outcomes for PSS, which promotes informed decision-making across all functions involved in acquisition activities (e.g., commercial, engineering, finance, operational delivery, and project delivery). This will ensure that environmental outcomes are suitably considered and prioritised at decision-making points by individuals who are using robust information and evidence that is presented in a consistent way.
9. By robustly viewing DE&S acquisition activities through an environmental lens, an environmental culture can be engendered which sees DE&S delivering solutions that are more environmentally sustainable. Therefore, it is imperative that DE&S evolve the way in which it considers environmental protection² and environmental sustainability³ in acquisition (e.g., requirements definition, procurement, through-life support, and end-of-life management). ‘Sound environmental performance’ should be used as an enabler for resilient capability.

¹ Update due early 2025.

² **Environmental Protection** is about maintaining, and recovering where necessary, a healthy natural environment through preventing the emission of pollutants or reducing the presence of polluting substances [6].

³ **Environmental Sustainability** is about acting in a way that ensures future generations have the natural resources available to live an equal, if not better, way of life as current generations. It looks to address the environmental elements of sustainable development [6].

SOUND ENVIRONMENTAL PERFORMANCE

10. Delivering PSS with sound environmental performance is the ultimate objective of acquisition environmental management activities in DE&S. 'Sound Environmental Performance' is defined as the application of valid reasoning and good judgement to proactively improve environmental performance⁴ and shall be assessed against the following Outcomes:

Outcome 1 - Compliance Obligations

a. **[The PSS] fulfils environmental compliance obligations** from:

- i. Legal requirements (to ensure PSS are legal to procure, legal to operate, legal to support, and legal to dispose of);
- ii. Defence specific requirements, such as Defence Regulations, MOD Policy, and Commercial Policy;
- iii. DE&S requirements, such as DE&S organisational commitments or policy; and
- iv. User and wider stakeholder requirements.

b. Specific operational constraints and limitations are communicated to, and agreed with, the Senior Responsible Owner (SRO) or Military Command client.

Outcome 2 - Unintended Events

c. **[The PSS] prevents or mitigates the potential for unintended** (e.g., emergency, unplanned) **events which could result in adverse environmental impact(s)**, by demonstrating that DE&S has undertaken due diligence to procure, design and maintain PSS that ensures:

- i. All reasonable precautions are taken to prevent such events; and
- ii. All reasonable control and remediation measures can be taken by the operator after the event to limit harm to the environment.

d. Precautions and mitigations identified outside DE&S' area of responsibility are communicated to the SRO or Military Command client.

Outcome 3 - Opportunities

e. **Opportunities** available to DE&S (through requirements setting, procurement decisions, design changes, and maintenance regimes) **are used to:**

- i. **Enhance environmental performance⁵ of [the PSS];** and
- ii. **Support sustainable procurement.**

f. Opportunities identified outside DE&S' area of responsibility are recommended to the SRO or Military Command client that could improve the environmental performance of the PSS, beyond a compliance baseline, as a means of providing risk mitigation and delivering resilient capability through life.

Outcome 4 - Adaptation and Resilience

g. Ensure changing environmental conditions resulting from, for example, climate change and environmental degradation are recognised, and due diligence is applied when procuring, designing, and supporting PSS to ensure **[the PSS] is resilient to changing environmental conditions and can therefore maintain operational capability.**

⁴ '[Environmental Performance](#)' is defined as 'a measurable result associated with an environmental aspect', where '[Environmental Aspect](#)' is defined as 'an element of an organisation's activities or products or services that interacts or can interact with the environment'.

⁵ Annex B outlines eight objectives devised for PSS. These objectives should be used as a key point of reference for decision-making when exploiting opportunities to enhance environmental performance.

- h. Potential constraints and limitations are communicated to the SRO and Military Command client, as well as opportunities for mid-life upgrades and adaptations to enable resilience.
- 11. These outcomes have been embedded within the guidance provided in the acquisition EMS [5]. Delivery Teams, or equivalent, shall:
 - a. Use this structure for all new projects and programmes to assess whether the ‘PSS delivers sound environmental performance’; and
 - b. Migrate existing environmental cases to this structure where opportunities are presented e.g., when an environmental case report is re-issued.
- 12. To support this, a recommended structure is provided in Annex A to translate these outcomes into the supporting claims and arguments of an environmental case.

ACQUISITION ENVIRONMENTAL RESPONSIBILITIES

- 13. The DE&S CEO, as **Accountable Person**, shall cascade environmental responsibilities within DE&S. This cascade is summarised in Figure 2 and described in the subsequent paragraphs.

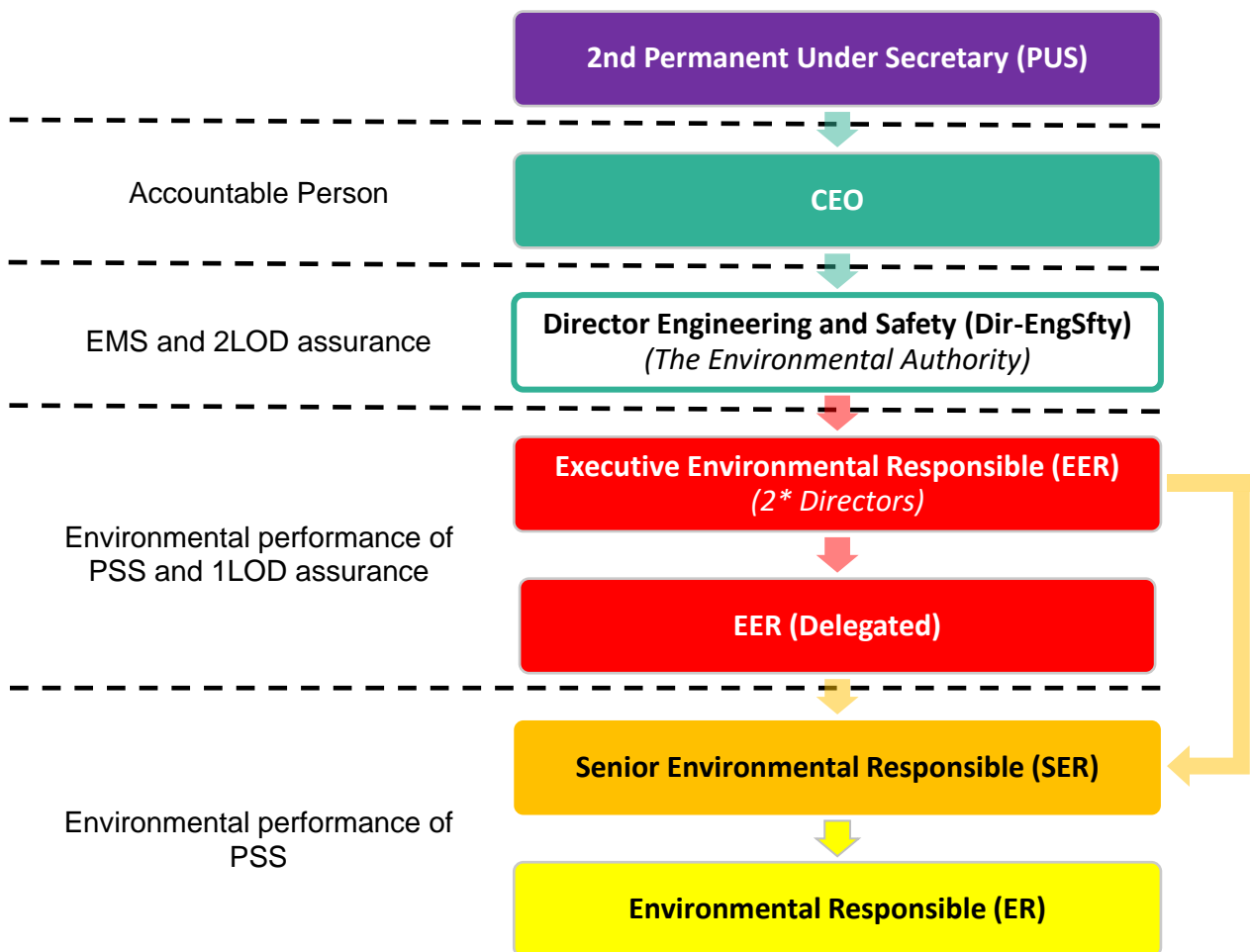


Figure 2: Overarching Environmental Responsibilities Cascade

- 14. The Director Engineering and Safety (Dir-EngSfty), who holds the role of **The Environmental Authority**, is accountable to the CEO (via a formal letter of delegation) for:
 - a. Appropriately cascading, on the CEO’s behalf, responsibility to protect the environment from harm with respect to the PSS delivered and supported by DE&S;

- b. Defining and managing the single EMS⁶ covering acquisition activities in DE&S and ensuring it is fit for purpose to:
 - i. enable DE&S to fulfil its environmental compliance obligations;
 - ii. continually improves the environmental performance of our PSS through acquisition activities; and
 - iii. meet the environmental assurance framework outlined in JSP 816 [3] and the requirements of ISO 14001 [4].
 - c. Conducting Second Line of Defence (2LOD) assurance activities.
15. To fulfil the requirement above, the Dir-EngSfty will formally identify (via letters of delegation) individuals within DE&S as **'Executive Environmental Responsible' (EER)**⁷. Where the EER is responsible for:
- a. Ensuring the PSS within their area(s) of responsibility meet Outcome 1 (Compliance Obligations) and Outcome 2 (Unintended Events) of sound environmental performance;
 - b. Identifying opportunities for the PSS within their area of responsibility to meet Outcome 3 (Opportunities) and Outcome 4 (Adaptation and Resilience) of sound environmental performance as a means of providing risk mitigation and delivering resilient capability through life;
 - c. Highlighting to the Dir-EngSfty any opportunities to improve DE&S's environmental management arrangements to support the delivery of PSS with sound environmental performance; and
 - d. Conducting 1LOD assurance for their scope of responsibility to ensure activities are being conducted in accordance with the DE&S EMS.
16. The EER may delegate some, or all, of their responsibilities to one or more appropriately competent (see Annex C) individuals; these individuals will be known as **'Executive Environmental Responsible (Delegated)' (EER(D))**.
17. An EER (or EER(D) where appropriate) should delegate their responsibility relating to sound environmental performance (point 15.a) to one or more appropriately competent (see Annex C) individuals as the **'Senior Environmental Responsible' (SER)** for nominated PSS.
18. The SER may delegate to appropriately competent (see Annex C) individuals as an **'Environmental Responsible' (ER)**.
19. The SER is required to sign off the two key environmental artefacts associated with PSS; namely the Environmental Management Plan (EMP) and Environmental Case Report (ECR); this responsibility may be delegated to an ER.
20. Environmental Professionals are outside the formal delegation chain, unless fulfilling one of the roles outlined above. Nonetheless, individuals aligned to the Environmental Professionals success profile in DE&S shall be tasked by those within the delegation chain to undertake environmental management activities and produce environmental artefacts.

⁶ The single EMS will be documented within the DE&S interim Management System (iMS) and ASEMS [5].

⁷ Within the Senior Leadership construct of the new DE&S Operating Model, EER individuals may also be the Executive Safety Responsible (ESR) individual for their area. Therefore, where an individual holds both the ESR and EER delegation, they may be denoted as Executive Safety and Environmental Responsible (ESER). This Leaflet focuses on the environmental responsibilities only; S&EP Leaflet 17/23023 and 19/2024 cover the safety responsibilities.

GOVERNANCE

21. Within the new DE&S Operating model, environmental governance is covered under two associated arrangements:
- a. Safety and Environmental Governance (into the Safety, Health and Environmental Committee (SHEC)) – which will ensure that the DE&S EMS is fit for purpose and that PSS meet Outcomes 1 and 2 of sound environmental performance; and
 - b. Corporate Governance (into the Executive Leadership) – which will ensure that environmental management activities are sufficiently resourced and are driving environmental performance improvement, that goes beyond a compliance baseline (Outcomes 3 and 4 of sound environment performance).

Safety, Health and Environmental Committee

22. The DE&S SHEC shall provide oversight and strategic direction to support the CEO fulfil the environmental responsibilities placed on him by the 2nd PUS, and in his role as a member of the Defence Safety and Environmental Commitment. A Non-Executive Director member of the DE&S Board will maintain oversight of environmental matters as a standing member of the SHEC, and in turn provides challenge to the Committee and the Executive Leadership Team on environmental matters.
23. To support the CEO, EERs are members of the SHEC and are required to:
- a. Escalate to the SHEC activities that cannot be conducted within the construct of environmental protection legislation or Defence Regulation (aligned to Outcome 1 of sound environmental performance – paragraph 10);
 - b. Escalate to the SHEC activities that cannot be conducted without risking serious environmental harm (aligned to Outcome 2 of sound environmental performance – see paragraph 10);
 - c. Provide assurance that activities within their scope of responsibilities are being conducted in accordance with the DE&S EMS or highlighting shortfalls that cannot be addressed within the scope of their responsibilities.

Theme Environmental Committees

24. The EERs shall chair the environmental committee for their area of responsibility ('Theme'), which report into the SHEC and, where appropriate, corporate governance arrangements.

Acquisition Environmental Steering Group

25. The Acquisition Environmental Steering Group (AESG), chaired by The Environmental Authority, also reports into the SHEC and, where appropriate, corporate governance arrangements.
26. The AESG provides a collaborative forum with the overarching aim to improve the environmental performance of the PSS delivered by DE&S. Specifically, the AESG will identify opportunities to improve acquisition environmental management arrangements and oversee 2LOD environmental assurance activities.

ANNEX

Annex A – Top Level Environmental Claim and Support Claim Structure

Annex B – Objectives to Enhanced Environmental Performance

Annex C – Training requirement associated with Environmental Responsibilities

REFERENCES

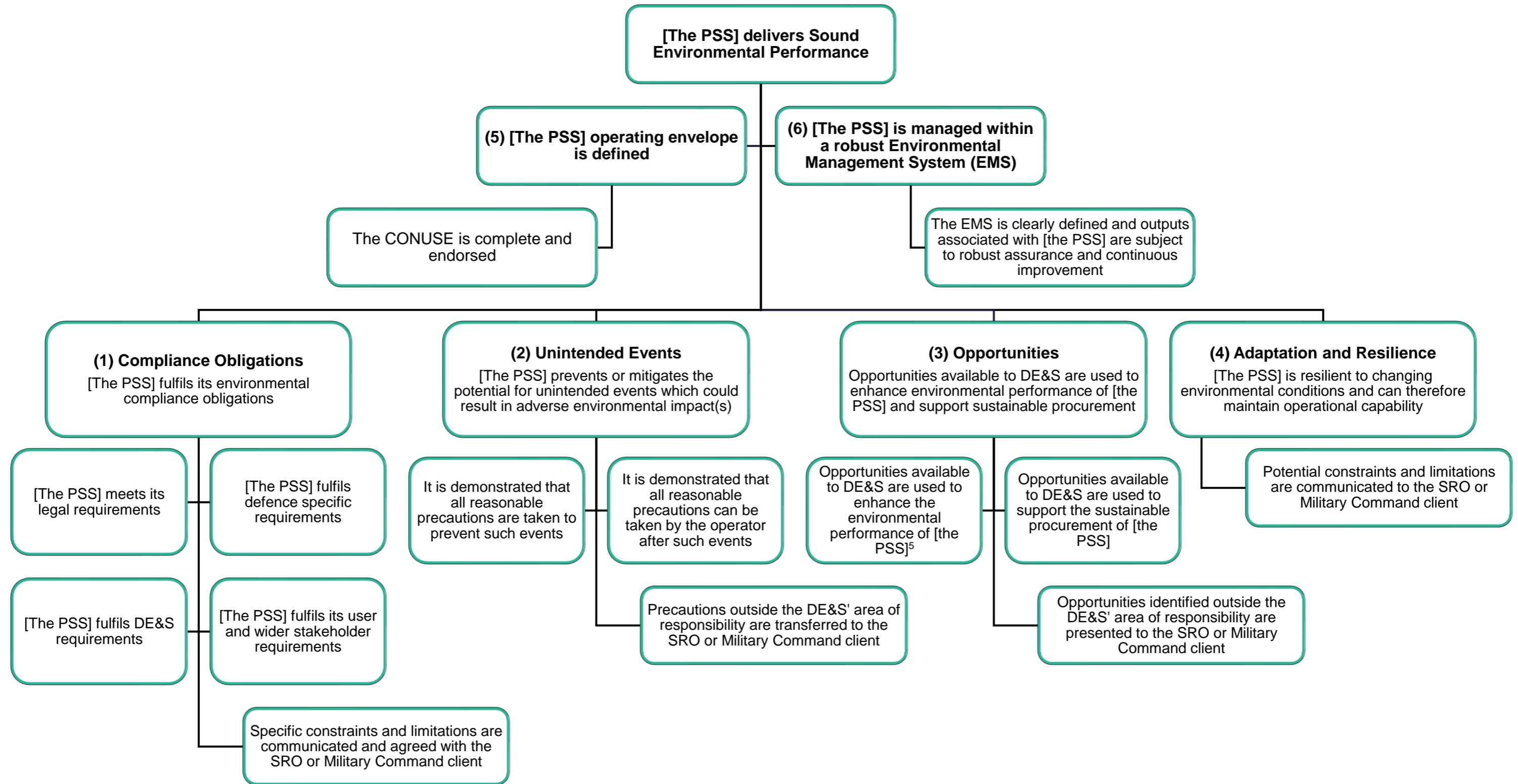
- [1] Defence Equipment and Support, “DE&S Environmental Strategy (DE&S 2025),” November 2021. [Online]. Available: <https://des.mod.uk/our-new-environmental-strategy/>.
- [2] DEFRA, “Environmental Principles Policy Statement,” UK Government Policy Paper, 31 January 2023. [Online]. Available: <https://www.gov.uk/government/publications/environmental-principles-policy-statement/environmental-principles-policy-statement>.
- [3] Ministry of Defence, “JSP 816: Defence Environmental Management System Framework Part 1,” February 2023. [Online]. Available: <https://www.gov.uk/government/publications/defence-environmental-management-system-framework-jsp-816>.
- [4] ISO, “14001:2015 Environmental Management Systems”.
- [5] DE&S, “Acquisition Safety and Environmental Management System (ASEMS),” [Online]. Available: <https://www.asems.mod.uk/>.
- [6] DE&S, “DE&S Environmental Strategy (DE&S 2025),” November 2021. [Online]. Available: <https://des.mod.uk/our-new-environmental-strategy/>.

ACRONYMS / ABBREVIATIONS

AESG	Acquisition Environmental Steering Group
ASEMS	Acquisition Safety and Environmental Management System
DE&S	Defence Equipment and Support
EER	Executive Environmental Responsible
EER(D)	Executive Environmental Responsible (Delegated)
EMS	Environmental Management System
ER	Environmental Responsible
GGC	Greening Government Commitments
iMS	Interim Management System
ISO	International Standards Organization
JSP	Joint Service Publication
LOD	Line of Defence
PSS	Products, Systems and Services
SER	Senior Environmental Responsible
SHEC	Safety, Health, and Environmental Committee
SRO	Senior Responsible Owner

Annex A – Top Level Environmental Claim and Sub-Claim Structure

27. The descriptions used within the ‘(1) Compliance Obligations’, ‘(2) Unintended Events’, ‘(3) Opportunities’ and ‘(4) Adaption and Resilience’ sub-claims are an abridged version of paragraph 10; paragraph 10 should be used as main referenced to provide full context.



⁵ Annex B outlines eight objectives devised for PSS. These objectives should be used as a key point of reference for decision-making when exploiting opportunities to enhance environmental performance.

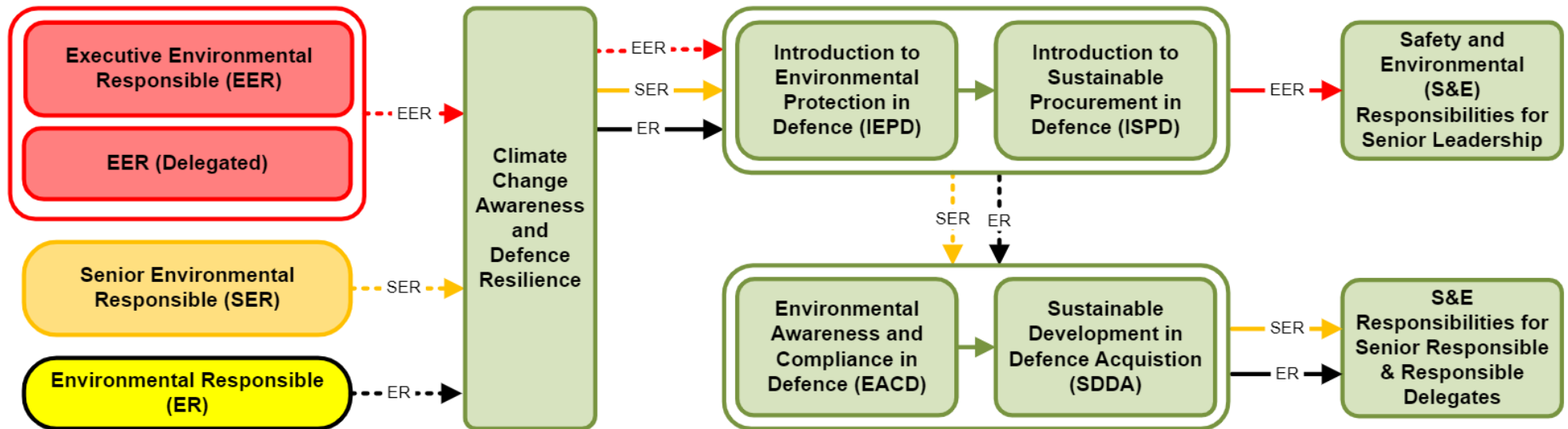
Annex B – Objectives to Enhanced Environmental Performance of PSS

28. The following set of high-level objectives have been devised to enhance the environmental performance of PSS beyond a baseline compliant position. These are categorised into three themes; the DE&S’ principal environmental commitments (see Figure 1). They reflect the significant, common, environmental aspects of DE&S’ PSS and should be used as a key point of reference when exploiting opportunities to enhance the environmental performance of PSS.



Annex C – Training requirement associated with Environmental Responsibilities

29. The following diagram summarises the training requirement that supports the competency of individuals with environmental responsibilities.



Note:

If delegations do not cover all four outcomes of Sound Environmental Performance (as defined in S&EP Leaflet 18/2023), the following can be used to guide which training is most suitable for the delegation:
 > IEPD/EACD - Outcomes 1 and 2 of Sound Environmental Performance
 > ISPD/SDDA - Outcomes 3 and 4 of Sound Environmental Performance