

# Explaining our corporate performance measures 2023-2024



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## Introduction

In our Annual Operating Plan 2023-2024 we set out nine performance measures. We will report our performance against those measures each quarter and publish the reports on our website. The reports will help the Corporate Leadership Team, the Board and the Scottish Government assess our progress.

This document sets context around each of the nine performance measures. It will help people who are unfamiliar with our work to understand the performance measures and the quarterly reports.

## Performance Measures 2023-2024

### 1. Implementation of three river restoration projects

Rivers are a vital part of our landscape and a great asset to Scotland. They provide wildlife corridors and opportunities for recreation and wellbeing. They also provide resources for farming, drinking water, beverage production and hydroelectricity. Like many of our natural resources our rivers are under pressure, and in places they are damaged.

We administer the Water Environment Fund on behalf of the Scottish Government. Using the fund, we work on a variety of river restoration projects with partners, who are mainly local authorities, to improve the physical condition of rivers. This work helps meet the objectives in Scotland's third [River Basin Management Plan](#).

Through the restoration of river beds and banks we aim to restore as many natural characteristics of a river as possible and reintroduce natural habitats and biodiversity. This can be through the removal of concrete pipes or channels that rivers were often directed into in the past. It might involve the reintroduction of more natural river forms where they have been previously straightened. It can also mean the reintroduction of native plant species and vegetation on the riverbanks.

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The Water Environment Fund programme of work this year has a budget of £3.9 million. It includes 14 river restoration projects at various stages, from concept design to ground works. Many partners in these projects are using other funding sources to carry out additional improvements adjacent to the rivers. In this way the projects are bringing much wider environmental and societal benefit to communities, such as access to enhanced green and blue spaces or reducing the impact of flooding.

The projects, which are all led by partner organisations, can take more than six years from the initial concept to completion of the construction. This measure will track the progress of three of these projects, which will start or complete construction this year. Those three projects are: the River Levern in East Renfrewshire; the Glazert Water in Lennoxton and the River Leven in Fife.

## **2. Increase in the length of river where fish movement is not restricted by man-made barriers.**

Some structures in rivers restrict fish migration. We are working with the owners and operators of those structures, to ease or remove them. This will open large areas of habitat for threatened migratory fish species, such as salmon, eels and lamprey.

This work will contribute to the improvement of the water environment set out in Scotland's third [River Basin Management Plan](#). It is also a key action in the [Scottish Wild Salmon Strategy](#). We are working on a programme to remove or ease 244 man-made barriers to fish migration by December 2027.

We work on three types of man-made barriers to fish migration:

- Active barriers are weirs and impoundments which support a range of sectors including hydropower generation, public water supply and distilleries. We will work with operators using our regulatory powers to ensure these structures allow fish passage.
- Asset barriers are structures like bridges and culverts owned by local authorities, Transport Scotland, Network Rail and others. We will work with the owners and operators using our regulatory powers to ensure these structures allow fish passage.

- Historic barriers are redundant weirs and impoundments often associated with historic industrial activities. We will work with owners through the Water Environment Fund to remove the structure or otherwise allow fish passage.

This year we plan to complete two projects through the Water Environment Fund, opening up 69 kilometres of river previously inaccessible to migratory fish. We also plan to work with owners and operators of six active and asset fish barriers to issue or vary licences requiring fish passage.

We will report on the length of river opened by removing or easing a man-made barrier or where we have varied a licence requiring the easement of fish passage. We will also report any works completed by operators to remove barriers or ease fish passage.

In addition, we will continue to investigate and scope out the work required on a further 90 barriers, to determine if action is needed. The table below shows the man-made fish barrier programme as of June 2023. The programme began in December 2021. Where action is required, the work must be complete by December 2027.

#### Man-made fish barrier programme progress at June 2023

Project Stage	Number of barriers
0 – No action required	49
1 – Scoping	106
2 – Licensing and Design	65
3 – Works	7
4 – Works Complete	17

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### 3. Reduction in the number of illegal sites in year.

We regulate activities which can harm the environment. This includes activities that could pollute water, air or land, waste management and the management of radioactive substances.

Businesses that carry out these activities must comply with regulations and, in some cases, need an appropriate authorisation.

Some operators carry out activities illegally. That means that they breach the regulations, do not have the proper authorisation, or carry out activities which would have such a detrimental impact on the environment or local communities that we would never authorise them in the first place.

At the start of April 2023, we were aware of 325 illegal sites. Throughout the year we use intelligence and investigations to identify other illegal sites. The number of sites we are aware of varies each month depending on what we find.

We categorise sites based on risk factors including environmental harm, level of criminality, impact on communities and financial benefit. We explain our categories in the table on the next page.

While we do not want any illegal sites operating in Scotland, our highest priority is tackling the red risk sites as they cause the greatest harm to our environment, communities and legitimate businesses. This work takes significant time and resource. Operators at these sites may be in breach of different regulations, so we often work with other agencies to disrupt them. Together we use a wide range of interventions to disrupt and deter the illegal activity. Our interventions often run alongside a criminal investigation, so as well as tackling the illegal activity and harm, we are also working to bring those responsible to justice. Given the complex nature of the activities on these sites, it can take a long time to address all the issues. We have 25 red risk sites which we have been working on for the past two years, which are not yet resolved.

The purpose of this measure is to make sure that our work is having the desired impact of stopping illegal activities taking place. Over the year we will record the number of illegal sites that we know about and report how many of them have ceased to carry out the illegal activities.

## Categories of illegal environmental sites

Category	Description	No <sup>1</sup>
Red	<p>These sites pose the greatest risk. They include:</p> <ul style="list-style-type: none"> <li>• significant illegal landfills.</li> <li>• large illegal waste storage and disposal sites associated with serious and organised crime groups.</li> <li>• multiple illegal end-of-life vehicle operations at one site with criminality.</li> <li>• misclassification of waste for illegal disposal on a significant scale</li> <li>• river engineering activities</li> <li>• impoundments, abstractions or discharges to the water environment that could cause a downgrade to a waterbody.</li> </ul>	59
Amber	<p>These sites pose less of a risk but can still have a detrimental impact on the environment, communities or legitimate businesses. Sites may include:</p> <ul style="list-style-type: none"> <li>• large illegal end-of-life vehicle sites,</li> <li>• chronic burning of waste,</li> <li>• illegal waste collection and transportation,</li> <li>• river engineering activities,</li> <li>• impoundments, abstractions or discharges to the water environment that cause significant localised harm.</li> </ul>	84
Green	<p>These sites pose the least risk. They are still illegal and unauthorised but may not operate as frequently and on a smaller scale. Sites may include:</p> <ul style="list-style-type: none"> <li>• illegal use of inert material on a site,</li> <li>• small scale burning,</li> <li>• illegal disposal of green waste,</li> <li>• small scale illegal end-of-life vehicle site,</li> <li>• river engineering activities,</li> <li>• impoundments, abstractions or discharges to the water environment that cause minimal harm.</li> </ul>	182

<sup>1</sup> Number of known sites in each category on 1 April 2023

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We are seeing a growing trend in illegal operators advertising on social media and trader websites. This can lead to increases in illegal waste carrying and disposal. We want to tackle these operators to prevent escalation of this growing trend, so we are carrying out targeted campaigns. For example, we might investigate people who are advertising illegal waste removal services on social media. Although these people do not work from a specific site, we will still report the number of illegal operators we discover through these campaigns and how many of them we manage to disrupt or bring into compliance.

#### **4. Complete the implementation of an integrated and simplified authorisation framework in line with statutory deadlines.**

In 2018, the Scottish Government passed the [Environmental Authorisations \(Scotland\) Regulations](#). They introduced a framework of common procedures to standardise and simplify the process for complying with environmental legislation in Scotland. We refer to it as the integrated authorisation framework.

On 1 September 2018, radioactive substances were the first activities brought under the integrated authorisation framework. Later this year, the Scottish Government plans to consult on draft regulations which will bring waste, water and pollution prevention and control activities under the same framework.

The framework aims to integrate, as far as possible, the authorisation, procedural and enforcement arrangements relating to water, waste management, radioactive substances and pollution prevention and control. Once it is in place, we will be able to work in a more integrated way, focusing on the environmental risks that matter the most. It provides a significant opportunity to modernise our systems and procedures and deliver services that are easy for everyone to use and understand.

To ensure we are ready to deliver the benefits from the regulations, we have established a dedicated project. The focus of our work this year will include:

- supporting the Scottish Government with the drafting of the new regulations.



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- publishing a consultation on our proposals for an integrated authorisation framework.
  - reviewing consultation responses and carrying out a discovery exercise to inform simplified, accessible, and equitable service design.
  - ensuring we are prepared to receive and determine all applications under the new regulations.
  - ensuring we are prepared to use new enforcement powers set out in the regulations.

## 5. Achievement of being regenerative by 2030 and net zero in direct emissions by 2025

As a society we are over-using our planet's resources. This has resulted in a climate crisis, a biodiversity crisis, and a resource use crisis. As Scotland's environmental regulator, we are requiring and encouraging businesses to reduce their impacts. We must do the same.

Our goal is to become a regenerative organisation. This means tackling the direct and indirect environmental impacts we have, by reducing them to net zero wherever possible. At the same time, we will take opportunities to be net positive through actions that restore the environment.

We have reduced our greenhouse gas emissions by almost two thirds in the last decade. Becoming a regenerative organisation is a significant extension of that. The goal is to effectively end our emissions and impacts by becoming a net contributor to the restoration of our planet.

In 2006-2007 we established a baseline for our direct greenhouse gas emissions. The emissions in our baseline are those which come from:

- Our buildings, including our offices and laboratories.
- Our business travel using trains, planes, fleet and private vehicles.
- Our survey boat, the Sir John Murray

We will include these, and emissions associated with staff working from home, as we measure our progress against our target to reduce direct emissions.

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Greenhouse gas emissions are measured in tonnes of carbon dioxide equivalents. This is a standard unit of measurement that expresses the impact of each different greenhouse gas in terms of the amount of carbon dioxide that would cause the same level of warming. Conversion factors are used to translate fuel and electricity use to tonnes of carbon dioxide equivalents. In 2006-2007 our baseline greenhouse gas emissions were 3,614 tonnes of carbon dioxide equivalents.

Our [Regenerative SEPA Routemap 2022-2024](#) sets out the practical actions we will take to build a clear foundation for becoming a regenerative organisation.

## 6. Alerts and warnings issued for all significant flooding events

Flooding is a frequent natural hazard in Scotland. It can have devastating impacts on people, on activities, and on the natural and built environment. Our 24/7 flood forecasting and warning service allows people, businesses, and communities to take action to protect themselves. We also advise civil contingency responders before and during flood events. This is part of Scotland's multi-agency emergency planning and incident response.

Every day we issue a flood guidance statement to responders (more than 900 people). Ahead of flooding periods, we issue regional flood alerts and local flood warnings to inform the public.

We operate a network of rainfall, river and coastal water level gauges. These feed into our real-time forecasting models, along with meteorological forecasts. A dedicated communication system issues the flood guidance statements, alerts and warnings.

This measure is to ensure we issue warnings and alerts for all significant flooding events throughout the year. These are events which have the potential to cause widespread disruption or damage to property and infrastructure, as well as injury or loss of life.

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## 7. Complete all planned updates to our flood maps.

Flood maps, and associated information, are the evidence that supports flood risk management and adaptation to climate change in Scotland. They allow us, other public authorities, communities, businesses, and emergency responders to make decisions and take action to reduce the impact of flooding.

We have a statutory duty to produce flood maps, to update them with the best available information, and to deliver the services that rely on them. These services include strategic flood risk management planning, providing advice on land use planning and delivering flood warnings.

This year we are making a significant improvement to our coastal flood maps in the northeast of Scotland and Outer Hebrides area. This covers about a quarter of Scotland's coast.

For the first time, we will be adding in representation of the impact of wave action on coastal flood hazard. We will also be including a set of new extreme water levels. This will everyone access, via our website, to the most up-to-date information on flood risk. It will allow them to make robust decisions about reducing and adapting to flood risk now and in the future.

## 8. Percentage of complaints responded to within timescales<sup>2</sup>.

This measure relates to the length of time we take to respond to service complaints. We define a service complaint as: 'An expression of dissatisfaction by one or more members of the public about SEPA's action, or lack of action, or, about the standard of service provided by, or on behalf of, SEPA'.

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<sup>2</sup>In our Annual Operating Plan we referred to these timescales as 'statutory timescales'. The timescales set by the Scottish Public Services Ombudsman are guidance, rather than statutory, so we have removed the reference to 'statutory timescales'.

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Our complaints handling procedure is in accordance with the requirements of the Model Complaints Handling Procedure published by the Scottish Public Services Ombudsman. In our procedure we set out the timescales for responding to complaints:

- Stage 1 complaints – 5 working days. These are typically complaints handled at the front line that can be responded to quickly.
- Stage 2 complaints – 20 working days. These are more complex or serious complaints that require investigation.

Our target this year is to respond to 85% of complaints within these timescales. This recognises the fact that some complaints cannot be completed within planned timescales, due to their seriousness or complexity. Under our complaints handling procedure, in exceptional circumstances, we can extend the response time. Both Stage 1 and Stage 2 complaints, are included in this measure.

## **9. Percentage of Freedom of Information and Environment Information requests responded to within statutory timescales.**

Freedom of Information and Environmental Information regulations set out people's right to the information we hold. We receive hundreds of information requests every year. In 2022 we received 59 Freedom of Information and 1,099 Environmental Information requests. The number of Environmental Information requests we receive has recently been increasing.

We aim to provide a high level of service to all enquirers. The time limits for responding to these requests are set out in law. The legal time limit for both regimes is 20 working days. This may be extended to 40 working days if a request for environmental information is deemed to be both complex and voluminous.

Our ability to respond to information requests was affected by COVID restrictions, when access to information stored in offices was restricted. The service was more seriously impacted by a cyber-attack at the end of 2020. While we had no access to our systems, requests built up and

we could not respond to enquiries we had already received. This also led to an increase in the number of formal reviews and appeals to the Scottish Information Commissioner.

We are working with the Scottish Information Commissioner to improve our performance responding to requests. Through his Level 2 enforcement intervention with SEPA, the Commissioner expects us to improve the performance of our Access to Information Service so that we are responding to 80% of requests on time by the end of December 2023. We are committed to improving our access to information performance and making the process for requesting information as straightforward as possible. Our aim is to meet the Commissioner's requirement by December and process at least 82% of requests within statutory timescales by the end of March 2024.

The Scottish Information Commissioner's assessment of performance is shown below.

Percent of requests responded to within the legal time limit	Below 80%	80%-84%	85%-95%	96%-100%
Assessment of performance	Inadequate	Adequate	Good	Excellent

To improve performance over the next year, we are aiming to make more of the information that people request publicly available and are investing in new tools that will improve the efficiency of our Access to Information Service. We are also increasing the number of permanent and temporary staff working to deliver the service.

While we expect to see some slippage in performance as these measures are being introduced, these steps will help keep us on track to achieve our performance target, while we strive to handle an increasing number of requests.