

# **HISTORIC SCOTLAND FRAMEWORK DOCUMENT 2008**

## **1 STATUS AND ROLE OF THE AGENCY**

1.1 Historic Scotland is an Executive Agency of the Scottish Government. All functions performed by the Agency are carried out on behalf of Scottish Ministers. It is headed by a Chief Executive who is responsible to Scottish Ministers, within the terms of this Framework Document, for its management, performance and future development.

1.2 This document sets out the framework for the operation of the Agency and replaces the Framework Document of September 2004.

### **Aims**

1.3 In contributing to the Government's purpose of increasing sustainable growth, Historic Scotland will pursue the following aims:

- to care for, protect and enhance the historic environment;
- to secure greater economic benefits from the historic environment; and
- to help people value, understand and enjoy the historic environment.

### **Main Functions**

1.4 The main functions which Historic Scotland carry out on behalf of Scottish Ministers are:

- caring for and presenting to visitors the historic environment properties for which Scottish Ministers are responsible;
- maintaining the statutory schedule of monuments of national importance and the statutory list of buildings of architectural or historic interest;
- considering proposals for alterations to scheduled monuments and listed buildings;
- providing financial assistance towards the conservation and enhancement of the historic environment;
- providing guidance on the management of the historic environment; and
- advising on policy for the historic environment.

## **2 RESPONSIBILITIES AND ACCOUNTABILITY**

### **The Scottish Ministers**

2.1 The Scottish Ministers are responsible for setting the policy and resources frameworks within which Historic Scotland operates. They exercise these responsibilities in the light of advice from the Head of Europe, External Affairs and Culture Directorate and others, as they consider appropriate, by:

- approving the Framework Document for the Agency;
- approving the Corporate Plan for the Agency;
- approving strategic policies and key principles for the Agency in the series of Scottish Historic Environment Policies;
- setting budgets for the Agency in periodic spending reviews; and
- setting key performance targets for the Agency, at least one of which will relate to improving the efficiency or effectiveness of the Agency, and monitoring its performance.

2.2 The Scottish Ministers do not normally intervene in the operational management of the Agency's functions.

2.3 The Scottish Ministers are accountable to the Scottish Parliament for what Historic Scotland does. They reply to correspondence from Members of the Scottish Parliament on the matters listed in paragraph 2.1 above. They normally look to the Chief Executive to reply to Members' correspondence on other operational matters.

2.4 The Scottish Ministers, usually following open competition, approve the appointment of the Chief Executive.

2.5 The Scottish Ministers meet the Board of Historic Scotland at least once a year.

### **The Chief Executive**

2.6 The Chief Executive is accountable to the Scottish Ministers for the operational management of the Agency's functions and for ensuring that the Scottish Ministers receive sound and well-researched advice on the matters for which they are responsible. In particular the Chief Executive is responsible for:-

- determining the operational policies for the Agency;
- the decisions which the Agency takes on listing and scheduling of properties, on grants to owners and on the management of the properties in its care;
- ensuring the prompt handling of all applications for consent and full investigation of the scope for improving consent processes;

- the conclusions which the Agency reaches on applications for listed building consent and scheduled monument consent;
- proposing key performance targets;
- determining the Agency's organisation and management structure;
- exercising responsibility for the Agency's delegated human resource management and financial powers;
- security and safety at all sites managed by the Agency; and
- communications and public relations.

2.7 The Chief Executive will be supported by a Board. The membership of the Board, which will include at least 2 independent non-executive members, and the remit of the Board may be revised at the discretion of the Chief Executive.

2.8 The Chief Executive will consult the Head of Europe, External Affairs and Culture Directorate before the Agency puts advice to Scottish Ministers about major policy issues concerning the historic environment and about strategic policies for the Agency. The Chief Executive will likewise consult the Head of Europe, External Affairs and Culture Directorate before implementing any operational policies for the Agency which have significant implications for other parts of the Scottish Government.

2.9 The Chief Executive will report to the Head of Europe, External Affairs and Culture Directorate regularly, on a basis agreed between them, on progress towards achieving the key performance targets set by Scottish Ministers.

### **The Head of the Europe, External Affairs and Culture Directorate**

2.10 The Head of Europe, External Affairs and Culture Directorate, in consultation as necessary with the Permanent Secretary, has the following responsibilities in respect of Historic Scotland:-

- reviewing the advice offered by Historic Scotland, and where necessary providing an independent view, on the issues for which Scottish Ministers are responsible under paragraph 2.1 above;
- advising the Scottish Ministers on the appointment of the Chief Executive;
- acting as a focal point within the Scottish Government for supporting and facilitating the work of the Chief Executive in meeting the Agency's objectives and targets.

2.11 In exercising these functions on behalf of the Scottish Ministers, the Head of Europe, External Affairs and Culture Directorate may require appropriate information from the Chief Executive but will not normally intervene in the operational management of Historic Scotland.

### **3 ACCOUNTABLE OFFICER ARRANGEMENTS**

3.1 The Director-General Economy and Chief Economic Adviser is the Accountable Officer for the budget from which Historic Scotland is funded.

3.2 The Chief Executive of Historic Scotland is designated as Agency Accountable Officer by the Permanent Secretary as Principal Accountable Officer.

3.3 The Chief Executive, as Agency Accountable Officer, is accountable for the proper, efficient and effective use of resources provided to the Agency, in pursuit of the agreed Corporate Plan objectives and targets. As Agency Accountable Officer he or she is responsible for ensuring that proper procedures are followed for securing the propriety and regularity of the public funds for which he or she is responsible. He or she is further responsible for ensuring that the requirements of the Scottish Public Finance Manual and any additional guidance issued to Accountable Officers are met.

3.4 The duty of best value is placed on the Chief Executive in his role as Accountable Officer under the Public Finance and Accountability (Scotland) Act 2000. Specifically, the duty of Best Value is:

- To make arrangements to secure continuous improvement in performance whilst maintaining an appropriate balance between quality and cost; and in making those arrangements and securing that balance,
- To have regard to economy, efficiency, effectiveness, the equal opportunities requirements and to contribute to the achievement of sustainable development.

3.5 The Agency Accountable Officer and the Director-General Economy are both liable to be summoned to appear before Committees of the Scottish Parliament. It is for Ministers to decide who should represent them at other Parliamentary Committee hearings. In practice, where a Committee's interest is confined to the day-to-day operations of the Agency, Ministers normally regard the Chief Executive as the person best placed to appear on their behalf.

### **4 RESOURCE PLANNING AND MANAGEMENT**

#### **Funding**

4.1 Historic Scotland is funded by the Scottish Parliament through the Scottish Government's budget. The Agency's budget covers all capital and current programme expenditure by Historic Scotland together with direct administrative

costs. In addition, Historic Scotland generates significant income from admissions, sales and other activities which is treated as Budget Income.

### **Performance Management**

4.2 The Key Performance Targets set by Scottish Ministers and the operational targets set in the Corporate Plan agreed by the Scottish Ministers form the main basis for judging the performance of the Agency. The Agency reports annually on performance against the key performance targets (see 4.3 below) and produces a wider annual summary of its performance.

4.3 Scottish Ministers will set targets for Historic Scotland for achieving efficiency savings. The Chief Executive will be responsible for delivering and reporting on these targets to the Scottish Government as required.

### **Annual Report and Accounts**

4.4 The Chief Executive signs and presents annually to the Scottish Ministers an Annual Report and Accounts. The Annual Report reviews the Agency's performance over the previous year against the key performance targets and comments on how the Agency has responded to unforeseen circumstances. The Agency keeps proper accounts and proper records in relation to the accounts and prepares in respect of each financial year a statement of account. The Agency prepares its accounts in accordance with the Resource Accounting Manual. The Annual Report and Accounts, which are audited by the Auditor General for Scotland, are laid before the Scottish Parliament

4.5 The Agency operates financial and management accounting systems which enable performance against budgets and targets to be reviewed periodically by the Board.

### **Internal Audit**

4.6 The Chief Executive is responsible for arranging internal audit mechanisms, in accordance with the objectives and standards laid down in the *Government Internal Audit Manual* and in a way which demonstrates best value for money. The Director-General Economy and Chief Economic Adviser, as the Accountable Officer for the budget from which Historic Scotland is funded, reserves the right to have the Scottish Government Internal Audit Unit undertake any work required to provide independent assurance about Historic Scotland's financial management and control, if he or she considers it necessary.

4.7 Historic Scotland has an Audit Committee, with entirely independent membership and operating procedures as determined by the relevant Guidance. The Audit Committee, whose Chair will be a non-executive director of the Historic Scotland Board, meets at least 3 times a year.

## **External Audit**

4.8 The Agency is subject to external audit by the Auditor General for Scotland.

## **Delegations to the Chief Executive**

4.9 The financial delegations to the Chief Executive are set out in Annex A. The Chief Executive reviews these limits regularly and proposes amendments where this would assist in achieving Historic Scotland's agreed objectives.

4.10 The Chief Executive is responsible for ensuring that relevant Scottish Government financial procedures are followed and may delegate functions in writing within the limits set by the Framework Document.

## **Risk Management**

4.11 The Chief Executive is responsible for implementing and monitoring appropriate risk management arrangements in accordance with the relevant guidance in the Scottish Public Finance Manual for the successful delivery of agency functions and projects.

## **5 HUMAN RESOURCES**

5.1 The Chief Executive is responsible for the human resources management of all Agency staff not within the Senior Civil Service. The Chief Executive keeps under review the structure of Historic Scotland's Board (see paragraph 2.7) and may make recommendations to the Head of Europe, External Affairs and Culture Directorate concerning posts within the Senior Civil Service. He or she considers the need for open competition to fill senior posts and participates fully in the selection of staff to fill such vacancies.

5.2 The Agency aims to offer its staff good and satisfying career opportunities and is committed to fostering career development and equal opportunities.

## **Status of Staff and Conditions of Service**

5.3 Agency staff are Civil Servants within the Scottish Government. Variations to suit the Agency's particular circumstances may be introduced in terms and conditions of service with the approval of the Scottish Ministers and after full consultation with the Agency's staff and their representatives. The Chief Executive is responsible for the operation of formal employee relations machinery within the Agency and chairs meetings of the Partnership Board (a management and trades unions partnership).

5.4 The Chief Executive has delegated responsibility for pay negotiations for all staff not within the Senior Civil Service. The basis on which the delegation operates is set out below:-

- functions and the conditions within which the delegation and control framework are exercised are automatically devolved to the Scottish Ministers who are responsible to the Scottish Parliament for the exercise of the delegation;
- the Chief Executive exercises the delegation on behalf of the Scottish Ministers; and he or she puts in place systems necessary to underpin delegated pay and conditions of service bargaining; and
- the Chief Executive will seek clearance by Scottish Ministers to pay remits in advance of entering into formal negotiations with the trades unions

## **6 SHARED SERVICES**

6.1 The Scottish Government continues to make available to the Agency, at a suitable charge, access to the SCOTS system and associated support.

6.2 The Scottish Government continues to make the services of the Scottish Government Legal Directorate (SGLD) available to the Agency on the same basis as they are provided to Directorates, and the Agency does not seek separate legal advice except under the supervision of SGLD. Six months notice will be given of any change in the terms of the service provided by SGLD.

6.3 Historic Scotland continues to collaborate with the Scottish Procurement Directorate (SPD) on appropriate procurement projects and to avoid duplication of purchasing effort where possible.

6.4 The Scottish Government retains responsibility for the HR management of Senior Civil Service staff in the Agency.

6.5 The Agency may continue to draw on other specialist support from the Scottish Government.

6.6 The Agency seeks other opportunities to share services where this will improve efficiency and effectiveness.

## **7 REVIEW AND PUBLICATION OF THE FRAMEWORK DOCUMENT**

7.1 This Framework Document will be reviewed in 2011 by the Scottish Ministers, the Head of Europe, External Affairs and Culture Directorate and the Chief Executive. Changes may be proposed before then in the light of experience or changed circumstances.

7.2 Copies of this Framework Document, and of any subsequent changes, will be placed in the Scottish Parliament Information Centre and on the Historic Scotland website.

### **Enquiries**

7.3 All enquiries about this Framework Document should be addressed in the first instance to:

The Chief Executive  
Historic Scotland  
Longmore House  
Salisbury Place  
EDINBURGH  
EH9 1SH

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FAX 0131 668 8699  
E-Mail [john.graham@scotland.gsi.gov.uk](mailto:john.graham@scotland.gsi.gov.uk).

## HISTORIC SCOTLAND: FINANCIAL DELEGATIONS

### Explanatory Note

Capital Expenditure on monuments is classified as either operational or heritage capital. Operational capital includes works on offices, shops and cafes included within a monument. Heritage capital is all other work on monuments and is treated as revenue expenditure. As capital projects can have both heritage and operational elements the delegated limits apply to the projects as a whole and not to each element.

<b>CAPITAL EXPENDITURE</b>	<b>LIMIT</b>
1. To acquire monuments, buildings and related land.	£500,000
2. To incur expenditure on new works at monuments in care (except where costs exceed initial contract price by 10% in real terms).	Unlimited
3. To dispose of land and buildings at or above District Valuer's valuation	Unlimited
4. To dispose of other assets at or above market value.	Unlimited
5. To pay grants and loans to individuals and bodies: [move to current]	
5.1 For acquisition of monuments and work carried out at monuments by:	
5.1.1 Local authorities and the National Trust for Scotland	Unlimited
5.1.2 Others;	£300,000 per grant
5.2 For repair and maintenance of outstanding historic buildings or outstanding conservation areas;	£1.25m in any one case or 85% grant per case
5.3 For conservation work and other related purposes.	£1.25m in any one case or 85% grant per case
6. To incur expenditure on administrative facilities, including the acquisition and improvement of property, equipment, vehicles, plant and machinery but not including information systems and related equipment.	£750,000
7. To incur expenditure on information technology systems and related equipment	£1,000,000 for any single project.

## **CURRENT EXPENDITURE**

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| 8.  | To conserve and maintain monuments in care and ancillary buildings and to provide conservation services to others on repayment.   | Unlimited  |
| 9.  | To carry out compulsory preservation work and make Management Agreements.   | Unlimited  |
| 10. | To present monuments in care to the general public and to interested bodies and individuals, and provide interpretative, retailing and other facilities for visitors.   | Unlimited  |
| 11. | To pay grants and make payments under contract to bodies and individuals for archaeological activities, including associated scientific and conservation work, together with recording and publishing the findings. | £200,000 per project per annum and £500,000 per project in total |
| 12. | To inform the general public and interested bodies and individuals about monuments in care and Scotland's historic environment.   | Unlimited  |
| 13. | To fund research on Scotland's historic environment.  | £250,000 per project   |
| 14. | To meet the operating expenses of the Historic Environment Advisory Council for Scotland  | Unlimited  |
| 15. | To incur expenditure on staff remuneration, administrative expenses and any other necessary operating expenses including equipment, vehicles, plant and machinery, consultancies, publicity and accommodation.      | Unlimited  |

## **GIFTS AND INDEMNITIES ETC**

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| 16. | To accept gifts, including contents of monuments and of buildings of outstanding historic or architectural interest. | Unlimited                                      |
| 17. | To make gifts of publications, souvenirs etc to important visitors.  | £200 per gift within an annual total of £2,000 |

18.	To make special and ex gratia payments, write offs, losses etc	
	18.1 Cash losses, including overpayment of staff pay, pensions and allowances;	Unlimited
	18.2 Cash losses due to overpayments of grant and subsidies;	£30,000 per case
	18.3 Other losses including stores losses;	Unlimited
	18.4 Special and ex-gratia payments	£6,000 within an annual aggregate limit of £12,000
	18.5 Bad debts, claims abandoned or not recovered, or claims waived;	Within an aggregate limit of £100,000
	18.6 Fruitless payments and constructive losses	Unlimited
19.	To pay compensation:	
	19.1 To site owners or occupiers for loss or expense incurred by them arising directly from entry, survey, inspection, excavation or recording of a site;	£6,000 per project
	19.2 Arising from decisions on scheduled monument consent;	£60,000 per project
	19.3 Arising from service of preservation notice or order.	£250,000 per project
20.	To pay rewards for archaeological finds at monuments in care.	£200 per find or 10% of value, whichever is less