

Historic Environment Scotland

Àrainneachd Eachdraidheil Alba

The Schemes of Delegation from Scottish Ministers to Historic Environment Scotland

Introduction

This document sets out how Historic Environment Scotland shall fulfil the Scheme of Delegation for both properties in the care of Scottish Ministers and their associated collections. It references a number of policies and other documents which will be published and available from Historic Environment Scotland as outlined in Section 7.0 and referenced in the text in ***bold italics***.

Purpose

The Scheme of Delegation for the properties in care has been developed under Part 1, Section 3 of the Historic Environment Scotland Act 2014 which allows that the Scottish Ministers may delegate the exercise of any of their functions in relation to properties in care. Property in care is defined as any heritable property which is of historical, archaeological, architectural or cultural significance or interest; which is owned or occupied by, under the guardianship of, or otherwise under the management and control of the Scottish Ministers; and which is included by Ministers in the list of properties in care compiled and maintained under Section 4 of the 2014 Act.

The Scheme of Delegation for the associated collections has been developed under Part 1 Section 8 of the Act which allows that Scottish Ministers may delegate the exercise of any of their functions in relation to their collections. The associated collections are defined in the scheme of delegation as a collection of objects owned by, in the custody of, or otherwise under the management or control of the Scottish Ministers that are or have ordinarily been kept in a property in care.

Objects are defined as: objects, documents or other things having historical, archaeological, architectural or cultural significance or interest relating to the historic environment generally or with particular reference to Scotland).

The functions delegated include the duty to investigate, conserve and maintain the properties and associated collections and provide public access. Limited ability to acquire and dispose of objects within the associated collections has also been delegated.

Application

Scottish Ministers retain responsibility for the functions delegated under both schemes.

Historic Environment Scotland shall fulfil the obligations of Scottish Ministers in relation to these functions for the properties in care and associated collections. The Board of Historic Environment Scotland shall delegate these activities to the senior management team through the Chief Executive of Historic Environment but remain accountable to Ministers for delivery and quality assurance.

1.0 List of properties in care

Scottish Ministers will publish a ***List of properties in the care of Scottish Ministers*** on 1st October 2015 describing what the assets are and on what basis they are held. The establishment of the scheme of delegation under the 2014 Act has required the creation of a formal list of what constitutes the properties in the care of Scottish Ministers. The list of properties in care have been identified from the original areas taken into State care by reason of their historic, architectural, traditional, artistic or archaeological interest.

Historic Environment Scotland

Àrainneachd Eachdraidheil Alba

2.0 Acquisitions and Disposal in relation to properties in the care of Scottish Ministers

Under the scheme of delegation the powers to acquire or dispose of properties in care are retained by Scottish Ministers. Any decision to acquire or dispose of a property will be made in consultation with Historic Environment Scotland and their advice will be sought at an early stage.

Historic Environment Scotland in consultation with the Scottish Government is developing an *Acquisitions and Disposals Policy for the properties in care of Scottish Ministers* which Scottish Ministers will consider and approve. This will outline the circumstances and procedures under which a property may be disposed of or acquired. This policy will be consulted on and is expected to be in place by June 2016. Until then we have proposed that there will be a presumption against the acquisition or disposal of any properties.

3.0 Conservation

The scheme of delegation requires Historic Environment Scotland to put in place principles, standards and procedures to ensure that the properties in the care of Scottish Ministers are conserved and maintained to a high standard.

To meet this requirement Historic Environment Scotland will publish a set of *Conservation Principles for the properties in the care of Scottish Ministers*. These shall be implemented through the application of the *Conservation Standards for the properties in the care of Scottish Ministers*, the *Technical Specifications for the properties in the care of Scottish Ministers* and other guidance which will be published. Outline versions of these have been agreed with Scottish Government officials and following peer review will be published. This guidance will set a high standard for our work, reflecting the best technical understanding available, current research and taking account of national and international best practice.

These documents have been discussed and tested with the other equivalent bodies in the UK and will be used to measure Historic Environment Scotland's performance by the Conservation Peer Review Group which will be established by April 2016. This group shall be appointed and chaired by the Board of Historic Environment Scotland to provide assurance in relation to our conservation work. It shall comprise external individuals with the appropriate expertise and a similar group will fulfil the same function for the provision of public access and commercial management of the properties.

Historic Environment Scotland shall publish **Statements of Significance** for the properties in the care of Scottish Ministers and continue to update these as understanding evolves over time. These statements set out Historic Environment Scotland's current understanding of the significance and values. This knowledge guides and informs decisions relating to the management and conservation of the properties.

An *Asset Management Plan for the properties in care of Scottish Ministers* will be developed for approval by Ministers before October 2016 with supporting information as required. This will set out the principles that will govern how decisions in relation to the management of the properties in care will be made and will be tested with our peers. These principles will allow HES to make decisions in relation to the management, conservation and care of the properties in the context of the condition monitoring information and the resources available. We will prepare a strategic investment plan which will set out the investment priorities for the organisation over the period covered by the Asset Management Plan.

Until the Asset Management Plan is complete an *Interim Statement* will be published on 1st October 2015 which states that until the adoption of the final asset management plan current practice will be followed and summarises this.

Historic Environment Scotland

Àrainneachd Eachdraidheil Alba

Historic Environment Scotland will publish a ***Baseline Condition of the properties in care of Scottish Ministers*** on 1st October 2015. The Baseline Condition uses the published Monument Condition Indicator (MCI) approach. This approach has been developed to provide accurate indicators of estate condition in relation to decay, issues and risk to cultural significance. By October 2016 each monument shall have a desirable MCI ascribed to it which shall inform the conservation strategy for the particular site through the principles established in the Asset Management Plan.

A ***Condition Monitoring System for the properties in care of Scottish Ministers*** will be published on 1st October 2015 outlining the process to be deployed by Historic Environment Scotland in relation to the properties in care. This system uses the MCI approach used to provide the baseline condition assessment above and includes the programme for monitoring the properties. It has been discussed with our peers.

4.0 Access

Historic Environment Scotland shall put in place principles, standards and procedures to ensure that access and commercial operation of the properties and associated collections in the care and of Scottish Ministers are delivered to a high standard. To achieve this and the conditions of the schemes of delegation Historic Environment Scotland shall develop and publish the following policies.

An Access policy will be developed and published by April 2016 following consultation. This will set out the principles that will pro-actively reduce barriers to access to the properties in care and associated collections to meet the obligations of Scottish Ministers under the 1979 Act. It will include a review date and will be approved by Scottish Ministers. In the meantime Historic Environment Scotland will publish an ***Interim Access Statement for properties in care of Scottish Ministers*** on 1st October 2015.

Scottish Ministers shall continue to have access to use the properties in their care on the same basis as has previously operated. They are aware that this use has resource implications for Historic Environment Scotland and that Historic Environment Scotland will be considering the impact of these in due course.

There are a number of agreements with 3rd parties in place which allow access and use to properties in care. These agreements remain with Scottish Ministers. Historic Environment Scotland will manage the operation of these agreements but will be required to seek Ministerial approval for their re-negotiation or to enter into new agreements.

Historic Environment Scotland will continue to use the current ***Pricing Policy for properties in care of Scottish Ministers*** which is due for revision on or before October 2016. This sets out the current arrangements for charging visitors to the properties in care as well as other categories of activity for which HES charges. Any change to these arrangements requires the approval of Scottish Ministers.

5.0 Collections associated with the properties in care of Scottish Ministers

The scheme of delegation requires Historic Environment Scotland to put in place principles, standards and procedures to ensure that the associated collections of Scottish Ministers are cared for to a high standard.

Properties in the care of Scottish Ministers have a wide range of historic objects and archives associated with them – typically held at the properties or in storage. A list of the collections in the care of Scottish Ministers will be published on 1st October 2015 and reviewed and updated annually thereafter.

Historic Environment Scotland

Àrainneachd Eachdraidheil Alba

Museum Accreditation is the sector's 'gold standard' and Historic Environment Scotland will apply via Museums Galleries Scotland to become an Accredited Museum Authority in April 2016. (Until that date Historic Environment Scotland will hold provisional accreditation status supported by the full accreditation status held previously by Historic Scotland).

Accreditation requires museum authorities to produce and publish a series of policy documents covering all aspects of their functions, to adopt national and international codes of practice, principles and other recognised standards and procedures and to set out plans to implement them. Museums Galleries Scotland will peer review Historic Environment Scotland's collections management and care performance as part of the established Accreditation review process. We have agreed with Scottish Ministers that the accreditation process will provide the main assurance to Ministers over the delivery of the scheme

Historic Environment Scotland will produce an annually updated Collections Management Plan and review and publish a series of key collections policies.

A finalised Collections Management Plan will be published as part of the Accreditation process. Until this is agreed the following documents are deemed to make up the Collections Management Plan.

Historic Environment Scotland will publish a ***Collections Development Policy*** - This document sets out Historic Environment Scotland policy for the acquisition and disposal of archives and collections. It applies to all the collections for which Historic Environment Scotland has responsibility but specifically sets out the extent of Historic Environment Scotland's powers to acquire and dispose of objects in the properties in care associated collections.

Historic Environment Scotland will publish a ***Collections Care & Conservation Policy*** - This policy sets out the purpose and guiding principles adopted by Historic Environment Scotland for the care and conservation of objects held in its collection, including the properties in care associated collections.

Historic Environment Scotland has published a ***Collections Loans Policy*** - This policy covers all outward loans from Historic Environment Scotland and all inward loans to Historic Environment Scotland for the purposes of long-term or short-term exhibitions. It covers loans from the associated collections of Scottish Ministers and sets out when Scottish Ministers will be consulted on HES's intention to make a loan.

The contents of these documents that relate specifically to the associated collections of Scottish Ministers will be made explicit and will be subject to Ministerial approval. Subject to that approval, these documents will be published by Historic Environment Scotland on 1st October 2015 and reviewed annually thereafter.

6.0 Reporting and quality assurance

Historic Environment Scotland shall establish a range of reporting mechanisms in relation to the properties in the care of Scottish Ministers to demonstrate that these public assets are being appropriately cared for and contributing to broader government priorities and demonstrating public value. An ***Annual Report on properties in the care of Scottish Ministers*** will be provided to Ministers by the Board of Historic Environment Scotland and published on the Historic Environment Scotland website.

The Annual Report on properties in the care of Scottish Ministers may include a range of information and metrics such as:

- Updated lists of the properties in the care of Scottish Ministers and associated collections any change in status, acquisitions or disposals/loans.

Historic Environment Scotland

Àrainneachd Eachdraidheil Alba

- Progress on the Asset Management Plan and supporting evidence in relation to condition and resource investment and other operational performance data.
- Information relating to property access, use by third parties and official ministerial use.
- A forward look which shall identify strategic issues, trends or considerations relating to the Estate and its Collections, particularly in relation to longer term conservation challenges.
- Reports on any legislative or regulatory non-compliance under 3.5 of the scheme.

The Annual Report shall be produced alongside the Annual Report and Accounts each year and published on the Historic Environment Scotland website.

External Peer Review of activities is an established method of providing external assurance and will be used by Historic Environment Scotland as a management tool and in providing assurance to the Board and Ministers. A Conservation Peer Review Group of suitably experienced external individuals will be established by April 2016 chaired by a Board member. The group members will be appointed by the Board. The operation of this Peer Review Group is described in *Conservation Peer Review arrangements for properties in the care of Scottish Ministers* which will be published on 1st of October 2015.

7.0 Schedule of key documents

Document	Publication date	Status	Revision
Conservation of properties in care			
<i>Conservation Principles for the properties in the care of Scottish Ministers</i>	1st October 2015	Final	October 2019
<i>Conservation Standards for the properties in the care of Scottish Ministers</i>	1st October 2015	Interim	February 2016 and then Annually in May
<i>Technical Specification framework for the properties in the care of Scottish Ministers</i>	1st October 2015	Final	Rolling programme for content
<i>Baseline Condition of the properties in care of Scottish Ministers</i>	1st October 2015	Final	Ongoing with annual reporting in May
<i>Condition Monitoring System for the properties in care of Scottish Ministers</i>	1st October 2015	Final	October 2019
<i>Asset Management Plan for the properties in care of Scottish Ministers</i>	1st October 2015	Interim	Three year rolling programme
Collections associated with properties in care			
<i>Collections Management Plan</i>	1st October 2015	Final	Annually

Historic Environment Scotland

Àrainneachd Eachdraidheil Alba

Document	Publication date	Status	Revision
<i>Collections Development Policy</i>	1st October 2015	Final	Annually
<i>Collections Care & Conservation Policy</i>	1st October 2015	Final	Annually
<i>Collections Loans Policy</i>	1st October 2015	Final	Annually
Access to properties in care			
<i>Interim Access Statement for properties in care of Scottish Ministers</i>	1st October 2015	Interim	October 2019 Final version June 2016
<i>Pricing Strategy</i>	November 2014	Final	October 2016
Assurance relating to properties in care			
<i>Conservation Peer Review arrangements for properties in the care of Scottish Ministers.</i>	1st October 2015	Final	Annually
<i>Annual Report on properties in the care of Scottish Ministers</i>	With Corporate reporting	pending	Annually