

# Historic England

## Commission Scheme of Delegations

### 1. Introduction

- 1.1. This document is the Scheme of Delegations from the Commission of Historic England to staff of the organisation. It explains what circumstances and issues should be reported to the Commission as well as what matters Commission authorises and expects staff to undertake themselves under the authority of the Chief Executive.
- 1.2. Historic England is formally known as the Historic Buildings and Monuments Commission for England and is a Non-Departmental Public Body (NDPB). It is established by statute under the National Heritage Act 1983. The official Government sponsoring Department is the Department for Culture, Media and Sport (DCMS).
- 1.3. The Commission of Historic England is the governing body of the organisation. It provides strategic, policy and expert advice to the staff of the organisation. Government's view as to the role of the Commissioners is set out in the [Management Agreement](#) between Historic England and DCMS.
- 1.4. The English Heritage Trust (English Heritage) is a separate charity and a subsidiary of Historic England. It has been licensed by Historic England to carry out Historic England's responsibilities for the conservation and operation of the National Heritage Collection. Historic England has agreed to support the charity in its operation of the Collection and its plan to achieve financial self-sufficiency.

### 2. Overriding Principles

- 2.1. In setting this Scheme of Delegations, the Commission has followed a set of overriding principles that staff should bear in mind when interpreting the delegations:
  - a. This scheme deals with the matters that require Commission's approval. It does not circumscribe Commission's need to be kept informed about the activities and working environment of Historic England, so that it may make sound decisions.
  - b. Commission should concentrate its valuable time and effort on key strategic matters, policy guidance, and determination of only the most significant casework.
  - c. Under Schedule 3, paragraph 4 (2) of the [National Heritage Act 1983](#) the Chief Executive is responsible to the Commission 'for the general exercise of functions of the Commission' (i.e. the day-to-day management of the organisation).

- d. In general executive decisions are taken by the Chief Executive or delegated by the Chief Executive to staff, unless otherwise provided for in this Scheme. Staff are expressly authorised to pursue all day-to-day matters under the direction of the Chief Executive and within agreed HE policies, guidance and their individual job descriptions.
- e. The advice provided by Commission's committees and expert advisory group members gives great assistance to the organisation and should be used to best effect. Their expertise should be focused on key issues, rather than on routine or non-contentious matters.

### **3. Matters Authorised by and Reserved to the Commission**

- 3.1. Commission authorises the Chief Executive as Accounting Officer to incur expenditure on the duties and functions of Historic England in accordance with agreed strategies, policies, budgets and in accordance with the Management Agreement with DCMS. Where there is a judgment to be made, the cost of a proposed course of action, and the risk management implications of it, will be important in determining whether to seek approval.
- 3.2. Commission reserves to itself certain matters:
  - a. Approval of significant new policies and strategies, particularly if they have a corporate-wide impact or substantial financial implications;
  - b. Approval of the annual budget and accounts;
  - c. Any significant matter which is novel or contentious, or which requires DCMS approval;
  - d. Any capital or grant expenditure of £1m or more (in the aggregate) on any matter;
  - e. Cases which raise the most significant policy issues or which may involve matters of particular political or public sensitivity or controversy;
  - f. Any significant change to the contractual arrangements with English Heritage;
  - g. All cases involving the acquisition or disposal of a guardianship, freehold interest, or the creation or disposal of a leasehold interest, in a property, including properties within or to be added to the National Heritage Collection and managed by the English Heritage Trust (subject to the routine estate management exceptions set out below);
  - h. Any acquisition, loan or disposal of a historic chattel (other than property), such as pictures or furniture, over the estimated value of £50,000 or more, except acquisitions from English Heritage at no cost and without any significant on-going liabilities;
  - i. Any matter that has been referred to Commission by the Chair of a committee of Commission;

- j. Any policy or casework matter referred to the advisory committees where staff wish to take action that is in conflict with a recommendation of the committee;
  - k. Any other matter known to be of interest to Commission, or where Commission have specifically asked to be involved.
- 3.3. The following routine estate management transactions relating to Historic England's directly managed properties or those in the National Heritage Collection under English Heritage's care do not require authorisation by Commission and may be authorised by the Chief Executive, or his or her delegate appointed in writing.
- a. routine agreements for the occupation and management of land and buildings, including local management agreements, and renewals, extensions and variations of any such existing agreements. New leases, tenancies or licences for terms of 15 years or less and renewals, extensions and variations, surrender or assignment of such existing leases or tenancies;
  - b. new easements and variations to existing easements;
  - c. amendment and variations to existing guardianship deeds, but not termination of guardianship; and,
  - d. acquisition or disposal of land or buildings ancillary to historic sites in the National Heritage Collection or in Historic England's direct management up to a value of £1m.

#### **4. Urgent Commission Decisions**

- 4.1. Matters that would normally be considered by the Commission or a committee may, in the case of urgency, be actioned by the Chief Executive following consultation and approval by the Chairman or another Commissioner nominated by the Commission for this purpose. The Chairman or the nominated Commissioner will consult with such of the other Commissioners as are available to be consulted and whose interest and expertise may assist in the decision. Any such action will be recorded at the next appropriate scheduled meeting.

#### **5. Committees, Panels and the Expert Advisory Group**

- 5.1. The terms of reference of Commission's business and advisory committees and the advisory panels are individually approved by Commission. They each set out the matters within their scope that staff will refer to them.

#### **6. Review**

- 6.1. The scheme of delegations is reviewed annually. The next review is due in 2017.