



**TRANSPORT
SCOTLAND**
CÒMHDHAIL ALBA

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Transport Scotland Framework Document

Contents

1	The purpose of this framework document.....	4
2	The vision	6
3	Key roles, responsibilities and relationships	8
3.1	The Scottish Ministers	8
3.2	Director General.....	8
3.3	Transport Scotland Chief Executive	10
3.4	Transport Scotland management.....	12
3.5	Working principles of Transport Scotland.....	12
4	Accountability to the Scottish Parliament.....	13
4.1	Appearance at parliamentary committees	13
4.2	Scottish Public Services Ombudsman	13
4.3	Complaints	13
4.4	Parliamentary Questions	13
4.5	Correspondence.....	14
4.6	Deadlines for replying to Parliamentary Questions and correspondence	14
5	Financial and other accountabilities.....	15
5.1	General	15
5.2	Accountable Officer roles	15
5.3	Financial delegations within Transport Scotland	16
5.4	Internal audit	16
5.5	Audit and Risk Committee.....	16
5.6	External audit.....	16
5.7	Annual report and accounts	17
5.8	Management accounting and purchasing systems	17
5.9	Arrangements for risk management.....	17
5.10	Organisational security and resilience.....	18
5.11	Counter fraud arrangements	18
6	Corporate and business planning	19
6.1	Corporate planning.....	19
6.2	Annual business planning	19
6.3	Publication.....	20
7	Other management arrangements.....	21
7.1	Human resources.....	21

7.2	Terms and conditions of service.....	21
7.3	Recruitment.....	21
7.4	Staff relations	21
7.5	Training and staff development	22
7.6	Promotion.....	22
7.7	Health and Safety.....	22
7.8	Support services	22
7.9	Equalities	23
7.10	Freedom of Information and Data Protection	23
8	Relationships with other bodies	24
8.1	General	24
8.2	Relationships with rail bodies	24
8.3	Relationships with companies where Scottish Ministers are sole shareholder 25	
8.4	Sponsorship role	25
9	Changes to this Framework Document.....	26
9.1	Review arrangements	26
9.2	Enquiries	26
	Annex 1 – Financial and purchasing delegations	27

1 The purpose of this framework document

The expanded Transport Scotland was established during 2010 as an Executive Agency within the Scottish Government. It is responsible for delivering the Scottish Government's national transport agenda and combines the responsibilities formerly delivered by both the previous Transport Scotland Executive Agency and the Scottish Government's Transport Directorate.

The delivery mechanisms for Scotland's transport systems and services are complex. Providers include those across the private, public (including both central and local government), community and voluntary sectors. The purpose of the *Framework Document* is to bring together in a single place a summary of the parameters within which Transport Scotland operates, and how it will work to deliver the national transport agenda.

Accountable to Ministers as part of the Scottish Government, these parameters, and this framework document, are subject to change over time in line with ministerial priorities.

Delivery of national transport priorities is defined at a number of levels:

- the **vision** - The National Transport Strategy, published in 2006 and refreshed in 2016, sets national priorities for the Scottish Government as well as other transport providers in Scotland
- **functions, roles and responsibilities** - what functions, roles and responsibilities attach to Transport Scotland, as part of the Scottish Government, and to others
- **aims, objectives and targets** - what Transport Scotland is focused on specifically delivering within its remit

The *Framework Document* therefore sets out:

- the **functions** of Transport Scotland in delivering national priorities
- a summary of its **aims, objectives and targets**, and **working principles** (these are set out in detail in the Agency's [Corporate Plan](#))
- the **roles and responsibilities** of the key figures involved, including the Scottish Ministers, the Chief Executive of Transport Scotland and the relevant Director General (currently DG Economy)
- **accountabilities** - to the public through Ministers and the Scottish Parliament and detailed financial accountability mechanisms
- **management arrangements** - the Chief Executive's authority and performance management arrangements
- **relationships with other bodies**
- how **amendments** to the Framework Document will be made and agreed

2 The vision

The Purpose of the Scottish Government is to focus on creating a more successful country with opportunities for all of Scotland to flourish through increased wellbeing, and sustainable and inclusive economic growth.

A safe, efficient, effective and sustainable transport system is one of the key enablers of the Scottish Government's Purpose.

The [National Transport Strategy \(NTS\)](#) published in 2006 sets out a 20 year vision, encapsulates our priorities for transport in Scotland and provides a framework setting out five high level objectives and three strategic outcomes.

The NTS identifies the following three strategic outcomes as being central to achieving our vision for the future of transport in Scotland:

- improved journey times and connections between our cities and towns and our global markets to tackle congestion and lack of integration and connections in transport
- reduced emissions to tackle climate change, air quality and promote health improvement
- improved quality, accessibility and affordability of transport, to give choice of public transport, better quality services and value for money as an alternative to car travel

A refreshed NTS was published in January 2016, keeping the NTS framework, updating the strategic context and clarifying roles and responsibilities across transport modes, locations and organisational hierarchy. It recommended a 'fuller, collaborative review of the NTS to the next Scottish Government'.

On 22 August 2016 at the Transport Summit in Dumfries and Galloway, Humza Yousaf, Minister for Transport and the Islands at the time, confirmed that a full review of the NTS would be commenced, building on the NTS refresh undertaken in 2015.

The process will ensure the delivery of a wider collaborative review within the current parliamentary session by giving stakeholders and communities across Scotland a greater say in influencing the development of transport policy at local, regional and national level.

The review forms part of the Programme for Government for 2016 and will set out what kind of transport we want in Scotland in 20 years' time and how we will get there, addressing strategic challenges and realising opportunities along the way.

The refreshed NTS will set out a clearly defined set of strategic transport objectives to enable a full refresh of our Strategic Transport Projects Review (STPR) to take place thereafter.

Page 10 of the [NTS Refresh](#) published in January 2016 includes a diagram which summarises the NTS and captures the policy landscape within which the NTS sits at strategic, national, regional and local levels.

Transport Scotland reports progress on the activities set out in its *Corporate Plan* to the relevant Cabinet Secretary, currently the Cabinet Secretary for Transport, Infrastructure and Connectivity.

Detailed aims, objectives and targets of Transport Scotland and their links to the National Performance Framework are set out in the Transport Scotland *Corporate Plan 2017-20* published in October 2017, together with the milestones and performance indicators used to measure successful delivery. Annual targets and performance indicators for each year are also set out in detail in the Transport Scotland *Annual Business Plan* approved by Ministers.

Transport Scotland's performance against its objectives and targets are set out within the Annual Report and Accounts each year, which is subject to audit scrutiny.

3 Key roles, responsibilities and relationships

3.1 The Scottish Ministers

The Scottish Ministers are accountable to the Scottish Parliament. Through the Parliament, they are directly answerable to MSPs about delivery of the Scottish Government's national transport priorities. How this accountability operates in detail is set out in the [Financial and other accountabilities](#) section of this document. The Scottish Ministers have overall collective responsibility for devolved transport matters in Scotland.

The Cabinet Secretary for Transport, Infrastructure and Connectivity is responsible for the portfolio covering transport, supported by the Minister for Energy, Connectivity and the Islands and maintains day to day ministerial oversight of the activities of Transport Scotland (also referred to as "the Agency" in this *Framework Document*). This ministerial oversight determines the policy and financial framework within which Transport Scotland works, in particular:

Monitoring the performance of Transport Scotland and setting the [National Transport Strategy](#) for Scotland and Transport Scotland's objectives and targets within that

- agreeing Transport Scotland's budget with the Scottish Parliament in the light of the Scottish Government's spending plans for transport overall
- approving this *Framework Document*
- approving the Transport Scotland *Corporate Plan* ¹
- receiving Transport Scotland's audited *Annual Report and Accounts*² from the Chief Executive and authorising the laying of those before the Scottish Parliament

3.2 Director General

The relevant Director General (currently DG Economy), is the Portfolio Accountable Officer for the portfolio incorporating transport. They exercise a leadership role through maintaining management oversight of the relationship between the Scottish Ministers and Transport Scotland, ensuring that the Agency is part of the portfolio management arrangements. The Director General provides support and constructive challenge to ensure that the Agency exercises operational accountability properly and is a high performing and continuously improving organisation.

¹ [Transport Scotland Corporate Plan 2017–20](#)

² [Annual Report and Accounts for the Year Ended 31 March 2018](#)

The Director General's responsibilities include ensuring:

- that specific duties as the Portfolio Accountable Officer for the portfolio incorporating transport are met, as set out in the *Financial and other accountabilities* section
- that the Agency's objectives and performance effectively contribute to and are part of the portfolio as a whole and are aligned to the Government's purpose and national outcomes set out in the [National Performance Framework](#)
- that appropriate arrangements are in place for effective, high level performance monitoring and review
- that there is a clear framework for strategic performance improvement and management of the Agency's work
- that the Agency is taking steps to improve its operating efficiency, including through participation in collaborative procurement and shared service; arrangements, where this offers improved value for money
- support for Ministers in the discharge of their duties with the Agency and ensuring the relationship between Chief Executive and Ministers is healthy and working effectively
- effective monitoring of the financial performance, operational effectiveness and risk management arrangements of the Agency on the basis of information and advice from the Chief Executive and the SG Chief Financial Officer
- that the Chief Executive is aware of Scottish Government strategic developments and corporate decisions impacting on the management of the Agency
- that Scottish Government corporate services are available to support and facilitate the work of the Agency
- that the interests of the Agency are represented in the wider Scottish Government
- effective line management of the Chief Executive, with responsibility for carrying out their annual appraisal, taking account of the organisational performance of Transport Scotland as well as individual performance as Chief Executive within the Scottish Government senior management team (being the Permanent Secretary, Directors General and Director level staff)
- that an appropriate *Framework Document* is in place and maintained by the Agency and that Ministers are content with the arrangements set out in it

These arrangements are consistent with Transport Scotland's position as an integral part of the Scottish Government.

3.3 Transport Scotland Chief Executive

The Chief Executive is a member of the Senior Civil Service and is Transport Scotland's Accountable Officer. The Chief Executive is accountable to the Scottish Ministers and to the Scottish Parliament for the effective and efficient operation of the Agency and for effective financial management. The Chief Executive is responsible for the management of Transport Scotland, maintaining it as a high performing and continuously improving Best Value organisation, and is directly accountable to the Principal Accountable Officer for the Scottish Government (the Permanent Secretary) and to the Scottish Ministers.

As part of the DG's portfolio and the Scottish Government Senior Management Team overall, the Chief Executive ensures that the Agency works with other parts of the Government in support of the achievement of its purpose, strategic objectives and national outcomes. The Chief Executive and Director General share a mutual responsibility for ensuring an effective relationship between them that allows each to discharge their responsibilities. The Chief Executive must carry out their duties in a way which supports the Portfolio Accountable Officer and routinely attend the relevant Director General's portfolio management and assurance meetings.

Key responsibilities and accountabilities of the Chief Executive are:

- ensuring effective delivery of Transport Scotland's functions, as determined by the Scottish Ministers
- providing advice directly to, and working closely with, the Scottish Ministers on all matters relating to Transport Scotland's functions and transport policy
- acting as Accountable Officer for the efficient and effective management of Transport Scotland's resources
- ensuring Best Value in all aspects of the Agency's operations including, in particular, that it is contributing to the 'Scottish Government's 2020 business strategy
- ensuring that all relevant financial considerations and Scottish Government guidance with regards to issues of propriety, regularity or value for money are taken into account throughout Transport Scotland's business
- providing support to the Director General, including assurance about the financial performance and operational effectiveness of the Agency and the risk management arrangements in place at the Agency
- presenting annual audited accounts for Transport Scotland as directed by the Scottish Ministers - in signing these accounts, the Chief Executive takes responsibility for their proper presentation
- reporting all information required by applicable rules and regulations to the Scottish Parliament

- effective management and development of staff, ensuring they have the tools, expertise and resources required for Transport Scotland and the rest of the Scottish Government to deliver successfully
- setting in place appropriate operational structures, business systems and procedures, including systems for financial management and control, internal audit and risk management arrangements
- ensuring Best Value in both front line delivery and corporate support functions of the Agency, including use of collaborative procurement and shared service arrangements where participation will offer value for money for the Agency and the wider public purse
- ensuring replies to correspondence from MSPs (or other elected representatives where appropriate) on operational and contractual matters within Transport Scotland's responsibilities
- supporting the Scottish Ministers by preparing Ministerial briefings and responses to ministerial correspondence and written or oral questions from MSPs in the Scottish Parliament
- ensuring responses to Parliamentary Committees on matters within Transport Scotland's responsibilities, whether in day to day support of the Scottish Ministers or directly as Accountable Officer
- replying to requests for information under the Freedom of Information (Scotland) Act 2002 relating to Transport Scotland operations
- overseeing the sponsorship of any transport public bodies within the Agency's responsibilities, supporting a productive relationship between such bodies and the Scottish Government, monitoring their performance against their objectives and undertaking any specific responsibilities set out in the a management statement/financial memorandum for each such body
- keeping this *Framework Document* under review, discussing proposed changes with Ministers as appropriate

3.4 Transport Scotland management

The Chief Executive is accountable for the performance of Transport Scotland and is supported in the day-to-day management of the Agency by the senior management team and by the Audit and Risk Committee (see [Financial and other accountabilities](#) section).

Annually the financial responsibilities delegated by the Chief Executive to members of the Senior Management Team will be formally notified to them. The Certificates of Assurance provided by members of the Senior Management Team to the Chief Executive will support assurance that the terms of that financial and other responsibilities delegated to them have been effectively discharged.

3.5 Working principles of Transport Scotland

As part of the Scottish Government, Transport Scotland and its staff will deliver its functions on the basis of 5 core working principles. Those are:

- to provide excellent service and support to the Scottish Ministers, the Scottish Parliament and the Scottish people, developing and delivering Scotland's transport policies, strategies and projects
- to promote transport integration
- to maintain a clear outward focus on the needs of transport users
- to work in partnership with other transport providers and wider government in planning and delivery
- to make efficient use of public resources and to equip staff to do the best possible job with those resources

4 Accountability to the Scottish Parliament

The Scottish Ministers are accountable to the Scottish Parliament for the functions of the Scottish Government, including Transport Scotland.

Day-to-day operational responsibilities are delegated to the Chief Executive who is in turn accountable along with the Principal Accountable Officer and the Portfolio Accountable Officer to the Scottish Ministers and the Scottish Parliament. The Chief Executive also supports the Scottish Government's Executive Team as part of the Scottish Government senior management team.

4.1 Appearance at parliamentary committees

Scottish Ministers attendance at Parliamentary Committees are supported as required by Transport Scotland officials. The level of support and attendance is discussed with Ministers advance.

The Chief Executive, as an Accountable Officer, can be required to appear before the Public Audit and Post-legislative Scrutiny Committee of the Scottish Parliament to account for the discharge of the Chief Executive's responsibilities as set out in the Memorandum to Accountable Officers for Parts of the Scottish Administration and in this *Framework Document*.

The Scottish Parliament is able to request a particular individual to attend a Parliamentary Committee.

The Chief Executive, as Accountable Officer, is responsible for putting into effect any relevant recommendations of the Public Audit and Post-legislative Scrutiny Committee or other Committees of the Scottish Parliament that have been accepted by the Scottish Ministers.

4.2 Scottish Public Services Ombudsman

Transport Scotland, like the rest of the Scottish Government, is subject to investigation by the Scottish Public Services Ombudsman ("SPSO") and is required to have in place a complaints handling procedure which complies with the statement of principles published by the SPSO.

4.3 Complaints

The Chief Executive is responsible for ensuring that effective procedures for handling complaints about Transport Scotland are established, published, and adhered to.

4.4 Parliamentary Questions

The Chief Executive must ensure that Transport Scotland provides the information required for the Scottish Ministers to reply to relevant written or oral questions in the Scottish Parliament within appropriate timescales.

4.5 Correspondence

Operational matters delegated to Transport Scotland

The Scottish Ministers encourage Members of the Scottish Parliament (and MPs and MEPs) to communicate directly with the Chief Executive on matters falling within the responsibilities of Transport Scotland.

The Chief Executive (or, at the direction of the Chief Executive, the relevant Transport Scotland Director) will reply in many circumstances to MSPs' correspondence on matters relating to Transport Scotland activity.

The Chief Executive ensures that matters on which it is appropriate for Ministers to communicate with MSPs or members of the public are referred to Ministers without delay. Where a correspondent is dissatisfied with a reply received from the Chief Executive, that correspondent may request a reply from the relevant Minister.

Other non-operational transport matters

The Chief Executive ensures that matters on which it is appropriate for Ministers to reply are referred to them without delay.

4.6 Deadlines for replying to Parliamentary Questions and correspondence

In relation to timescales for replies to correspondence with MSPs and members of the public and answers to Parliamentary Questions, the Agency conforms with the timetables set for the Scottish Government as a whole.

5 Financial and other accountabilities

5.1 General

Transport Scotland is funded from the relevant portfolio budget, which is determined by the Scottish Ministers as part of the Scottish Government budget setting process, including Scottish Spending Reviews.

5.2 Accountable Officer roles

The Permanent Secretary of the Scottish Government has Principal Accountable Officer responsibility for the organisation and management of the Scottish Government. The Permanent Secretary is the Scottish Ministers' principal adviser on expenditure and for ensuring a high standard of financial management in the Scottish Government, including its agencies.

The Principal Accountable Officer has designated the Chief Executive of Transport Scotland as its Accountable Officer under section 15 of the Public Finance and Accountability (Scotland) Act 2000.

The relevant Director General is the Portfolio Accountable Officer for the budget from which Transport Scotland is funded.

The Director General as Portfolio Accountable Officer is responsible for monitoring the financial and operational performance of the Agency and seeking clarification on any matter as and when required.

The roles and responsibilities of Accountable Officers for parts of the Scottish Administration, as designated by the Principal Accountable Officer, are set out in the Memorandum to Accountable Officers for parts of the Scottish Administration.

The Chief Executive, as Accountable Officer, is responsible for providing assurance about the financial and operational performance of the Agency.

The Chief Executive is responsible for ensuring that Transport Scotland financial procedures comply with financial guidance issued by Scottish Government Finance Directorate and the Scottish Procurement Directorate. Transport Scotland must comply with the requirements of the *Scottish Public Finance Manual* and all other relevant guidance and must engage with the relevant Scottish Government Finance Directorate Business Partners (or equivalent) where that is appropriate.

In particular, as Accountable Officer, the Chief Executive has responsibility for the propriety and regularity of public expenditure by the Agency and for ensuring that all related resources are used economically, efficiently and effectively. As Accountable Officer the Chief Executive has a duty to secure Best Value, which include ensuring good corporate governance, effective performance management and continuous improvement. Guidance to Accountable Officers on what their organisation should be able to demonstrate in fulfilment of the duties which make up a Best Value regime is included in the Best Value section of the *Scottish Public Finance Manual*.

5.3 Financial delegations within Transport Scotland

The financial delegations for Transport Scotland are set out in *Annex 1*.

Transport Scotland involves the Scottish Government Finance Directorate in financial decisions and other financial matters where that is required in accordance with relevant guidance and delegations.

Within these delegations, Transport Scotland may contract with others for materials, land and buildings or functions and services. The Chief Executive is responsible for securing best value for the Scottish Ministers' resources in making all procurement arrangements.

5.4 Internal audit

The Chief Executive is responsible for ensuring that appropriate internal audit mechanisms are in place and are applied, 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 Portfolio Accountable Officer may ask the Scottish Government Internal Audit Unit undertake any work required to provide independent assurance about Transport Scotland's financial management and control, if the Portfolio Accountable Officer considers that necessary.

5.5 Audit and Risk Committee

The Chief Executive must establish and maintain an Audit and Risk Committee within the Agency, constituted and operating in conformity with the terms of the Scottish Government's Audit Committee Handbook. It must be chaired by an External Executive member, who must be someone other than the Chief Executive or any Director within Transport Scotland. The Chief Executive and the Agency's Finance Director will attend the Committee, as will representatives of Internal and External Audit. The Committee may, however, sit privately as and when it may so decide and it will determine its own meeting cycle.

The remit of the Audit and Risk Committee will include supporting the Chief Executive with regard to the efficient and effective use of programme expenditure and the associated responsibilities for risk management, control, governance and associated assurance. The Audit and Risk Committee is responsible for drawing any significant matters arising in this respect to the attention of the Scottish Government Audit Committee, for example in instances where issues may depend upon factors which are out-with the control of Transport Scotland or have implications for the operation of the Scottish Government or its public bodies more generally.

5.6 External audit

Transport Scotland is subject to external audit by the Auditor General for Scotland (AGS) or by auditors appointed by the AGS.

5.7 Annual report and accounts

The Chief Executive is required to sign and present an *Annual Report and Accounts*³ to the Scottish Ministers and to arrange for laying that before the Scottish Parliament. This document includes a report on Transport Scotland's performance against the aims, objectives and targets set by Ministers for the relevant year.

Transport Scotland must keep proper accounts and records as defined in the *Government Financial Reporting Manual* and *Scottish Public Finance Manual*. The Public Finance and Accountability (Scotland) Act 2000 stipulates that the *Annual Report and Accounts* will be laid before the Scottish Parliament and published after the accounts have been audited and certified by the Auditor General for Scotland. Transport Scotland is within the Scottish Government accounting boundary and is therefore required to complete its accounts in accordance with the timetable for the production of the Scottish Government consolidated accounts. The Chief Executive, as Accountable Officer, provides a Governance Statement as part of the Agency's annual accounts.

5.8 Management accounting and purchasing systems

Transport Scotland operates financial and other systems to provide the Transport Scotland Accountable Officer (the Chief Executive) and the Portfolio Accountable Officer (the relevant Director General) with sufficient information to assure them that Transport Scotland's responsibilities are being discharged and expenditure incurred and accounted for appropriately and that Transport Scotland is achieving efficiency and value for money from its resources in delivering its functions. Transport Scotland must provide robust financial and other information for internal management and Scottish Government reporting requirements, making use of the Scottish Government systems available, where appropriate. This includes appropriate counter fraud arrangements, control systems and procedures, with details being set out in a fraud policy statement and fraud response plan.

5.9 Arrangements for risk management

The Chief Executive is responsible for implementing and monitoring appropriate risk management arrangements as part of a robust corporate governance framework in accordance with the relevant guidance in the *Scottish Public Finance Manual*. This involves the active monitoring and reporting of risk and risk profile changes, to gain assurance that risk management is effective, and to identify when further action is necessary as part of a comprehensive and coordinated approach to managing risk and the successful delivery of Agency functions and projects.

Transport Scotland's risks, including public and employer liability, are carried in line with the Scottish Government's policy on insurance. The Chief Executive will keep the Scottish Government Finance Directorate informed of the nature and potential level of any contingent liabilities arising, including where possible an assessment of their values. Where appropriate he or she will report contingent liabilities to the Scottish Parliament, seeking prior approval to enter into arrangements that will incur

³ [Annual Report and Accounts for the Year Ended 31 March 2018](#)

additional ones where appropriate, in line with the relevant guidance in the Scottish Public Finance Manual.

5.10 Organisational security and resilience

As part of risk management arrangements, the agency shall ensure that it has a clear understanding at board level of the key risks, threats and hazards it may face in the personnel, physical and cyber domains, and take action to ensure appropriate organisational resilience to those risks/threats/hazards. It should have particular regard to the following key sources of information to help guide its approach:

- having and Promoting Business Resilience (part of the Preparing Scotland suite of guidance)^[1]
- the Scottish Public Sector Action Plan on Cyber Resilience^[2]

5.11 Counter fraud arrangements

- The Chief Executive is responsible for establishing and maintaining sound systems of internal control that support the achievement of the organisation's policies, aims and objectives. The systems of internal control shall be designed to manage the risk of fraud - both internal and external - and must be seen in the context of the management of the wider range of risks facing the organisation.
- Transport Scotland has a zero tolerance approach to fraud and promotes an anti-fraud culture. This approach is communicated through the development and maintenance of [The Transport Scotland Fraud Policy](#) in accordance with the relevant guidance in the Scottish Public Finance Manual and in tandem with the [Scottish Government's Counter Fraud Strategy](#).
- Where there is suspected fraud, the Chief Executive, in conjunction with the Finance and Corporate Services Directorate, shall oversee thorough investigations and agree any appropriate legal and/or disciplinary action in all cases where that would be justified. All discovered cases of actual or attempted fraud should be notified to the Transport Scotland Audit and Risk Committee. External auditors will also be made aware of such cases via the reports to audit committees but consideration should be given on a case by case basis to notifying the external auditors immediately that the fraud comes to light.

[1] <http://www.gov.scot/Resource/0043/00439483.pdf>

[2] <https://beta.gov.scot/publications/cyber-resilience-strategy-scotland-public-sector-action-plan-2017-18>

6 Corporate and business planning

6.1 Corporate planning

The Chief Executive will prepare and submit for approval to the Scottish Ministers a Transport Scotland *Corporate Plan*⁴. The Plan will normally cover a period of 3 years. The Plan will set out Transport Scotland's strategic aims, objectives and targets, together with high level performance indicators and an overview of how the Agency will deliver over the Plan period in line with the Scottish Government's Purpose, strategic objectives and national outcomes set out in the National Performance Framework. The Plan also contains Transport Scotland's policy statements on resource management (including Efficient Government) and other corporate issues, such as equalities and information management.

Approval of the Plan by the Scottish Ministers constitutes the high level authority for the Chief Executive to conduct the operations of Transport Scotland during the Plan period, while taking account of the Scottish Ministers' day to day oversight of Transport Scotland's work. The Plan forms the basis for judging Transport Scotland's performance during the Plan period.

6.2 Annual business planning

The Annual Business Plan will reflect those aspects of the agreed corporate plan due for delivery in the year in question, as well as Scottish Government forward plans such as the Programme for Government.

Exceptionally, if policy or circumstances change significantly in the course of the year, the Scottish Ministers or the Chief Executive may propose revisions to the *Annual Business Plan*, including changes to key targets and financial resources. Each year, the Chief Executive will prepare an *Annual Business Plan*. It will set out:

- the year's business targets, milestones and performance indicators required for Transport Scotland to deliver the objectives set out in the *Corporate Plan*
- any additional activity agreed by the Scottish Ministers which Transport Scotland must deliver during the *Business Plan* period, subsequent to publication of the *Corporate Plan*; or other changes which influence Transport Scotland's ability to deliver
- proposed administration costs requirement for Transport Scotland
- proposed current expenditure requirements
- proposed capital investment programmes
- any additional information which the Scottish Ministers require

⁴ [Transport Scotland Corporate Plan 2017–20](#)

The *Corporate Plan* and *Annual Business Plan* may be combined.

6.3 Publication

The *Corporate Plan* and *Annual Business Plan* will be published and copies placed in the Scottish Parliament Information Centre.

7 Other management arrangements

7.1 Human resources

The Chief Executive is responsible for the management and development of Agency staff, and for all other aspects of Human Resource management for Transport Scotland staff (except pensions), in line with the Scottish Government's Human Resources policies and procedures.

7.2 Terms and conditions of service

The staff of Transport Scotland are civil servants and employees of Scottish Ministers and subject to the Scottish Civil Service Code⁵, which sets out the framework within which all civil servants work, and the core values and standards of behaviour they are expected to uphold. As part of The Scottish Government, the staff of Transport Scotland are subject to Scottish Government Main terms and conditions of employment. They are automatically enrolled in, or are eligible to opt out of, the Civil Service pension arrangements and are eligible for contributions to alternative private pension arrangements under the terms offered by the Scottish Government.

7.3 Recruitment

The post of Agency Chief Executive may be filled by managed move within the Senior Civil Service, in the same way as any other senior management position within the Scottish Government, or through open recruitment overseen by the Civil Service Commissioners.

Transport Scotland is responsible for the recruitment of its staff in accordance with the Scottish Government's human resources policies and procedures. Recruitment for Senior Civil Service posts below Chief Executive level is the overall responsibility of the Scottish Government's Strategic Board, and is carried out by the Chief Executive in consultation with the Scottish Government's People Director. All recruitment, including that for Senior Civil Service posts, will adhere to the Scottish Government's recruitment policies and procedures.

7.4 Staff relations

The Chief Executive is responsible for putting in place the structure for promoting and supporting effective employee relations, consulting with trade union representatives in line with the Partnership Agreement that exists between the Council of Scottish Government Unions and the Permanent Secretary.

⁵ [The Civil Service Code](#) is part of the Civil Service Management Code, which sets out the central framework for the management of the Civil Service.

7.5 Training and staff development

The Chief Executive is responsible for the learning and development of staff to ensure that all staff have the knowledge, skills and experience required for Transport Scotland to deliver its aims and objectives successfully.

Professional staff will have access to their Head of Profession (where one exists), wherever located within the Scottish Government. Professional Staff career development will be managed by their Head of Profession and may include managed moves across the Scottish Government and wider civil service.

7.6 Promotion

Transport Scotland staff remain eligible for promotion opportunities within the Scottish Government. Transport Scotland will review and agree each year with Scottish Government Human Resources the relevant arrangements to ensure Agency promotion standards are consistent with those that apply to Scottish Government Main promotion.

7.7 Health and Safety

The Chief Executive is responsible for effective health and safety management in line with current health and safety legislation, guidance and best practice, supported by the Agency Health & Safety Advisor and the Occupational Health and Safety Branch of the Scottish Government as appropriate.

7.8 Support services

The Chief Executive is responsible for securing and monitoring the delivery of the support services required by Transport Scotland, with regard to the requirements of Efficient Government and Best Value. The Chief Executive will keep the provision of support services under review and set out proposals for review of specific services in the *Corporate Plan*.

There is a strong presumption in favour of Transport Scotland sharing corporate services with the rest of the Scottish Government and other Scottish Government Agencies. A Service Level Agreement will be agreed where appropriate between Transport Scotland and any Scottish Government Directorates responsible for the provision of shared services.

Where there is a business case Transport Scotland may procure services directly, ensuring that opportunities to share services with other Executive agencies or Scottish Government Directorates, in line with Efficient Government requirements, are considered.

7.9 Equalities

The Chief Executive is responsible for ensuring adherence to Scottish Government equalities and diversity policies and relevant legislation, as they apply to Transport Scotland staff, third parties acting on behalf of Transport Scotland, and in Transport Scotland's role as a public body in the promotion of equality and diversity. Policy statements are set out in the *Corporate Plan*.

7.10 Freedom of Information and Data Protection

The Chief Executive is responsible for ensuring adherence to Scottish Government policies and procedures, and relevant legislation, on Freedom of Information, Environmental Information, and Data Protection are adhered to. Policy statements are set out in the *Corporate Plan*.

8 Relationships with other bodies

8.1 General

Transport Scotland will, as part of the Scottish Government, engage with all bodies with an interest in the development or delivery of transport in Scotland.

These bodies include:

- Department for Transport, and any other UK Government Departments, in line with agreed concordats
- other devolved governments in the UK
- Regional Transport Partnerships in Scotland
- Scottish local authorities, directly or through the Convention of Local Authorities in Scotland, in line with agreed concordats
- commercial transport operators and service providers
- the wider public, private, voluntary and community sector as appropriate
- other Executive agencies, public corporations or Central Government Bodies as appropriate
- the Council of Scottish Government Unions, in line with the Scottish Government Framework Agreement with CSGU

8.2 Relationships with rail bodies

Transport Scotland has the following specific relationships with train operating companies and other rail bodies under UK railways legislation:

- the Scottish Ministers are signatories to the Scottish (ScotRail and Caledonian Sleeper) rail franchises and Transport Scotland manages the contractual relationship with the franchisees
- the Scottish Ministers specify the outputs to be delivered by Network Rail in Scotland. To this end, Transport Scotland funds Network Rail's activity in Scotland in accordance with the regulatory determinations of the Office of Rail and Road; the Scottish arrangements within the Network Rail Framework Agreement with the UK Government; and the requirements of the Scottish Public Finance Manual
- Transport Scotland liaises with the Office of Rail and Road (ORR), which is the independent economic and safety regulator for rail in Great Britain. ORR is responsible for monitoring Network Rail's delivery of the outputs specified by Scottish Ministers, and carrying out any enforcement action required.

8.3 Relationships with companies where Scottish Ministers are sole shareholder

The Scottish Ministers, represented by Transport Scotland, are the sole shareholder in Caledonian Maritime Assets Limited, David MacBrayne Limited, Highlands and Islands Airports Limited and TS Prestwick HoldCo Ltd. Transport Scotland manages these investments on behalf of the Scottish Ministers. These public bodies operate at arm's length from the Scottish Government and Transport Scotland at an operational level and do not fall within its accounting boundary. The companies therefore publish their own annual reports and accounts. However the full net expenditure of bodies that are classified to central government falls to be charged to the Scottish Government HM Treasury budget and Transport Scotland is responsible for managing that expenditure.

8.4 Sponsorship role

Transport Scotland exercises a sponsorship role on behalf of Scottish Ministers for the Mobility and Access Committee for Scotland (MACS). Transport Scotland also sponsors Scottish Canals, to promote the use of canals for leisure, recreation, tourism, regeneration and transport.

Transport Scotland also exercises a sponsorship role for the Office of the Scottish Road Works Commissioner. The Scottish Road Works Commissioner is an independent statutory officeholder.

9 Changes to this Framework Document

9.1 Review arrangements

This *Framework Document* should be updated as and when necessary. At a minimum, the need for any changes should be considered each time a new corporate plan is prepared. Any changes should be agreed by Scottish Ministers, and approved by the Portfolio Accountable Officer with advice from the Scottish Government Portfolio Finance Team / Finance Directorate and Public Bodies Policy Division as necessary.

9.2 Enquiries

Copies of this *Framework Document*, and of any subsequent changes, will be placed in the library of the Scottish Parliament and are available via the [Transport Scotland website](#).

Annex 1 – Financial and purchasing delegations

Within agreed overall budgetary provision, and subject to the Scottish Public Finance Manual and Scottish Procurement Policy Handbook, Transport Scotland has delegated authority as set out below.

(1.) Commit expenditure, authorise payments	Within the Agency's agreed overall budget provision.
(2.) Accept receipts	Receipts in excess of those authorised by Budget Act must be surrendered to the Scottish Consolidated Fund.
(3.) Let contracts	In accordance with EU legal requirements and the Scottish Procurement Directorate's Policy Manual, subject to relevant internal ministerial approval of any significant new infrastructure or changes to existing services.
(4.) Commission external consultants	For individual contracts let by competitive procedures, up to a limit of £10,000 excluding VAT. (Contracts worth from £10,000 to £50,000 will have to be approved by Director General Economy. Contracts above £50,000 require approval by the Cabinet Secretary for Transport, Infrastructure and Connectivity).
(5.) Authorise losses, special payments and gifts	Unlimited, apart from the categories listed below which are subject to a limit of: a) £150,000 for claims waived or abandoned b) £50,000 for special or ex-gratia payments c) £5,000 for gifts.
(6.) Authorise Capital Expenditure	Within the Agency's agreed overall budget provision.

The Chief Executive of the Agency or the relevant Transport Scotland Director (or the authorised delegate of the Chief Executive or relevant Director) may award and sign contracts committing the Scottish Ministers to legal obligations and expenditure, subject to any limits set out above. It is the responsibility of the Chief Executive or relevant Director to ensure that ministerial and any other internal approvals to support contract award are obtained before the contract is signed committing Ministers to legal obligations or expenditure.



**TRANSPORT
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