

# National Library of Scotland Scheme of Delegation

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## 1. Introduction

The Scheme of Delegation sets out the powers delegated by the Board of the National Library of Scotland (the Library) to its Chair, the National Librarian and Board Committees. It sets out how governance and high-level decision-making operate within the Library. It is not a comprehensive description of individual roles and responsibilities across the Library's senior management team.

The Scheme of Delegation should be read alongside the Library's legal framework:

- the [National Library of Scotland Act \(2012\)](#);
- the [Charities and Trustee Investment Scotland Act \(2005\)](#);
- the [Legal Deposit Libraries Act \(2003\)](#);
- the [Legal Deposit Libraries \(Non-Print Works\) Regulations 2013](#); and
- any directions and guidance Scottish Ministers give the Library.

It should also be read with:

- the [Framework Document Between The Scottish Government and the National Library of Scotland \(2019\)](#);
- the [Scottish Public Finance Manual](#) (SPFM);
- the national policy context set out by the Scottish Government in [National Performance Framework](#) and SG [National Outcomes](#) to which the Library makes an important contribution.

## 2. The Board's Role

The Board's role is to make sure the Library delivers its legal functions effectively and efficiently. The Board is responsible for the following Reserved Matters:

- Approving annual reports and accounts.
- Setting the Library's overall strategy.
- Approving the annual Library Plan and budget.
- Approving Major Loan Agreements. The Board defines Major Loans.
- Monitoring progress against the annual Library Plan.
- Reviewing regular financial information about the management and performance of the Library.
- Approving significant capital and revenue spending. Significant is defined as spending over £250,000 on capital items, over £1,000,000 over a three year period on revenue contracts, and all Major Projects. Major Projects are

defined in section 4.2 below.

- Making sure effective arrangements are in place to provide assurance on risk management, governance and internal control, including setting up an Audit Committee.
- Appointing (with the approval of the Scottish Ministers) the National Librarian.
- Monitoring the National Librarian's performance and holding the National Librarian to account for meeting agreed plans and budgets.
- Making sure the Library meets its non-statutory duty of [Best Value as outlined by the Scottish Government](#).
- Taking into account any relevant Guidance issued by Scottish Ministers.
- Showing high standards of corporate governance and making sure the Board's decision making is open and transparent.
- Meeting Board Members' responsibilities as Charity Trustees, as set out by the [Office of the Scottish Charity Regulator](#) (OSCR).
- Fulfilling its role as the employer of the National Librarian and staff.
- Allowing functions to be delegated to the National Librarian, staff or Committees as set out in this document.

### **3. The Chair's Role**

The Chair answers to Scottish Ministers and, like anyone with accountability for devolved functions, may also be held to account by the Scottish Parliament. Communications between the Board and Scottish Ministers should normally go through the Chair.

The Chair makes sure that the Library's policies and actions support Scottish Ministers' wider strategy and that the Library is managed to the highest standards.

In leading the Board the Chair:

- Makes sure the Board has regular self-assessment and works effectively.
- Monitors individual Board Member's performance through continuous assessment and annual appraisals.
- Line manages the National Librarian and monitors the National Librarian's performance.

- Carries out an annual appraisal of the National Librarian.
- Chairs Board meetings, decides how formal votes by the Board will be carried out, and has a casting vote when needed.
- Works with SG to ensure the Board is diverse with the right balance of skills, experience and knowledge, and in terms of protected characteristics under the Equality Act.
- Makes sure Board Members know their terms of appointment, duties, rights and responsibilities.
- Makes sure the Chair, and other Board Members, receive suitable induction training.
- Makes sure the Board is fully aware of, and considers, the National Librarian's responsibilities and legal duty as Accountable Officer.
- Makes sure succession planning takes place to ensure the Board is diverse and effective. Makes sure Scottish Ministers are advised of the Library's needs when Board vacancies arise.
- Makes sure a Code of Conduct for Board members is in place, approved by Scottish Ministers.
- Takes urgent or emergency decisions, subject to ratification at the next Board meeting.

#### **4. The National Librarian's Role**

The National Librarian's role is to lead the Library, making sure the Board's strategic aims and the Library's legal functions are met effectively. The National Librarian's general responsibilities include the performance, management, and staffing of the Library.

Specific responsibilities to the Board include:

- Advising the Board on carrying out its duties.
- Implementing the Board's decisions.
- Carrying out the role of Accountable Officer. Accountable Officers answer personally to Scottish Parliament, as set out in the [Memorandum to Accountable Officers for Other Public Bodies](#).

- Delegating financial responsibilities to the Director of Business Support where appropriate.
- Preparing the Library Plan, to make sure the strategic aims and objectives agreed by Scottish Ministers are achieved.
- Reporting to the Board on the Library's performance against strategic aims and objectives and financial targets.
- Making sure the Board takes financial considerations into account when making decisions.
- Making sure the Library uses suitable financial appraisal and evaluation techniques, in line with the [Appraisal and Evaluation](#) section of the [Scottish Public Finance Manual](#) (SPFM).
- Making sure the Library follows the [Scottish Government's Programme and Project Management Principles](#).
- Making sure the Library has robust performance and risk management arrangements in place in the personnel, physical and cyber domains, in line with the [Risk Management](#) section of the SPFM. These should help the Library meet its aims and objectives and make comprehensive reporting to the Board, the Scottish Government and the wider public possible.
- Making sure the Library has adequate internal control systems in place, including effective measures against fraud and theft in line with with the [Fraud](#) section of the SPFM.
- Making sure the Library's internal delegation is in line with with the [Delegated Authority](#) section of the SPFM.
- Making sure relationships with Scottish Government officials are effective.
- Making sure:
  - timely forecasts and monitoring information on performance and finance are provided to the Scottish Government;
  - the Scottish Government is told at once if over- or under-spends are likely and corrective action is taken; and
  - the Scottish Government is told at once of any significant problems, financial or other.
- Making sure staff pay proposals are in line with SG [Pay Policy](#).

The National Librarian will escalate to the Board issues involving potential:

- significant effect on financial, reputational or operational risk;
- significant impact on service delivery or performance of the Library;
- significant impact on or revision to the Library's strategic priorities or plans;
- items considered novel or precedent-setting; or
- fraud.

Escalation allows the Board to explore issues with the National Librarian and the Library Leadership Team. The Board will agree whether it needs to decide formally on a course of action.

Identifying issues for escalation relies on the National Librarian's judgement.

#### **4.1 Further Delegation**

The National Librarian may delegate any of the individual responsibilities listed in Section 4 to other employees. This does not release the National Librarian from overall responsibility to the Board.

The current version of the Library's Scheme of Administration sets out which responsibilities the National Librarian is delegating and to whom. The Board (via the Governance Committee) will approve any changes to the Scheme of Administration.

The Chief Executive may not delegate:

- responsibilities as Accountable Officer;
- performance management and support of direct reports;
- appointment and removal of direct reports; and
- decisions on service levels, opening hours and other issues about Library services and access to the collections.

#### **4.2 Major Projects**

Any capital project with an estimated value of £1,000,000 is a Major Project. The National Librarian, after talking to the Director of Business Support and the Chair of Audit Committee, can also name any other project a Major Project.

Authority is delegated to the National Librarian to:

- Make sure Major Projects are started and managed suitably.
- Support Major Projects through reviews, management reporting, project closure reports and benefits realisation tracking.
- Update LLT, the Audit Committee and the Board on Major Projects.

All Major Projects will be submitted to the Board for approval

## **5. The Committees' Roles**

The Board sets up committees to help carry out its duties. Each Committee has Terms of Reference which are approved by the Board and reviewed every two years.

The current Committees are:

- Audit;
- Staffing and Remuneration; and
- Governance.

The Committees' Terms of Reference are posted on the Library's website.

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