

# Our Regulatory Framework

## Consultation questions

You can respond by completing our Citizen Space online survey which can be found here:

<https://haveyoursay.historicenvironment.scot/heritage/regulatory-framework>

## Overview

Historic Environment Scotland (HES) is looking for your views on our first Regulatory Framework.

This document explains Historic Environment Scotland's approach to our regulatory and advisory services in the planning and other consenting systems.

## Why your views matter

This framework describes our approach to taking decisions and providing advice on managing Scotland's historic environment. It is for anyone who engages with the services we provide or wants to understand more about the decisions we take and the advice we give.

We want to hear your thoughts and ideas about the proposed content of this framework and would welcome your feedback on any part of it. We would particularly welcome your views on whether you think we have identified the right **goals** and **principles** to guide our work.

You can provide feedback by completing the short [online survey](#).

You can find the draft framework below or [download a copy](#) [PDF, 348KB).

## Providing feedback in other ways

If you would like a copy of the draft framework and associated consultation questions in a different format, please let us know.

If you would like to provide feedback differently, such as over the phone, by email or via online meeting (e.g. Microsoft Teams, Zoom), please let us know and we would be happy to arrange this.

Please contact [alasdair.mckenzie@hes.scot](mailto:alasdair.mckenzie@hes.scot) or call 0131 668 8924.

## Background

Our Regulatory Framework is a high-level description of the regulatory and advisory services we deliver. It expands on some of the information contained on our [website](#), in our [designation service standards](#) and our [planning service standards](#). It also relates to how we support the delivery of policies set out in the [Historic Environment Policy for Scotland](#) (HEPS), [Scottish Planning Policy](#) (and in due course, [National Planning Framework 4](#)), our [Designations and Selection Guidance](#) and our [Scheduled Monument Consents Policy](#).

## Contents

The draft framework includes the following sections:

1. About this framework
2. Who we are
3. Our regulatory role
4. Our decisions and advice
5. Our regulatory principles
6. Measuring our performance and impact
7. Further information

## **1. Are you responding as an individual or an organisation?**

(Required)

- As an individual
- On behalf of an organisation, public body or charity
- On behalf of a local authority
- As a private business, such as an architect or developer
- Representing a community group
- Other

**Question 2. If you've chosen 'Other', please specify here:**

### **Your data**

We believe you should always know what data we collect from you, why we need it and how we look after it.

### **What data will you be sharing?**

To help us understand who we are engaging with and to allow us to follow up on some responses, we'll be asking you about some personal data information. This includes:

- your email address
- your name

All of your answers are optional.

### **Why do we need this data?**

Following your submission, we will send you an acknowledgement using your email address and if you give your permission and contact information, we may approach you about suggestions you have made in the consultation and the outcomes of this consultation in the future.

## What will we do with your data?

Our privacy notice explains your rights and our role in protecting the information that you share with us.

We will process your Personal Data in strict accordance with the General Data Protection Regulation (EU) 2016/679 and the Data Protection Act 2018.

## I agree to the privacy notice (Required)

- Yes
- No

## Permission to publish

**Historic Environment Scotland would like your permission to publish your consultation response. Please indicate your publishing preference:**

The option '**Publish response only (without name)**' refers only to your name, not your organisation's or community's name. If this option is selected, the organisation or community name will still be published.

If you choose the option '**Do not publish response**', your organisation or community name may still be listed as having responded to the consultation in, for example, the analysis report.

**Question 5. Please indicate your publishing preference:**

(Required)

- Publish response with name
- Publish response only (without name)
- Do not publish response

## Structure and clarity

**Question 6. Is the framework clearly structured and easy to navigate?**

- Very clear
- Somewhat clear
- Neutral
- Somewhat unclear
- Very unclear
- Not sure
- No view

**What could we improve? Please add your suggestions here.**

**Question 7. We tried to use language that is clear and accessible in this document. To what extent do you think we have achieved this?**

- Very well
- Well
- Neutral
- Badly
- Very badly
- No view

**What could we improve? Please add your suggestions here.**

**Question 8. Does the document clearly set out how we will perform our regulatory and advisory roles and where we are involved? Please add your feedback here.**

## Our goals

**Question 9. To what extent do you agree these are the right goals?**

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree
- Not sure
- No view

**Are there any goals that we have missed out or should change?**

## Our regulatory principles

The Regulatory Reform (Scotland) Act 2014 emphasises the need for regulators to enable and engage in a positive way. We follow the Scottish regulators' strategic code of practice in delivering all of our services. The code of practice asks regulators to recognise in their policies and practice a commitment to the five principles of better regulation: regulation should be transparent, accountable, consistent, proportionate and targeted.

### **Our approach**

In addition to this code, Our Principles describe our focus as a modern, forward-looking, outcome-focussed, proactive and enabling regulator.

These say that we will be:

### **Dynamic**

1. We will be responsive to the rapidly changing world we live in, take flexible and innovative approaches, and regularly review our advice, guidance and policies.

### **Solution-focussed**

2. We will work to find solutions which benefit the historic environment and meet the needs of the people of Scotland.

### **Evidence driven**

3. We will be evidence driven, both in engaging people to inform our work and develop our advice, guidance and policies, and in showing the difference we make and the benefits of the historic environment.

### **Accessible**

4. We will build relationships and mutual understanding with our stakeholders and communicate our work in a clear, accessible and approachable way.

### **Outcome-focussed**

5. We will focus our efforts and resources where our contribution is needed most and where we can help deliver the best outcomes for the historic environment and the people of Scotland.

**Question 10. To what extent do you agree that we have identified the right principles for our work?**

- Strongly agree
- Agree

- Neutral
- Disagree
- Strongly disagree
- Not sure
- Not my area of interest

**Question 11. Do you have any feedback on these principles?**

## Anything else?

**Question 12. Does the document leave out anything that should be included?**

- No
- Yes

**Question 13. If you said 'Yes', please explain your answer in the box below.**

**Question 14. Do you have any feedback on how we should measure our performance and the impact of the services included in this framework?**



## Almost done...

You are about to submit your response. By clicking 'Submit Response' you give us permission to analyse and include your response in our results. After you click Submit, you will no longer be able to go back and change any of your answers.

**If you provide an email address you will be sent a receipt and a link to a PDF copy of your response.**