

Memorandum of Understanding between Scottish Government, RESAS Team and Environmental Standards Scotland for purposes of use of the Strategic Research Programme

Contents

Parties 2

Background 2

Roles and Responsibilities 2

 ESS 2

 RESAS 2

Principles of Co-operation 3

Ways of Working 4

 Disagreements 4

 Status 5

 Review 5

 Publication 5

Version number	Author	Purpose / changes	Date
<i>0.1</i>	<i>Hannah Eamer and Ailsa Stroud</i>	<i>Initial draft</i>	<i>13/12/2022</i>
<i>0.2</i>	<i>Graeme Beale</i>	<i>Adding RESAS commitments</i>	<i>22/12/2022</i>
<i>0.3</i>	<i>Neil Langhorn</i>	<i>ESS text suggestions</i>	<i>09/01/2023</i>
<i>0.4</i>	<i>Neil Langhorn Graeme Beale</i>	<i>Signing</i>	<i>18/01/2023</i>

Parties

1. Environmental Stands Scotland Strategy and Analysis Team (ESS) of Thistle House, 91 Haymarket Terrace, Edinburgh, EH12 5HD and
2. Scottish Government, Rural and environmental science and analytical services (RESAS) Team, Victoria Quay, The Shore, Edinburgh, EH6 6QQ.

Background

3. RESAS have offered ESS use of their Strategic Research Framework (SRF) for ESS' analytical purposes. This Memorandum of Understanding (MoU) is to agree the principles of that proposed use. It sets out the framework for a working relationship between RESAS and ESS.
4. Taking an evidenced based approach to understanding the environment is fundamental to both ESS and RESAS. Working together will facilitate access to expertise to build a deeper knowledge of the environment in Scotland, and help deliver value for money and better environmental outcomes.

Roles and Responsibilities

ESS

5. The role of ESS is to scrutinise, investigate and secure improvements in public authorities' compliance with environmental law, the effectiveness of environmental law, and the way it is being implemented and applied in Scotland.
6. The Strategy and Analysis team will undertake a range of monitoring and analytical work to ensure that ESS are well informed about environmental performance and identify issues of potential concern.

RESAS

7. RESAS will facilitate access to their Policy Development funds, currently held at five Main Research Providers (MRPs)¹ (Rowett, Hutton, SRUC, Moredun, BioSS). These are monies provided by Scottish Ministers through RESAS to facilitate access to expertise generated through the Strategic Research Programme, and paid through the Underpinning National Capacity.

¹ MRPs are eligible for funding under section 5 of the Science and Technology Act 1965. Prior to that it was powers under section 4 of the Small Landholders (Scotland) Act 1911.

8. The scope of the Underpinning National Capacity (UNC) funding is relatively small and is to project or advice which will take less than 20 working days FTE and/or with costs up to £10,000. There is not scope to combine these pots or to combine projects with the effect that either more than £10,000 is spent on a single project or more than 20 FTE days are used. The monies are spent within a single MRP as part of their UNC grant.
9. The MRPs are all signed up to an expected standards of service document which is appended as Annex 1 to this document which sets out the procedures for accessing the expertise, quality control etc., and we expect they should continue to meet those standards in any work for ESS.
10. In the expected standards of service document there is reference to RESAS leads, and in relation to project management, delivery, data sharing and publication for any ESS projects this role would be carried out by ESS staff not RESAS staff.
11. As RESAS cannot breach budget controls on these funds there needs to be a check to ensure sufficient funds are available to carry out any ESS projects through the Institutional Leads identified in Annex 1. However, once that has happened between ESS and the respective RESAS lead we would not seek to intervene in any project, publication etc., requested by ESS of an MRP.

Principles of Co-operation

12. ESS and RESAS intend that their working relationship is characterised by a shared intent to co-operate on the basis of the following principles:
 - **Shared purpose** in undertaking an evidenced based approach to understanding the environment in Scotland.
 - **Respect** for each other's functions, independent points of view and, operational independence including/ in particular; ESS management/ signoff of research output and RESAS facilitating/ enabling access to expertise.
 - **Value for money.**
 - **Openness & Transparency** between each other, while working in accordance with any legal requirements that limit or prevent disclosure and handling of information and maintaining operational independence.
 - A '**no surprises**' approach – sharing the outcomes/ outputs of research projects in a timely way.

- collaboration in good faith, where the parties consider this beneficial, for example in areas where there are common interests and projects, to improve efficiency and avoid duplication.

Ways of Working

13. Representatives from the parties will meet on a regular (suggested quarterly) basis to discuss forthcoming research projects and access to expertise, as appropriate.
14. Each party will nominate a representative for this Memorandum to ensure the principles of co-operation are maintained and the establishment of strong working relationships is continued.
15. Each party will respect the others' independence and therefore:
 - ESS will approve ESS-commissioned work; and
 - RESAS will approve RESAS-commissioned work;
 - both parties will need to approve jointly commissioned work
16. It will be clarified at project inception which party/parties is/are commissioning.
17. The budget for the SRF belongs to RESAS and therefore RESAS takes final decision on whether a project is to be procured through the SRF.
18. ESS reserves the right to access SRF partners through other agreements.
19. Publication, intellectual property and accessibility requirements are the responsibility of the commissioning body/bodies.

Disagreements

20. Where there are disagreements or disputes between RESAS and ESS in connection with this Memorandum, these should firstly be resolved by consultation between the parties' representatives.
21. If disagreements or disputes cannot be resolved within a reasonable time at this level they should be escalated, if necessary, to their Chief Executives/Directors. However, if a disagreement or dispute cannot be resolved at Chief Executive/Director level, it may be left unresolved (as a reflection of the parties' distinct legal identities and independence) and the different views of each organisation should be noted. In practice, Chief Executives/Directors may discuss this through the regular engagement process.

Status

22. This Memorandum is not itself intended to be legally binding but forms the basis of an agreement to cooperate.

Review

23. This Memorandum shall commence on 19 January 2023 and shall be reviewed on or before 19 January 2024.

24. Following the review, the parties will update the Memorandum if considered appropriate. Any amendment to this Memorandum will only take effect once agreed in writing and signed on behalf of both parties.

Publication

25. The parties will publish this Memorandum, and any subsequent versions on their respective websites.

Signed on behalf of RESAS:

Graeme Beale..... Date: 18/01/2023
Name and job title: Graeme Beale, Head of the Strategic Research Programme, RESAS

Signed on behalf of ESS:

Neil Langhorn
..... Date: 18/01/23
Name and job title: Neil Langhorn, Head of Strategy & Analysis

Annex 1 Expected Standards of Service

RESAS

Rural & Environmental Science
and Analytical Services

Expected Standards of Service

Underpinning National Capacity 2022-27 Support to Policy

General

- Provide 1–2-page description of response to RESAS request for project. To be approved by RESAS Lead
- Funding less than £10,000 per project or request
- A guide of 20 days Full-Time Equivalent (FTE) on each project
- Budget Allocation – cost of each project to be listed in Underpinning National Capacity annual report
- Performance review to be conducted annually – proportionate internal review by MRP
- Co-ordinators meeting for Managers of Call Down funds to be held early in the financial year. Combined meeting with all MRP Call Down managers and all RESAS Leads and an ESS representative at least once a year
- Governance requires a clear separation of duties between Managers of Call Down fund and Project Leads within MRPs
- The aim of the Function is for Support to Policy funding to deliver RESAS/SG/ESS Policy requirements
- Support to Policy funding is not to be used to fund work undertaken by other specified means of Knowledge Exchange (e.g. Topic Line F2, CKEI or other CoE)
- Clearance to use budgets (para 11), must be agreed by RESAS Institutional Leads as identified below:
 - BioSS – Stephen Smith
 - SRUC – Anna Giela
 - Rowett – Fred Foxtton
 - Moredun – Nia Ball
 - JHI – Anna Giela
- Updates to the Institutional Leads will be provided in writing by RESAS to ESS as necessary.

Experts

- Clear understanding of roles & responsibilities and associated days.
- Provide a comprehensive list of named experts available to RESAS – reviewed and updated regularly (minimum annually). The Directory of

Expertise should be updated regularly and will be used to identify experts but requests will still go through Managers of the Call Down fund in each MRP.

- Provide a brief summary of support available to help RESAS/ESS consider best way of interacting with MRP.

Data Sharing

- Explicit consent from the commissioning body/bodies must be obtained before any output/outcome from Support to Policy funding can be published.
- Data Sharing Agreement should stand where applicable. Templates provided as part of grant letters are to be used where relevant to the project.

If institutes are unable to meet any of the above expectations, they should contact RESAS immediately. RESAS will seek to review and try to amend as necessary. The Expected Standards of Service will be reviewed regularly and RESAS may introduce amendments to the process if required