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Our ref: Historic Environment Scotland Accountable Officer
17 December 2025

Dear Clare,

HISTORIC ENVIRONMENT SCOTLAND – ACCOUNTABLE OFFICER

I am writing following the publication yesterday by Audit Scotland of their Section 22 Report about Historic Environment Scotland (HES). Amongst other issues the Report comments on a period of five and a half months during 2025 when the organisation operated while its Accountable Officer was not at work. Recent press commentary has speculated on why another Accountable Officer was not appointed during that period, and I wanted to set out the facts for the Committee.

The Framework Document agreed between HES and Scottish Ministers sets out how HES and Scottish Government will work together, including respective roles and responsibilities. The Framework Document states that:

- the Chief Executive of HES is employed and appointed by the Board with the approval of the Scottish Ministers; and
- the Principal Accountable Officer for the Scottish Administration will designate the Chief Executive as the Accountable Officer for HES.

The Framework Document can be found

here: <https://www.historicenvironment.scot/media/d21nj2j/hes-framework-document.pdf>

On 28 May 2025 the Chief Executive and Accountable Officer of HES informed the Scottish Government that her absence from work which had begun on 2 May would be greater than four weeks, and that she expected to be absent for a further period. In doing so she also confirmed that during this period there would be no major events or matters planned which would require Accountable Officer approval.

Throughout the five and a half month period when the Chief Executive and Accountable Officer was not at work the Scottish Government actively engaged with the then Chair and Board of HES, including seeking further assurances that there were no imminent decisions which required Accountable Officer approval.

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During this period the former Chair (Dr Hugh Hall) suggested that an Acting Chief Executive and Accountable Officer should be appointed. I discuss that further below. However, it is also the case that on at least two occasions during this period the Chief Executive and Accountable Officer notified the Scottish Government and the Board of her intention and readiness to return to work. The first of those was in late June and was confirmed in an email of 1 July sent to the Scottish Government's Permanent Secretary.

A second occasion was in late August. Given the Chief Executive's readiness to return to work it would clearly have been inappropriate at those times for an acting Chief Executive and Accountable Officer to be appointed.

On each of these occasions following discussions between the Chief Executive & Accountable Officer and the Board she did not return to work despite her wish to do so. The reasons for those decisions are a matter for the former Chair and Board members at that time, and that decision making process did not involve the Scottish Government in line with the respective responsibilities set out in the Framework Document.

During the five and a half month period the Scottish Government continually monitored the situation and engaged with the then Chair and Board. There were two occasions during that period, following decisions taken by the Board, when it did seem possible that a period of extended absence would materialise. On both of those occasions the Scottish Government supported the Board to make plans to put in place an Acting Chief Executive whom the Scottish Government could also appoint as the Acting Accountable Officer.

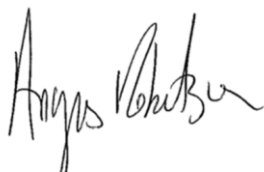
Mindful of the requirement that the Accountable Officer must be an employee of HES, at the former Chair's request on 2 July my officials provided the Chair with a list of individuals' names whom the Board might consider as candidates to appoint as Acting Chief Executive. In addition, on 20 August 2025 Kenneth Hogg (Scottish Government Director for Culture & External Affairs) met with a candidate whom the former Chair had said the Board wished to appoint as Acting Chief Executive.

The purpose of the meeting was to determine the candidate's suitability to be appointed additionally as Acting Accountable Officer. Mr Hogg confirmed to the candidate in the meeting, and subsequently to the former Chair, that the Scottish Government would be content to appoint the candidate as Acting Accountable Officer if the Board took the decision to appoint them as Acting Chief Executive.

That message was repeated by the Director General for Strategy and External Affairs at a meeting with Board members on 10 September 2025. Ultimately, the Board did not appoint that individual or any other as Acting Chief Executive. The Chief Executive and Accountable Officer (Katerina Brown) resumed her Accountable Officer duties on 20 October 2025.

I hope this clarifies the position.

Yours sincerely



ANGUS ROBERTSON

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