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1. Introduction

1.1 The Intellectual Property Office became an Executive Agency on 1 March 1990 and achieved Trading Fund status on 1 October 1991.

1.2 The Intellectual Property Office (whose current legal title is The Patent Office) became an Executive Agency of the Department for Business, Innovation and Skills (BIS), hereinafter referred to as the “Department”, on 5 June 2009.

1.3 This document sets out the framework of policy, planning, accountability and delegations within which the Intellectual Property Office operates.

1.4 The Intellectual Property Office has offices at:

**Concept House (Head Office)**

Cardiff Road  
Newport  
South Wales  
NP10 8QQ  
Tel: 01633 814000  
Fax: 01633 814444

Website:  
https://www.gov.uk/government/organisations/intellectual-property-office

**London Office**

4 Abbey Orchard Street  
London  
SW1P 2HT  
Tel: 0207 034 2818

**Nine Mile Point**

Units 5 & 6  
Nine Mile Point Industrial Estate  
Cwmfelinfach  
South Wales  
NP11 7HZ  
Tel: 01495 201604
2. Functions, Aim and Objectives

Functions

2.1 The Intellectual Property Office is responsible for implementing the national framework governing intellectual property rights (IPRs) and for promoting the UK’s interests in the development of the international Intellectual Property Rights system. The system is based on community and international law as well as domestic legislation (governed by the Patents Act 1977, the Copyright, Designs and Patents Act 1988, the Trade Marks Act 1994 and associated legislation). The Office has the following specific responsibilities for development and administration of domestic and international law:

- the grant of patents for inventions;
- the registration of trade marks;
- the registration of designs;
- the maintenance of rights granted or registered, including patents granted by the European Patent Office (EPO) under the European Patent Convention (EPC) and covering the United Kingdom;
- acting as the point of entry for UK companies and individuals to the EPC and the Patent Co-operation Treaty (PCT) where transnational protection is sought;
- acting as a point of entry for UK companies and individuals seeking Community Trade Marks (CTMS) or Designs, or Trade Marks in other jurisdictions under the Madrid Protocol;
- formulating advice on, and implementing UK Intellectual Property (IP) policy;
- providing UK input into the development of International legislation including negotiations on European Directives and International Treaties;
- developing a better understanding of the role Intellectual Property plays in the UK economy, providing evidenced based advice to business on managing and exploiting their intellectual property;
- raising understanding of and respect for IP amongst school pupils, future entrepreneurs, business and consumers; and
- raising awareness of the issues surrounding IP-crime, developing policy in relation to enforcement of all forms of IP, and providing a focal point for the gathering and sharing among enforcement agencies of IP-crime related intelligence.

Mission

2.2 The mission statement of the Intellectual Property Office is:

“Dedicated to giving everyone the confidence to make best use of IP”
Purpose

2.3 The Intellectual Property Office purpose statement is:

“Making life better by supporting UK creativity and innovation”

Goals

2.4 The vision and purpose are currently driven by the following goals:

- Promoting UK growth through IP policy
- Delivering high quality rights granting services
- Ensuring IP rights are respected and appropriately enforced
- Educating and enabling business to understand, manage and protect their IP
- Improving the skills and capability of our people
- Increasing efficiency and delivering value for money

Key Target Areas

2.5 The Intellectual Property Office’s overall performance is measured against a number of key performance targets which are reviewed and set annually by the Minister, in the context of agreeing the Corporate and Business Plans, following consultation with the Chief Executive and the Steering Board.

2.6 The targets focus on our relationship with customers and stakeholders, finances and resources, internal processes, change and development. These targets contribute to the Department’s overall performance. The Intellectual Property Office has the right to be consulted by the Department on both its own targets and any relevant central government targets prior to Ministerial approval.

2.7 Targets are announced by means of a Written Ministerial Statement (WMS). Performance against these targets is reported in The Departmental Report and the Intellectual Property Office’s Annual Report and Accounts. Targets can be viewed on the Intellectual Property Office website in the current corporate plan at:
https://www.gov.uk/government/organisations/intellectual-property-office/about/our-governance
3. Accountability

Secretary of State

3.1 The Secretary of State will account for business in Parliament. The Secretary of State determines the policy framework within which the Intellectual Property Office operates but is not involved in its day-to-day management. He/she agrees the strategic objectives and sets key financial and performance targets for the Intellectual Property Office and approves the Corporate Plan which is revised annually (see Section 5).

Responsible Minister

3.2 As appropriate, the Secretary of State may delegate to the responsible Minister approval of the Corporate Plan and agreement and monitoring of the key financial and performance targets. The Chief Executive, members of the Intellectual Property Office Board and the Steering Board meet with the responsible Minister at least once a year to set targets and monitor performance, discuss risks and other such issues as might be appropriate at the time. The Chief Executive has the right of direct access to the Minister.

BIS Principal Accounting Officer

3.3 The Permanent Secretary is the Principal Accounting Officer and is responsible for ensuring that there is a high standard of financial management across the whole Department. As such, he/she retains the right to monitor:

- the Chief Executive’s use of the resources allocated to him;
- compliance with legal requirements; and
- conformity with agreed Departmental policies.

3.4 He/she will not otherwise become involved in the day-to-day management of the Intellectual Property Office.

Departmental Sponsorship

3.5 The Intellectual Property Office is sponsored within the Department by the Director General with responsibility for Intellectual Property. The sponsor is the key link between the Intellectual Property Office and the Department ensuring that both the Department and the Intellectual Property Office have a clear understanding of each other’s objectives and methods of working. The role of the sponsor is to:

- advise Ministers on the strategic direction of the Office in the context of wider Departmental or cross governmental objectives;
• agree a framework for strategic performance management;
• advise Ministers on their response to strategic performance information;
• advise the Chief Executive on steering the Office’s activities to ensure that they most effectively support the delivery of Departmental objectives;
• ensure that the Office has the delegations and authorities necessary for effective delivery and continuous improvement; and
• assist the Chief Executive to work through the implications of any recommendations emerging from cross-government and end-to-end business process reviews that affect the Intellectual Property Office.

3.6 These functions are, in the main, fulfilled through the Departmental sponsor’s membership of the Steering Board (see Section 4 and the Steering Board Terms of Reference at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/375321/steeringboard-tor.pdf)

The Chief Executive

3.7 The Chief Executive and Comptroller General of the Intellectual Property Office is appointed by the Secretary of State normally for a fixed term. He/she is responsible for the day-to-day management of the Office and is directly accountable to the Secretary of State/responsible Minister and the Permanent Secretary as the Principal Accounting Officer (PAO), for the efficient running, financial management, overall performance and strategic planning of the organisation. As Comptroller General, he/she is responsible for the administration of the statutes referred to in paragraph 2.1. He/she also advises the Secretary of State on all aspects of national Intellectual Property, related EU and international legislation and on relevant policy issues.

Intellectual Property Office Accounting Officer

3.8 The Permanent Secretary of HM Treasury appoints the Chief Executive as Accounting Officer of the Intellectual Property Office, in accordance with the Government Trading Funds Act. The Chief Executive as accounting officer is personally responsible for safeguarding the public funds for which he or she has charge; for ensuring propriety, regularity, value for money and feasibility in the handling of those public funds; and for the day-to-day operations and management of the Intellectual Property Office. In addition, he or she should ensure that the Intellectual Property Office as a whole is run on the basis of the standards, in terms of governance, decision-making and financial management that are set out in Box 3.1 of Managing Public Money and in the publication “Regularity, Propriety and Value for Money” (HM Treasury, November 2004).

3.9 The accountabilities include:
• signing the accounts and ensuring that proper records are kept relating to the accounts and that the accounts are properly prepared and presented in accordance with any directions issued by the Secretary of State;
• preparing and signing a Governance Statement covering corporate governance, risk management and oversight of any local responsibilities, for inclusion in the annual report and accounts;
• ensuring that effective procedures for handling complaints about the Intellectual Property Office are established and made widely known within the Intellectual Property Office;
• acting in accordance with the terms of this document, Managing Public Money and other instructions and guidance issued from time to time by the Department, the Treasury and the Cabinet Office (see Appendix 2);
• giving evidence, normally with the PAO, when summoned before the Public Accounts Committee (PAC) on the Intellectual Property Office’s stewardship of public funds.

3.10 Particular responsibilities to BIS include:

• establishing, in agreement with the Department, the Intellectual Property Office’s Corporate and Business plans in the light of the Department’s wider strategic aims and agreed priorities;
• informing the Department of progress in helping to achieve the Department’s policy objectives and in demonstrating how resources are being used to achieve those objectives; and
• ensuring that timely forecasts and monitoring information on performance and finance are provided to the Department; that the Department is notified promptly if over or under spends are likely and that corrective action is taken; and that any significant problems whether financial or otherwise, and whether detected by internal audit or by other means, are notified to the Department in a timely fashion.

The Public Accounts Committee

3.11 The Chief Executive may be summoned to give evidence to the Public Accounts Committee on the discharge of those responsibilities which have been allocated to him. The PAC may decide to take evidence both from the Chief Executive and the Principal Accounting Officer on their respective responsibilities for the Intellectual Property Office.

3.12 At Select Committee hearings Ministers will normally ask the Chief Executive to represent or accompany them if the Committee is concerned with the day-to-day operations of the Intellectual Property Office.
Parliamentary Accountability

3.13 The Secretary of State is accountable to Parliament on all matters relating to the Intellectual Property Office. Most work arises from its statutory responsibilities for which the Chief Executive, as Comptroller General, is answerable to the Courts as well as to Departmental Ministers and to Parliament.

3.14 Ministers encourage Members of Parliament (including the European Parliament) to write direct to the Chief Executive on those operational matters for which he/she is responsible, but Members are entitled to raise with Ministers any policy issues or issues arising from replies they may have received from the Chief Executive on operational matters. The Chief Executive will refer to Ministers without delay any matter on which it is proper for a Minister to provide the initial reply.

3.15 The Chief Executive will provide Ministers with any information needed to answer Parliamentary Questions (PQs) or deal with any other Parliamentary business. Ministers will decide the appropriate way to respond to PQs about the Intellectual Property Office and will normally ask the Chief Executive to write to a Member of Parliament (MP) who asks a question about any matter delegated to the Office. Such letters from the Chief Executive will be published in Hansard.

3.16 The activities of the Intellectual Property Office fall within the jurisdiction of the Parliamentary Commissioner for Administration.

Devolved Administrations

3.17 The Intellectual Property Office will comply with the requirements of the Memorandum of Understanding and overarching Concordats between the Government and the devolved administrations (as published in Command Paper Cm 4444 and subsequent revisions).

Other Central Government Departments and Initiatives

3.18 Although not formally “matrix accountable”, the Intellectual Property Office will respond constructively to relevant initiatives from elsewhere in central Government.

Relationships with other Bodies

3.19 The Copyright Tribunal is an independent tribunal established by the 1988 Copyright Designs and Patents Act. The Tribunal’s primary purpose is to resolve disputes between collecting or licensing societies and users on the terms and conditions of licenses or on the refusal by licensing societies to provide licenses. The Tribunal has a wider responsibility to hear cases
referred by the Secretary of State. The Ministry of Justice appoints the judicial members of the Tribunal. The Intellectual Property Office sponsors the Copyright Tribunal, but all funding comes from BIS.

3.20 The Intellectual Property Office works closely with other national and international Intellectual Property Offices. Links are maintained with a range of national and regional agencies covering areas such as enforcement, technology transfer, academia and business in order to help customers gain full value from the IP system. For enforcement in particular, the Intellectual Property Office works to create an effective global environment where IP rights are respected and appropriately enforced, through work with international bodies, third countries, enforcement agencies and rights holders, and the provision of support to UK businesses operating abroad.

Customers

3.21 The Intellectual Property Office has a responsibility to all its customers and will endeavour to provide them with high quality services which represent value for money and are courteously and efficiently delivered. The Intellectual Property Office applies the principles of public service originally set out in the White Paper “The Citizen’s Charter”, Cm 1599, July 1991 (and developed further under the Service First Initiative) and its own published Charter Standard Statement. Complaints are handled in accordance with the Intellectual Property Office’s published procedures which are accessible to all users. The Intellectual Property Office Charter document includes complaint procedures and can be viewed on its website at:

https://www.gov.uk/government/publications/customer-charter

and can also be obtained from the Office’s Information Centre at:

The Information Centre
The Intellectual Property Office
Concept House
Cardiff Road
Newport
NP10 8QQ
Tel: 0300 3002000 (National callers)
Tel: 0300 0200015 (Minicom number for customers with hearing difficulties)
Fax: 01633 817777

E-mail: information@ipo.gov.uk
4. The Steering Board

4.1 Membership of the Intellectual Property Office’s Steering Board is made up of:

- A minimum of four independent members appointed for their relevant experience to provide an external perspective and challenge. Although not regulated by the Office for the Commissioner of Public Appointments (OCPA), members are appointed in line with best practice guidance issued by the OCPA;
- the Chair of the Steering Board is an independent member;
- the Director General, or his designated Deputy with responsibility for the Intellectual Property Office;
- the Chief Executive of the Intellectual Property Office.

4.2 The Board normally meets six times a year.

4.3 The role of the Steering Board is to advise Ministers on the strategies to be adopted by the Intellectual Property Office as set out in its Corporate Plan, the targets to be set for quality of service and financial performance (and monitoring and advising on performance against these) and the resources needed to meet those targets. The Board also provides advice and guidance from a commercial standpoint on the Office’s performance, operation and development including its management of risk. Although the Steering Board has no executive functions, members may join project boards and committees in the exercise of their roles.


4.5 Individual Steering Board members should:

- comply at all times with the Code of Conduct for Board Members of Public Bodies and with the rules relating to the use of public funds and to conflicts of interest;
- not misuse information gained in the course of their public service for personal gain or for political profit, nor seek to use the opportunity of public service to promote their private interests or those of connected persons or organisations;
- comply with the Board’s rules on the acceptance of gifts and hospitality, and of business appointments;
- act in good faith and in the best interests of the Intellectual Property Office.
5. Corporate Planning and Performance Targets

Corporate Plan

5.1 The Chief Executive is required to prepare a three year Corporate Plan and annual Business Plan which is reviewed by the Office’s Steering Board before being sent for approval by the responsible Minister. This sets out the Intellectual Property Office’s programme of work and priorities during the succeeding planning period, including specific objectives and milestones contributing to the achievement of its core objectives. It provides the focus for the Intellectual Property Office’s strategic planning on finance, risk, business development and engagement, personnel, resources, information and management systems. The Department will assist the Intellectual Property Office in its planning process by providing information about likely policy developments or other changes that could impact on the Intellectual Property Office. The annual planning cycle begins with the Steering Board meeting held in autumn of each year and the Corporate Plan is presented to the Minister in March of the following year.

Reporting

5.2 The Chief Executive is required to produce the Annual Report and Accounts each year. These should be produced as a single document and comply with the Treasury’s Financial Reporting Manual (FreM).

5.3 The Annual Report and Accounts contains:

- details of performance against targets for the year;
- details of progress towards the Corporate Plan objectives;
- a summary of the Office’s activities during the year;
- a forward look for the coming year; and
- financial information.


5.5 The Annual Report and Accounts can be found at: [https://www.gov.uk/government/organisations/intellectual-property-office/about#corporate-reports](https://www.gov.uk/government/organisations/intellectual-property-office/about#corporate-reports)

5.6 The Chief Executive is responsible for commissioning internal audit services required to ensure proper conduct of the Intellectual Property Office’s affairs and to allow him/her to discharge his/her responsibilities as Accounting Officer. Internal audit will be carried out in accordance with the Treasury’s Public Sector Internal Audit Standards (PSIAS) ([https://www.gov.uk/government/publications/public-sector-internal-audit-standards](https://www.gov.uk/government/publications/public-sector-internal-audit-standards)).
Internal Control and Risk Management

5.7 The Chief Executive is required to develop and maintain a sound system of internal control that supports the achievement of the Intellectual Property Office’s policies, aims and objectives. Included are procedures for identifying and prioritising the principal risks faced by the Office as a whole – these involve the maintenance of risk registers, their monitoring and review.

5.8 The Audit and Risk Committee is a sub-committee of the Steering Board established to advise the Accounting Officer on risk management and internal control. Included are procedures for identifying, prioritising and managing the principal risks facing the Intellectual Property Office as a whole, including drawing up and maintaining comprehensive risk registers. This process is reviewed by the Audit and Risk Committee with a report to the Steering Board. The Audit and Risk Committee is chaired by an independent member of the Steering Board. Its Terms of Reference are available at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/375325/audit-committee-tor.pdf
6. Financial Framework

Trading Fund Status


6.2 The Intellectual Property Office has a statutory duty to ensure revenue of the fund is sufficient, taking one year with another, to meet outgoings which are properly chargeable. In addition, the Departmental Secretary of State, with HM Treasury concurrence, sets a financial objective in terms of a return on capital employed (currently set as 4% average return over the planning period).

6.3 As a Trading Fund, the Intellectual Property Office is not included in the Department’s estimates. Its transactions with the Department are largely restricted to the payment of an annual dividend (the level of which is agreed each year with the Department) taking account of the financial objective and repayment of principal and interest on loans as set down in pre-agreed schedules.

6.4 The Intellectual Property Office provides such information on its financial position as necessary and agreed with the Department.

Commercial Policy

6.5 The Intellectual Property Office obtains income almost entirely from activities where a fee is payable in accordance with statute. As required by HM Treasury, the overall level of income received from fees and charges is intended to cover the full costs of the services being provided. These costs are specified by applicable Orders under section 102 of the Finance (No 2) Act 1987. Fees and charges are calculated in accordance with Managing Public Money. The Intellectual Property Office seeks approval by HM Treasury and Parliament as necessary for changes to fees and charges.

6.6 The Intellectual Property Office currently provides commercial services and has the ability to develop other commercial services in accordance with Managing Public Money.
7. Accounts, Audit, Risk and Reporting

Accounts

7.1 The Chief Executive, as the Accounting Officer, produces and signs audited annual accounts (also see paragraphs 5.2 – 5.4). As a Trading Fund the Intellectual Property Office prepares accounts in accordance with HM Treasury’s Accounts Direction to Trading Funds, which is issued annually. It requires the Intellectual Property Office to prepare accounts in compliance with the accounting principles and disclosure requirements of the Government Financial Reporting Manual issued by HM Treasury (“the FReM”).

7.2 The annual accounts are subject to external audit by the Comptroller and Auditor General (C&AG) who is required to give an audit opinion as part of his/her Certificate and Report to the Houses of Parliament on the Intellectual Property Office.

Audit

7.3 The audited Annual Report and Accounts are normally laid before both Houses of Parliament, by the C&AG, before the start of the Summer Recess after the financial year end.

7.4 The C&AG:

- consults the Department and the Intellectual Property Office on whom – the NAO or a commercial auditor – shall undertake the audit(s) on his behalf, though the final decision rests with the C&AG;
- has a statutory right of access to relevant documents, including by virtue of section 25(8) of the Government Resources and Accounts Act 2000, held by another party in receipt of payments or grants from the Intellectual Property Office;
- shares with the sponsor Department information identified during the audit process and the audit report (together with any other outputs) at the end of the audit, in particular on issues impacting on the Department’s responsibilities in relation to financial systems within the Intellectual Property Office;

7.5 The C&AG may carry out examinations into the economy, efficiency and effectiveness with which the Intellectual Property Office has used its resources in discharging its functions. For the purpose of these examinations the C&AG has statutory access to documents as provided for under section 8 of the National Audit Act 1983.

7.6 The Internal Audit Service has a right of access to the Intellectual Property Office, after consultation with the Chief Executive and the Chair of the Audit and Risk Committee, to perform any work necessary to provide independent assurance to the Principal Accounting Officer as to the quality and integrity of
the Intellectual Property Office’s internal processes. The cost of such examinations is borne by the Department.

Risk management

7.7 The IPO ensures that the risks that it faces are dealt with in an appropriate manner, in accordance with relevant aspects of best practice in corporate governance, and has a risk management strategy, in accordance with the Treasury guidance *Management of Risk: Principles and Concepts* (http://www.hm-treasury.gov.uk/orange_book.htm). It should adopt and implement policies and practices to safeguard itself against fraud and theft, in line with the Treasury’s guidance on tackling fraud (http://webarchive.nationalarchives.gov.uk/20130129110402/http://www.hm-treasury.gov.uk/d/managing_the_risk_fraud_guide_for_managers.pdf.pdf). It should also take all reasonable steps to appraise the financial standing of any firm or other body with which it intends to enter into a contract.

Reporting performance to the Department

7.8 The Intellectual Property Office operates management, information and accounting systems that enable it to review in a timely and effective manner its financial and non-financial performance against the budgets and targets set out in the corporate and business plans. The Intellectual Property Office informs the sponsor Department of any changes that make achievement of objectives more or less difficult. It reports financial and non-financial performance, including performance in helping to deliver ministers’ policies, and the achievement of key objectives regularly. The responsible Minister meets the Chief Executive at least once a year.
8. Management of Resources

Delegated authorities

8.1 The Intellectual Property Office’s delegated authorities are set out in appendix 3. The Intellectual Property Office shall obtain the Department’s prior written approval before:

- entering into any undertaking to incur any expenditure that falls outside the delegations;
- incurring expenditure for any purpose that is or might be considered novel or contentious, or which has or could have significant future cost implications;
- making any significant change in the scale of operation or funding of any initiative or particular scheme previously approved by the Department;
- making any change of policy or practice which has wider financial implications that might prove repercussive or which might significantly affect the future level of resources required; or
- carrying out policies that go against the principles, rules, guidance and advice in Managing Public Money.

Staff – Conditions of Service

8.2 Intellectual Property Office staff are civil servants within the Department and are employed subject to the Civil Service Management Code and in accordance with rules and guidance issued by the Cabinet Office, the Office of the Civil Service Commissioners and HM Treasury covering the Civil Service as a whole. The Intellectual Property Office complies with relevant national or departmental agreements affecting the terms and conditions on which staff are employed, except where local arrangements apply. For example, the Intellectual Property Office and the Intellectual Property Office Trade Union Side may seek to modify Departmental agreements to reflect Agency needs and conditions.

Personnel Policies and Procedures

8.3 The Chief Executive determines the management structure and organisation of the Intellectual Property Office including staffing levels. He/she has responsibility for all aspects of human resource management of staff (excluding members of the Senior Civil Service) subject to HM Treasury and Cabinet Office rules. Personnel functions delegated to the Chief Executive are set out in Appendix 1.

8.4 Intellectual Property Office staff are eligible to apply for advertised posts elsewhere in the Department, other Agencies and Civil Service, and similarly certain advertised posts occurring within the Intellectual Property Office are
open to application from suitably qualified staff from other parts of the Department, Agencies and Civil Service.

8.5 The Chief Executive is responsible for establishing a training and development strategy to ensure that staff acquire and maintain the skills and competencies needed to realise their potential, to carry out operations efficiently and to achieve published standards of service.

8.6 The personnel management responsibility includes:

- the rules for recruitment and management of staff create an inclusive culture in which diversity is fully valued; appointment and advancement is based on merit; there is no discrimination on grounds of gender, gender reassignment, marital status, sexual orientation, race, colour, ethnic or national origin, religion, disability, community background or age;
- the level and structure of its staffing, including grading and staff numbers, are appropriate to its functions and the requirements of economy, efficiency and effectiveness;
- the performance of its staff at all levels is satisfactorily appraised and the Intellectual Property Office performance measurement systems are reviewed from time to time;
- proper consultation with staff takes place on key issues affecting them;
- adequate grievance and disciplinary procedures are in place;
- whistle-blowing procedures consistent with the Public Interest Disclosure Act are in place and these procedures include the option of contacting one of the Steering Board independent members;

Staff costs

8.7 Subject to its delegated authorities, the Intellectual Property Office ensures that the creation of any additional posts does not incur forward commitments that will exceed its ability to pay for them.

8.8 Staff terms and conditions will be published.

8.9 The Intellectual Property Office may operate a performance-related pay scheme that shall form part of the annual aggregate pay budget approved by the Department.

8.10 The travel expenses of Steering Board members are tied to the rates allowed to staff of the Intellectual Property Office. Reasonable actual costs are reimbursed.

Pensions, redundancy and compensation

8.11 Intellectual Property Office staff are normally eligible for a pension provided by the standard Civil Service pension arrangements. Staff may opt out of the occupational pension scheme provided by the Intellectual Property Office, but that employers’ contribution to any personal pension arrangement, including
stakeholder pension shall normally be limited to the national insurance rebate level.

8.12 Any proposal by the Intellectual Property Office to move from the existing pension arrangements, or to pay any redundancy or compensation for loss of office, requires the prior approval of the Department. Proposals on severance must comply with the rules in chapter 4 of Managing Public Money.

Senior Civil Service

8.13 Members of the Senior Civil Service within the Intellectual Property Office will have the status, pay and other conditions of service which are common to the Senior Civil Service. Issues affecting posts within the Senior Civil Service must be approved by the Permanent Secretary. The specialist staff, for whom the Intellectual Property Office assumed responsibility from 1 April 1996, include grades equivalent to those which fall within the Senior Civil Service. Staff in these grades are not members of the Senior Civil Service but form a separate but analogous professional group whose pay and conditions, although delegated to the Intellectual Property Office are determined by analogy with the Senior Civil Service in the Department.

8.14 Full details of the Intellectual Property Office’s policies and procedures developed in accordance with these delegations can be obtained from:

People, Places & Services
The Intellectual Property Office
Concept House
Cardiff Road
Newport
South Wales
NP10 8QQ
9. Other Delegated Responsibilities of the Chief Executive

9.1 The Intellectual Property Office acquires all necessary support services on the basis of best value for money, including considerations of quality, timeliness and risk, as well as cost. The Intellectual Property Office will keep the value for money achieved from its support services under review. In particular, it will decide on new, or renewed, services or contracts after consulting with appropriate Departmental central service providers and considering how common Departmental services may meet Intellectual Property Office business needs and deliver value for money. The Chief Executive has delegated authority for:

- the development, operation and procurement of information technology systems, within delegated authority. As part of this the Intellectual Property Office abides by the agreement with the Department on information sharing on e-services development;
- compliance with the provisions of the Data Protection Act 1998 and the Freedom of Information Act 2000 in respect of all the relevant data held by the Intellectual Property Office;
- consultation with staff and Trade Unions as part of ensuring good staff relations. The Intellectual Property Office continues to operate in accordance with the Whitley arrangements, and the Chief Executive chairs an Agency Whitley Committee. Issues not resolved may be pursued within the usual procedure through the Departmental Whitley Council;
- compliance with the requirements of the Public Records Acts 1958 and 1967 in respect of records management by the Intellectual Property Office;
- management of Intellectual Property Office occupied buildings; health, safety, security, fire, welfare, environment and first aid matters including the discharge of duties under the Health and Safety at Work Act 1974, all fire associated regulations and any Notices issued by the Health and Safety Executive;
- procurement issues for the Intellectual Property Office relating to both goods and services on the basis of obtaining the best overall value for money. Except as otherwise agreed, individual services may be provided in-house, commissioned from the Department or another Agency on a repayment basis, or contracted out.

10.1 This Framework Document is effective from XXXX. It will be reviewed jointly by the Department and the Intellectual Property Office, usually every 3 years. However, it can be amended at any time, subject to the agreement of both parties and consultation with the Intellectual Property Office Trade Union Side. Where the Trade Union Side disagrees with amendments to, or the operation of, the agreement they may separately raise matters with the Department. Minor updates that do not require such formal approval will, however, be made by the Intellectual Property Office as the need arises.

Publication

10.2 Additional copies of this Framework Document can be obtained from the Intellectual Property Office as follows:-

The Intellectual Property Office
Secretariat
Concept House
Cardiff Road
Newport
South Wales
NP10 8QQ

10.3 An electronic version is available from the Intellectual Property Office website at:

https://www.gov.uk/government/organisations/intellectual-property-office/about#corporate-reports
11. Winding–up arrangements and authorisation of the Framework Document

11.1 BIS shall put in place arrangements, in accordance with Managing Public Money, to ensure the orderly winding up of the Intellectual Property Office, should this ever be necessary.

Authorisation

11.2 This framework document has been drawn up by The Department of Business, Innovation and Skills and the Intellectual Property Office as a working understanding of the respective organisations roles and responsibilities in the discharge of The Intellectual Property Office's aims.

Signed

Gareth Davies, John Alty,
Director General Chief Executive
Knowledge and Innovation

Date 26th March 2015 Date 26th March 2015

For the Department of Business, For the Intellectual Property Office
Innovation and Skills
Appendix 1

The Intellectual Property Office Personnel Delegations

- Personnel management of Intellectual Property Office staff up to and including Span D1 and Intellectual Property Office Senior Civil Service analogue grades;
- Recruitment and starting pay;
- Limited period and casual appointments;
- Promotion arrangements;
- Pay;
- Grading;
- Staff appraisal procedures;
- Conduct;
- Discipline;
- Unsatisfactory performance and attendance;
- Dismissal;
- Appeals;
- Re-deployment of staff within and between Departments;
- Holidays, hours of work and attendance;
- Creation of posts at grades up to and including Span D1 and Intellectual Property Office Senior Civil Service analogue grades in accordance with the Office’s guidance on its approved grading structure;
- Equal opportunities;
- Training and development;
- Travel and Subsistence expenses; and
- Third party claims.
Appendix 2

Compliance with government-wide corporate guidance and instructions

The Intellectual Property Office complies with the following general guidance documents and instructions:

- this document;

- Appropriate adaptations of sections of Corporate Governance in Central Government Departments: Code of Good Practice

- Code of Conduct for Board Members of Public Bodies

- Code of Practice for Ministerial Appointments to Public Bodies

- Managing Public Money (MPM);

- Public Sector Internal Audit Standards,

- Management of Risk: Principles and Concepts:

- HM Treasury Guidance on Tackling Fraud,

- Government Financial Reporting Manual (FReM),

- Fees and Charges Guide, Chapter 6 of Managing Public Money;

- Departmental Banking: A Manual for Government Departments, annex 5.6 of Managing Public Money;

- relevant Dear Accounting Officer letters;
• Regularity, Propriety and Value for Money, [http://webarchive.nationalarchives.gov.uk/20130129110402/http://www.hm-treasury.gov.uk/psr_governance_valueformoney.htm](http://webarchive.nationalarchives.gov.uk/20130129110402/http://www.hm-treasury.gov.uk/psr_governance_valueformoney.htm);

• The Parliamentary and Health Service Ombudsman’s Principles of Good Administration [http://www.ombudsman.org.uk/improving-public-service/ombudsmansprinciples](http://www.ombudsman.org.uk/improving-public-service/ombudsmansprinciples);

• Consolidation Officer Memorandum, and relevant DCO letters;

• relevant Freedom of Information Act guidance and instructions (Ministry of Justice);


• other relevant guidance and instructions issued by the Treasury in respect of Whole of Government Accounts;

• other relevant instructions and guidance issued by the central Departments;

• specific instructions and guidance issued by the sponsor Department;

• recommendations made by the Public Accounts Committee, or by other Parliamentary authority, that have been accepted by the Government and are relevant to the Intellectual Property Office.
Appendix 3
The Intellectual Property Office Financial Delegations

<table>
<thead>
<tr>
<th>Nature of Delegation</th>
<th>IPO delegation</th>
</tr>
</thead>
<tbody>
<tr>
<td>e.g. ERG/BIS Controls*</td>
<td>ICT</td>
</tr>
<tr>
<td>Novel, Contentious or Repercussive expenditure, including special payments</td>
<td>Please consult with BIS for approval prior to any payment, or offer of payment</td>
</tr>
<tr>
<td>Write-offs/losses</td>
<td>To cover individual amounts</td>
</tr>
</tbody>
</table>

*Efficiency Controls – All expenditure is subject to the provisions of the Cabinet Office’s Efficiency & Reform Group Controls, details of which can be found via the following link: