

UK ANTI-DOPING MANAGEMENT AGREEMENT 2018-2020

Part A: UK Anti-Doping Priorities, Funding and Engagement

1. Purpose

1.1 UK Anti-Doping was formed as a Company Limited by Guarantee in 2009, coming into operation on 14 December 2009. It receives Grant in Aid from the Department for Digital, Culture, Media & Sport and is the UK's National Anti-Doping Organisation.

1.2. It is responsible for ensuring sports bodies in the UK are compliant with the World Anti-Doping Code through implementation and management of the UK's National Anti-Doping Policy.

1.3 UK Anti-Doping's functions include a prevention through education programme, intelligence-led athlete testing across more than 40 Olympic, Paralympic and professional sports, investigations and exclusive results management authority for the determination of Anti-Doping Rule Violations (ADRVs).

2. Secretary of State's Priorities

2.1. The Secretary of State's priorities for UK Anti-Doping are set out at 4.

2.2. In addition, UK Anti-Doping has the following strategic priorities, details of which are set out in its 2018-2022 Strategic Plan:

- **To deter, detect and disrupt doping in sport, and ban those involved.**
- **To enable those involved in sport to implement effective anti-doping education programmes by providing information, support and resource.**
- **To ensure compliance by sport and the sports councils with the National Anti-Doping Policy.**
- **To influence national and international laws, rules, policies and practices to help all athletes participate in clean sport.**

2.3. UK Anti-Doping's priorities align with, and should help to support, the following top-level objectives that are set out in the Department for Digital, Culture, Media & Sport ("DCMS") Single Departmental Plan (SDP):

- Growing the economy
- Encouraging participation
- Sustaining excellence and promoting Britain

3. Financial Allocation

3.1. UK Anti-Doping's financial settlement for 2018-2020 is as set out in its Revised Allocation Letter dated 11 March 2019.

4. Performance Measures

4.1 The performance of UK Anti-Doping for 2018/19 will be measured against the following Key Performance Indicators (KPIs).

4.2 Support and drive compliance with the Code and Policy

- Support the UK's sport NGBs to be compliant with the World Anti-Doping Code and the current UK National Anti-Doping Policy
- Support the UK's sport NGBs to be compliant with the revised version of the UK National Anti-Doping Policy
- Compile and deliver the UK submissions for the revision of the World Anti-Doping Code representing the UK stance on combating doping in sport
- Devise and implement an assurance framework providing support to sports in their anti-doping compliance

4.3. Deliver integrated risk based testing programmes

- Deliver a risk based, intelligence led and responsive testing programme that complies with the International Standard for Testing and Investigations as regards the balance between in- and out-of-competition testing, Athlete Biological Passport programme and sport specific analysis types.
- Provide an evidence and risk-based proposal for Government to assess an increase in testing of 50%

4.4. Deliver effective anti-doping education programmes

- Support all publicly funded athletes through comprehensive education programmes each year
- Provide annual education programme for all publicly funded athlete support personnel
- Devise web-based, digital learning education programmes

4.5. Finance

- Continue to develop viable commercial models to secure additional non-Exchequer revenue.

5. Engagement

5.1. DCMS and UK Anti-Doping have an agreed engagement calendar, set out below. This contact will be in addition to routine and policy-led contact between the DCMS and UK Anti-Doping. An engagement calendar between UK Anti-Doping and DCMS Finance and HR Teams may be agreed separately.

- Quarterly engagement meetings with DCMS officials to monitor performance and discuss anti-doping issues;
- Quarterly engagement meeting with the Chair and Chief Executive of UK Anti-Doping and DCMS Head of Sport on performance and anti-doping;
- Monthly meeting with the UK Anti-Doping Chief Executive and DCMS Head of Sport to discuss current anti-doping issues; and
- Twice yearly meeting between Minister and the UK Anti-Doping Chair and Chief Executive to review performance, update implementation of the Tailored and Criminalisation Reviews recommendations, corporate plans and advise on anti-doping.
- DCMS officials can attend UK Anti-Doping Board meetings as observers

Part B: FINANCIAL CONTROLS

1. Delegated Financial Limits

All delegations are subject to the requirement that spending proposals falling within Managing Public Money Annex 2.2, box A.2.2C should be referred to DCMS. These are:

- Items which are novel, contentious or repercussive, even if within delegated limits
- Items which could exceed the agreed budget and Estimate limits
- Contractual commitments to significant spending in future years for which plans have not been set
- Items requiring primary legislation (e.g. to write off NLF debt or PDC)
- Any item which could set a potentially expensive precedent
- Where Treasury consent is a specific requirement of legislation.

Unlimited (unless otherwise specified)

1.1 Capital Expenditure

Expenditure on new construction, land, extensions of, and alterations to, existing buildings and the purchase of any other fixed assets (e.g. machinery, plant, and vehicles), art works and additions to the collection with an expected working life of more than one year. Also includes exchanges of fixed assets.	Up to £5m
Expenditure on the signing of new leases, renewals of existing leases, the non-exercise of lease break options, any new property acquisitions (including those made through a Public Finance Initiative Provider), new build developments, sale and leaseback, and any freehold sales as part of national property controls	£100,000 Approval for leases with annual rent of over £100,000 can only be given by the Chief Secretary to the Treasury and must provide value for money for Government as a whole or demonstrate exceptional circumstances.

1.2 Single Tender Contracts

The delegation for single tender contracts is set at **£50,000** for each contract. Proposals for awarding single tender contracts outside this delegated limit must have the prior approval of DCMS before any contract is awarded

1.3 Gifts

Gifts received by UK Anti-Doping	Unlimited
In a financial year, any one gift or total of gifts by UK Anti-Doping: <ul style="list-style-type: none">• to one person/organisation• to staff. Gifts to staff are also subject to the following Cabinet Office guidance: http://www.cabinetoffice.gov.uk/resource-library/guidance-civil-servants-receiving-hospitality	Up to £2,000

Proposals for making gifts outside this delegated limit must have the prior approval of DCMS. UK Anti-Doping must keep a record of gifts given. Details of gifts to one person/organisation should be noted in the annual accounts, if individually or collectively, they exceed £1,000.

1.4 Fraud

No delegation. All cases of attempted, suspected or proven fraud, irrespective of the amount involved, must be reported by UK Anti-Doping to the Department as soon as it is discovered.

1.5 Non-Statutory Contingent Liabilities

Up to £100,000

1.6 Losses and Special Payments

The write-off of losses or approval of special payments should only be carried out by staff authorised to do so by and on behalf of UK Anti-Doping's Accounting Officer. UK Anti-Doping should consult DCMS where cases:

- Involve important questions of principle
- Raise doubts about the effectiveness of existing systems
- Contain lessons which might be of wider interest
- Are novel or contentious
- Might create a precedent for other departments in similar circumstances
- Arise because of obscure or ambiguous instructions issued centrally.

1.6.1 Classification of Losses

Type	Description	Delegation
A.	Losses	
(i)	<u>Cash losses</u> : Physical losses of cash and its equivalents (e.g. banknotes, credit cards, electronic transfers, payable orders)	Up to £25,000
(ii)	<u>Bookkeeping losses</u> : <ul style="list-style-type: none"> • unvouched or incompletely vouched payments, including missing items • charges to clear inexplicable or erroneous debit balances. 	Up to £25,000
(iii)	<u>Exchange rate fluctuations</u> : Losses due to fluctuations in exchange rates or revaluations of currencies.	Up to £25,000
(iv)	<ul style="list-style-type: none"> • Losses of pay, allowances and superannuation benefits paid to civil servants, members of the armed forces and NDPB employees: 	Up to £25,000
	<ul style="list-style-type: none"> • overpayments due to miscalculation, misinterpretation, or missing information 	Up to £25,000
	<ul style="list-style-type: none"> • unauthorised issues, e.g. inadmissible payments 	Up to £25,000
	<ul style="list-style-type: none"> • losses arising from other causes, e.g. non-disclosure of full facts by the beneficiary, short of proven fraud. 	Up to £25,000
(v)	Losses arising from overpayments of social security benefits, grant, subsidies, etc. arising from miscalculation, misinterpretation or missing information.	Up to £25,000
(vi)	Losses arising from failure to make adequate charges for the use of public property or services.	Up to £25,000
B.	Stock write offs and impairments : The accounting loss incurred as a result of the reduction of the holding value of stock or inventory to an impaired or nil fair	Up to £1,000,000

	value in accordance with the relevant accounting principles.	
C.	Losses of accountable stores:	Up to £25,000
(i)	because of proven or suspected fraud, theft, arson or sabotage, or any other deliberate act (including repairable damage caused maliciously to buildings, stores, etc. even where a legal claim is not possible).	Up to £25,000
(ii)	losses arising from other causes.	Up to £25,000
D.	Fruitless payments and constructive losses	Up to £25,000
E.	Claims waived or abandoned	Up to £25,000

A record of losses should be maintained and if the total of losses or special payments in the year exceeds £25,000, the annual accounts should include a statement, with any individual losses and special payments exceeding £25,000 specifically identified.

1.6.2 Special Payments

Special severance payments: There is no delegation for special severance payments (payments made to the employee outside their statutory or contractual entitlement upon termination of their employment contract). Each payment, regardless of value will require HM Treasury approval before an offer can be made.

Redundancy payments: All redundancy payments outside contractual terms, require DCMS and Cabinet Office permission in all cases.

	Special payments:	
(i)	extra-contractual and ex gratia payments to contractors	Up to £95,000
(ii)	other ex gratia payments	Up to £95,000

(iii)	compensation payments	Up to £95,000
(iv)	extra-statutory and extra-regulatory payments	Up to £95,000
(v)	Consolatory Payments: A special payment to address an inconvenience or hardship to a third party, arising from administrative failures i.e. where the organisation has not acted properly or provided a poor service. These can include: wrong advice, discourtesy, mistakes and delays	Up to £500

1.6.3 Disposals of Land and Buildings

Limit for Land and Buildings: **£1,000,000**

All assets disposals, regardless of value, should be notified to DCMS through the routine monthly financial reporting processes.

1.6.4 Approval for retention of receipts

UK Anti-Doping should apply for permission to retain any receipts where the aggregate annual total exceeds the amounts below notified to the Department at the Spending Review

2018/19	2019/20
£3.5m	£3.7m

2. Spend controls

2.1 UK Anti-Doping is subject to the latest Cabinet Office spend controls set out at <https://www.gov.uk/government/publications/cabinet-office-controls> and DCMS latest thresholds for spend controls, can be obtained via <https://www.gov.uk/guidance/department-contacts-for-spend-controls#department-for-digital-culture-media--sport-dcms>

2.2 All Cabinet Office spend controls apply to UK Anti-Doping.

3. Procurement

3.1 UK Anti-Doping must comply with the Public Contracts Regulations 2015 (PCR) in its procurement activity.

3.2 UK Anti-Doping shall:

- acquire goods and services through fair and open competition, using LEAN methodology where appropriate, delivering value for money through procurement, and operating in line with European law, including restrictions on state aids and current best practice, inclusive of open procurements for requirements under £100,000 where appropriate and restricted use of Pre-Qualification Questionnaires.
- Comply with current requirements on additional spend controls, delegated authorities and authorisations on procurement and leases as notified to them by the Department.
- Support collaborative procurement and commercial efforts across DCMS and its family of other ALBs.

4. Efficiency

4.1 in the 2015 Spending Review Settlement Letter, UK Anti-Doping was asked to find an efficiency saving of at least 1% year-on-year, calculated against its RDEL grant-in-aid funding for that year, across the Spending Review period, which can be recycled into frontline services. UK Anti-Doping will be required to provide an annual return outlining its efficiency plans, as well as projected and actual savings.

5. Management Information

5.1 The table below sets out the management information that the Department expects UK Anti-Doping to provide in the course of a 12-month period. These may be subject to change depending on future information requirements.

Timescale	What	How	Purpose
Monthly (9th working day)	Grant-in-Aid requests	Via Finance Partnership Webpage	To get the ALB's latest forecast income and expenditure for

of each month)			reporting to Board and HM Treasury. Also the mechanism for paying GIA to the ALB
Monthly	Consultancy return (including nil returns)	By e-mail to DCMS Procurement and Commercial Team	To enable Cabinet Office to keep track of the number of public sector consultancy contracts.
Monthly	Cash management figures within GBS accounts	By e-mail to Finance	To supply HM Treasury with forecast for cash management inside GBS
Quarterly	Spend over £25,000	On the ALB's website	Transparency: to inform public how public money is spent
Quarterly	Key metrics (total procurement spend, spend with SMEs and the Voluntary, Community and Social Enterprise sector)	By e-mail to DCMS Procurement and Commercial Team	Benchmarking of procurement spend and provision of data on economic effect of spend by Departments and ALBs
Quarterly	Exchequer funds held in commercial bank accounts	By e-mail to Finance	To supply HM Treasury with details of how much government funding is held outside GBS
Quarterly	Medium Term Financial Model returns	By e-mail to Finance	To get the ALB's latest capital profiles for internal management and reporting to Finance Committee

Six-monthly	Publication of senior salaries and organograms	On the ALB's website or hosted on DCMS website	Transparency: to inform public how public money is spent
Annually	Alignment/WGA	Alignment consolidation packs, WGA transactions and balances exercise	Alignment: to consolidate the ALB's resource accounts within the DCMS resource accounts WGA: to gather counter-party details for consolidation.
Annually	Sustainability data	By e-mail to Finance and DCMS Sustainability Champion	To meet HM Treasury requirement to supply centre with sustainability data
Annual	EU public procurement statutory return (Schedule 1 or Schedule 2 as appropriate)	By e-mail to Cabinet Office	Legal requirement to provide data on number of tenders advertised in the European Journal
Annually - Mid August	Country and Regional analysis data	By e-mail to Finance	HM Treasury requirement - feeds into the Core Tables for the Annual Report and Accounts
Annually	Annual report and accounts	By e-mail to Finance as per timetable (separate guidance is issued on this)	Statutory obligation
Annually	Pay Remit and pay remit outturn	By e-mail to ALB Team	To ensure spend on pay is aligned across Government

Annually	Publication of salaries over £150k	By e-mail to ALB Team (for publication on Cabinet Office website)	Transparency: to inform public how public money is spent
Annually	Sharing of Strategic Risk Register as per paragraph 13.1 of the Governance framework.	At annual performance meeting	Enable timely and appropriate response to risk
Annual	Efficiency Return	Pro-forma	To provide evidence that the 1% target has been met, to demonstrate what measures have been taken to achieve this and to demonstrate how these savings have been recycled back into frontline services.
Ad hoc immediate as required	Completion and updating of e-Pims™ database	Directly into e-Pims™ system	To ensure accurate property and estate information is maintained at all times

On request	Sharing of audit strategy, periodic audit plans and annual audit report, including the Head of Internal Audit's opinion on risk management, control & governance.	With Finance and Head of, on request	Assurance of financial management
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Part C: UK Anti-Doping Governance Framework

1. Introduction

- 1.1. This agreement has been drawn up between the Department for Digital, Culture, Media and Sport (“DCMS”) in consultation with UK Anti-Doping. This document sets out the broad framework within which UK Anti-Doping will operate. The document does not convey any legal powers or responsibilities. It is signed and dated by DCMS and UK Anti-Doping. Copies of the document will be placed in the Libraries of both Houses of Parliament and made available to members of the public on UK Anti-Doping’s website, with a link to it on the DCMS website.
- 1.2. The agreement will remain in place until it is superseded by a new agreement. The agreement should be treated as a living document and reviewed by both sides annually in March. Any changes to ministerial priorities, policy requirements and KPIs will be made by exchange of letters between the Minister and the UK Anti-Doping Chair; all other changes will be made by exchange of letter between the DCMS Permanent Secretary and the UK Anti-Doping Chief Executive.
- 1.3. Legislative changes will take precedence over any part of this document. Significant variations will be cleared with the Treasury or the Cabinet Office as appropriate.
- 1.4. Nothing under this agreement shall prevent UK Anti-Doping from carrying out its legal duties under its founding documentation or under any other legislation, which impacts on its functions, activities or powers.

2. Governance and accountability

- 2.1. The statutory and other duties of UKAD derive from the Companies Acts 1985 and 2006 and its Memorandum and Articles of Association.
- 2.2. UK Anti Doping’s objects are set out in Clause 3 of its Memorandum of Association.
- 2.3. The Secretary of State and other members of the DCMS ministerial team will account for UK Anti-Doping’s business in Parliament.

2.4. The respective responsibilities of the DCMS Principal Accounting Officer and Accounting Officers for NDPBs and other arm's length bodies are set out in Chapter 3 of Managing Public Money which is sent separately to the Accounting Officers on appointment and summarised below.

2.5. The Chair and Board members are all appointed by the Secretary of State in compliance with the Code of Practice of the Commissioner for Public Appointments. The terms of appointment are i) Chair, up to four years, ii) Board members, up to four years

2.6. In line with the Government's Code of Practice on Corporate Governance, the Board will consist of not more than seven members. The Board will comprise a Chair and together with a minimum of four non-executive directors who shall have a balance of skills and experience appropriate to directing UK Anti-Doping's business.

2.7. The Chief Executive is appointed by the Board of UK Anti-Doping with the approval of the Secretary of State. They report to the Board on the day-to-day running of the organisation and its performance against objectives. In addition to this, they will normally be the Accounting Officer for UK Anti-Doping and will have specific duties in this regard, which are set out in section 4 below.

3. DCMS Principal Accounting Officer's responsibilities

3.1 The DCMS Permanent Secretary, as Principal Accounting Officer for the DCMS family of ALBs, is accountable to Parliament for the issue of any grant-in-aid to UK Anti-Doping and is also responsible for ensuring arrangements are in place to:

- monitor UK Anti-Doping's activities on a continuous basis,
- address significant problems in UK Anti-Doping, making such interventions as are judged necessary,
- periodically carry out an assessment of the risks both to the department and UK Anti-Doping objectives and activities,
- inform UK Anti-Doping of relevant government policy in a timely manner and,
- bring concerns about the activities of the body to the full UK Anti-Doping Board - requiring explanations and assurances that appropriate action has been taken.

The Head of Sport in DCMS is the primary contact for UK Anti-Doping within the Department.

4. UK Anti-Doping Accounting Officer's responsibilities

- 4.1. The DCMS Principal Accounting Officer will normally appoint the permanent head of UK Anti-Doping, i.e. the Chief Executive, to be the Accounting Officer for the body. The duties of UK Anti-Doping's Accounting Officer are set out in full in the Permanent Secretary's appointment letter to him/her. The Accounting Officer is responsible for accounting to Parliament, DCMS, UK Anti-Doping's Board and other stakeholders.
- 4.2. The UK Anti-Doping Accounting Officer is personally responsible for safeguarding the public funds for which he or she has charge; for ensuring propriety and regularity in the handling of those public funds; and, reporting to the Board of UK Anti-Doping, for the day-to-day operations and management of UK Anti-Doping and the achievement of its strategic aims. In addition, he or she should ensure that UK Anti-Doping 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 to Managing Public Money (at the time of writing).
- 4.3. The key accountabilities are:
 - 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 Treasury guidance and with any directions issued by the Secretary of State
 - signing a Statement of Accounting Officer's responsibilities, for inclusion in the annual report and accounts
 - signing a Governance Statement concerning the organisation's management and control of resources during the year and setting out how risk has been managed, for inclusion in the annual report and accounts
 - ensuring that effective procedures for handling complaints about UK Anti-Doping are established and made widely known within the body
 - 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
 - giving evidence, normally with the Accounting Officer of the sponsor Department, when summoned before the PAC on UK Anti-Doping's stewardship of public funds.

4.4. Particular responsibilities to DCMS are:

- informing the Department of progress in helping to achieve DCMS's policy objectives as defined in the single Departmental plan and in demonstrating how resources are being used to achieve those objectives
- 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 and
- to work collectively with the Department and other members of the DCMS 'family' of arm's length bodies in support of each other and the group as a whole.

4.5. The duties of the Accounting Officer with respect to the Board of UK Anti-Doping are:

- advising the Board on the discharge of its responsibilities as set out under the founding documentation, in this document, and in any other relevant instructions and guidance that may be issued from time to time
- advising the Board on UK Anti-Doping's performance compared with its aim[s] and objectives
- ensuring that financial considerations are taken fully into account by the Board at all stages in reaching and executing its decisions, and that financial appraisal techniques are followed
- taking action as set out in paragraphs 3.8.5 and 3.8.6 of Managing Public Money if the Board, or its Chair, is contemplating a course of action involving a transaction which the Chief Executive considers would infringe the requirements of propriety or regularity or does not represent prudent or economical administration, efficiency or effectiveness, questionable feasibility, or is unethical.

5. The UK Anti-Doping Board

5.1. The Board should ensure that effective arrangements are in place to provide assurance on risk management, governance and internal control. The Board is expected to assure itself of the effectiveness of the internal control and risk management systems.

- 5.2. The Board must set up an Audit and Risk Committee chaired by a Board member or, where applicable, a non-Board member. The Audit and Risk Committee should support the Board and Accounting Officer by providing advice and assurance on risk management, governance and internal control.
- 5.3. Where the Board does not consider issues relating to staff remuneration itself, it shall ensure that an effective mechanism for such consideration exists, e.g. a remuneration and human resources committee or similar body performing the same purpose.
- 5.4. The Board is specifically responsible for:
- ensuring that UK Anti-Doping fulfils its aims and objectives set out in its founding documents and within the policy and resources framework determined by the Secretary of State
 - determining the steps necessary to deal with any developments which are likely to affect UK Anti-Doping's ability to fulfil its aims and objectives and keeping the responsible DCMS Minister informed if any such developments arise
 - ensuring that any statutory or administrative requirements for the use of public funds are complied with; that the Board operates within the limits of its statutory authority, within the resources framework determined by the Secretary of State and any delegated authority agreed with the sponsor department, and in accordance with any other conditions relating to the use of public funds; and that, in reaching decisions, the Board takes into account guidance issued by the sponsor department
 - ensuring that the Board receives and reviews regular financial information concerning the management of UK Anti-Doping; is informed in a timely manner about any concerns about the activities of UK Anti-Doping; and provides positive assurance to the Department that appropriate action has been taken on such concerns
 - demonstrating high standards of corporate governance at all times, including using its Audit and Risk Committee to help the Board to address key financial and other risks
 - appointing, with Secretary of State approval, a chief executive and, in consultation with the Department, set remuneration terms linked to performance against objectives for the Chief Executive
 - ensuring that any public functions of UK Anti-Doping are carried out in compliance with statutory duties.

6. The Chair's responsibilities

6.1. The Chair is responsible to the Secretary of State for ensuring that UK Anti-Doping fulfils its statutory purpose as set out in its founding documents, that it complies with company law, that where appropriate UK Anti-Doping's policies are consistent with those of the Secretary of State, and that UK Anti-Doping's affairs are conducted with probity. The Chair is also responsible for good governance and for ensuring that the principles set out in the 'DCMS Guidance on Board Appraisal Processes for ALBs' are followed.

6.2. In addition, the Chair has the following leadership responsibilities:

- formulating the Board's strategy for discharging its statutory duties
- ensuring that the Board, in reaching decisions, takes proper account of guidance provided by the responsible minister or the Department
- ensuring that the Board, in reaching decisions, takes proper account of the requirements of company law
- supporting the Accounting Officer in promoting the efficient and effective use of staff and other resources
- supporting the Accounting Officer in delivering high standards of regularity and propriety and
- representing the views of the Board to the general public.

6.3 The Chair also has an obligation to ensure that:

- the performance of the Board and its individual members are reviewed annually and operate effectively and to instigate remedial action should this not be the case
- the Board has a balance of skills appropriate to directing UK Anti-Doping business, as set out in the Government Code of Good Practice on Corporate Governance
- Board members are fully briefed and understand their terms of appointment, duties, rights and responsibilities
- when required, he or she, together with the other Board members, receives appropriate training on financial management and reporting requirements and on any differences that may exist between private and public sector practice
- the responsible minister is advised of UK Anti-Doping's needs when Board vacancies arise
- he or she assesses the performance of individual Board members when being considered for re-appointment,

- there is a code of practice for Board members in place consistent with the Cabinet Office Code of Conduct for Board Members of Public Bodies.

7. Individual Board members' responsibilities

7.1. Individual Board members should:

- comply at all times with the Board Members' Code of Practice 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 conflicts of interest and the acceptance of gifts and hospitality
- act in good faith and in the best interests of UK Anti-Doping.

8. Publications and information strategy

8.1. UK Anti-Doping will have responsibility for contributing to the Government's system of democratic accountability by making information available to the public on the quality and productivity of its services, value for money, performance and progress on delivery. UK Anti-Doping will:

- provide timely and accurate information required for Parliamentary Questions, responses by Chief Executives to Parliamentary Questions and contributions to Ministerial and public correspondence. UK Anti-Doping will be responsible for responding to requests under the Freedom of Information Act within the statutory time limit
- publish, or cause to be published, an annual report of its activities together with its audited resource accounts after the end of each financial year. UK Anti-Doping shall provide the Department with its finalised (audited) accounts in accordance with the annual guidance produced by DCMS
- publish other information as required by the Department in the interests of transparency and as communicated from time to time.

8.2. The annual report must:

- cover any corporate, subsidiary or joint ventures under its control
- comply with the Treasury's Financial Reporting Manual (FReM)
- contain a governance statement, setting out the ways in which the Accounting Officer has managed and controlled the resources used in the

organisation during the course of the year, demonstrating how well the organisation is managing risks to the achievement of its aims and objectives

- outline main activities and performance during the previous financial year and set out in summary form forward plans.

8.3. The report and accounts shall be laid in Parliament and made available on UK Anti-Doping's website and GOV.UK, in accordance with the guidance in the FReM. UK Anti-Doping should aim to submit a draft of the report to the Department in May/early June. The final version should be submitted for Ministerial approval at least three weeks before the proposed publication date. The accounts should be prepared in accordance with the relevant statutes and specific accounts direction issued by the Department as well as the FReM.

8.4. Additionally UK Anti-Doping will be expected to publish information relating to the delivery of its services and policies. In particular this should include information that will help the public to: (i) see progress against activity which UK Anti-Doping has made a public commitment to deliver, (ii) judge if the services and/or outputs offer value for money, and (iii) consider whether the way in which the body operates gives rise to any issues around fairness.

8.5. Where UK Anti-Doping conducts or commissions social or economic research, relevant professional standards should be applied to ensure that research is impartial, of sufficient quality, legal and ethical. UK Anti-Doping should nominate a lead contact for research of this type and share their programme of planned and published research with the Head of the DCMS Evidence and Analysis Unit for information purposes. Further guidance on conducting research can also be obtained from the DCMS Evidence and Analysis Unit.

9. Internal Audit

9.1. UK Anti-Doping shall:

- establish and maintain arrangements for internal audit in accordance with the Treasury's Government Internal Audit Standards (GIAS)
- ensure DCMS is satisfied with the competence and qualifications of the Head of Internal Audit and the requirements for approving appointments in accordance with GIAS 5.2

- set up an Audit and Risk Committee of its Board in accordance with the Cabinet Office's Guidance on Code of Practice for Public Bodies and the Audit Committee Handbook
- forward the audit strategy, periodic audit plans and annual audit report, including UK Anti-Doping's Head of Internal Audit's opinion on risk management, control and governance to the sponsor department on request
- have effective controls to prevent fraud and theft and
- Report all cases of attempted, suspected or proven fraud, irrespective of the amount involved, must be reported by UK Anti-Doping to the Department as soon as it is discovered.

9.2. DCMS's internal audit service has a right of access to all documents prepared by the UK Anti-Doping internal auditor, including where the service is contracted out, for the purpose of obtaining assurance as to UK Anti-Doping's handling of public funds and effectiveness of financial controls.

10. External Audit

10.1. The Comptroller & Auditor General (C&AG) audits UK Anti-Doping's annual accounts. Ministerial approval must be given before the C&AG can sign off the accounts.

10.2. In the event that UK Anti-Doping has set up and controls subsidiary companies:

- UK Anti-Doping will ask (or will have asked) HM Treasury to designate the company as either profit making or non-profit making
- where HM Treasury determines that the company is non-profit making, it will be (or will have been) included in a GRAA Order, which will make (or will have made) the C&AG its statutory auditor. The company should appoint the C&AG as auditor by agreement until such time as the GRAA Order is issued
- where HM Treasury determines that the company is profit making, it should either appoint the C&AG when its audit contract next comes up for renewal or, where they are required to go out to tender for audit services, the C&AG should be invited to compete. Where the C&AG is not appointed, the company must clearly explain the reasons for selecting a different auditor to DCMS.

10.3. The C&AG:

- will consult the Department and UK Anti-Doping 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 UK Anti-Doping
- will share with DCMS 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 UK Anti-Doping
- will, where asked, provide departments and other relevant bodies with Regulatory Compliance Reports and other similar reports which departments may request at the commencement of the audit and which are compatible with the independent auditor's role.

10.4. The C&AG may carry out examinations into the economy, efficiency and effectiveness with which UK Anti-Doping 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. In addition, UK Anti-Doping shall provide, in conditions to grants and contracts, for the C&AG to exercise such access to documents held by grant recipients and contractors and sub-contractors as may be required for these examinations; and shall use its best endeavours to secure access for the C&AG to any other documents required by the C&AG which are held by other bodies.

11. Right of access

11.1. Subject to any overriding legal rights or obligations, UK Anti-Doping will provide access to the Department to all UK Anti-Doping's records and personnel for all purposes including, for example, operational investigations.

12. Managing Public Money and other government-wide corporate guidance and instructions

12.1. Unless agreed by the Department and (as necessary) HM Treasury, UK Anti-Doping shall follow the principles, rules, guidance and advice in Managing Public Money, referring any difficulties or potential bids for exceptions to DCMS in the first instance. A list of guidance and instructions with which UK Anti-Doping should comply is in Annex A.

12.2. Once the overall budget has been allocated by DCMS and subject to any restrictions imposed by statute or by the responsible minister's instructions, UK Anti-Doping shall have authority to incur expenditure approved in the budget without further reference to the Department, on the following conditions:

- UK Anti-Doping shall comply with the delegated financial limits agreed with the Department. These delegations shall not be altered without the prior agreement of DCMS
- UK Anti-Doping shall comply with Managing Public Money regarding novel, contentious or repercussive proposals
- inclusion of any planned and approved expenditure in the budget shall not remove the need to seek formal departmental approval where any proposed expenditure is outside the delegated limits
- UK Anti-Doping shall provide DCMS with such information about its operations, performance individual projects or other expenditure as the sponsor department may reasonably require
- UK Anti-Doping shall comply with any additional requirements notified to them by the Department, for instance on spending controls or delegated authorities.

13. Risk management

13.1. UK Anti-Doping shall ensure 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 develop a risk management strategy, in accordance with Treasury guidance. It should adopt and implement policies and practices to safeguard itself against fraud and theft, in line with the Treasury's guide: Managing the Risk of Fraud. 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 or to give grant or grant-in-aid.

14. Business Planning

14.1. To operate its business effectively, UK Anti-Doping should produce management planning and information documents covering at least three financial years ahead. These may take the form of strategic or corporate plans (for three years ahead), and should include a business plan (one year ahead). The first year of the planning document can include the business plan incorporated as a single document.

14.2. The Department should be sent copies of each of the completed planning documents. These plans should be made available to the public, via the internet if possible.

14.3. The business plan should include a forecast of income and expenditure suitably classified by activity and key objectives, taking account of guidance on resource assumptions and policies provided by the Department at the beginning of the planning round. These forecasts should represent UK Anti-Doping's best estimate of its available income, including any grant or grant in aid or any other funding within UK Anti-Doping.

15. UK Anti-Doping staff

15.1. Within the arrangements approved by the responsible minister UK Anti-Doping will have responsibility for the recruitment, retention and motivation of its staff. The broad responsibilities toward its staff are to ensure that:

- 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, 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.

15.2. Any proposal by UK Anti-Doping to move from the existing pension arrangements, or to pay any redundancy or compensation for loss of office under the Civil Service Compensation Scheme or an analogous scheme, requires the prior approval of the Cabinet Office. Proposals on severance must comply with the rules in chapter 4 of Managing Public Money and will require Treasury approval. UK Anti-Doping must follow the processes set out in the DCMS "Guidance on Staff Exits".

15.3. UK Anti-Doping staff are subject to levels of remuneration and terms and conditions of service (including pensions) within the general pay structure approved by DCMS. These terms and conditions will be subject to an agreed annual pay negotiating remit and should be in line with the current Public Sector pay policy guidelines issued by the Treasury. The remit will be subject to the agreement of the DCMS. UK Anti-Doping has no delegated power to amend these terms and conditions.

15.4. UK Anti-Doping shall operate pay restraint, particularly in terms of senior salaries. UK Anti-Doping shall be subject to the terms issued each year by the Cabinet Office and the Review Body on Senior Salaries. For senior pay and bonuses above the thresholds set out in the '[Guidance for Approval of Senior Pay](#)', UK Anti-Doping must seek approval from the Secretary of State and the Chief Secretary of the Treasury.

15.5. UK Anti-Doping is subject to the [Procurement Policy Note 08/15 – Tax Arrangements of Public Appointees](#), and any guidance that may supersede it. UK Anti-Doping shall not remunerate employees via special purpose companies or by means of any other tax avoidance devices. Senior staff with significant financial responsibility must be on the payroll, unless there are exceptional temporary circumstances, which must be agreed by the UK Anti-Doping Accounting Officer and not exceed a period of six months. UK Anti-Doping is also responsible for ensuring that any temporary off-payroll workers employed are meeting their tax obligations.

16. Review

16.1. UK Anti-Doping may be reviewed periodically, by DCMS in accordance with:

- the business needs of DCMS and of UK Anti-Doping
- Cabinet Office guidance

17. Arrangements in the event that an Arm's Length Body (ALB) is wound up

17.1. In the event of the decision being made to wind up the ALB, the ALB will be required to wind-up its affairs as soon as practicable/in accordance with the timetable agreed with the Department and to put in place a plan for its closure. This will include arrangements for the handover of its residual business and assets and liabilities.

17.2. The draft wind-up plan should be forwarded to DCMS as soon as practicable /in accordance with the timetable agreed with the Department.

17.3. DCMS shall put in place arrangements to ensure that, when an ALB is wound up, this shall be done in an orderly manner. In particular DCMS should ensure that where an ALB is wound up, the assets and liabilities of the body are passed to any successor organisation and accounted for properly. (In the event that there is no successor organisation, the assets and liabilities should revert to the sponsor department.) To this end, the Department, in conjunction with the ALB, shall:

- ensure that procedures are in place in the ALB to gain independent assurance on key transactions, financial commitments, cash flows and other information needed to handle the wind-up effectively and to maintain the momentum of work inherited by any residuary body;
- where a body is audited by the National Audit Office; ensure that arrangements are in place to prepare closing accounts and pass to the C&AG for external audit and that funds are in place to pay for such audits
- arrange for the most appropriate person to sign the closing accounts. In the event that another ALB takes on the role, responsibilities, assets and liabilities, the succeeding ALB AO should sign the closing accounts. In the event that the department inherits the role, responsibilities, assets and liabilities, the Permanent Secretary should sign.

17.4. The ALB shall provide the Department with full details of all agreements where the ALB or its successors have a right to share in the financial gains of developers. It should also pass to the department details of any other forms of claw-back due to the ALB.

18. Budgets and Grant-in-Aid

18.1. Expenditure against resource and capital budgets must be recorded and monitored by UK Anti-Doping in accordance with the Treasury's Consolidated Budgeting Guidance (or its successor). These are the net expenditure limits for UK Anti-Doping in each year - including any use of reserves for which budgetary cover has been given - and must be adhered to. Net expenditure above these limits may not be committed until or unless a revised budget has been agreed in writing by the Department.

18.2. UK Anti-Doping may not breach the component parts of the capital and resource budgets (e.g. core capital). Approval must be sought in advance and in writing if UK Anti-Doping wishes to spend more in one category and less in another. In all these matters, the Department may be required to refer a decision to the Treasury before granting approval.

18.3. Grant in Aid is the amount payable by the Department to UK Anti-Doping in each year and is independent of the budget figures, although derived from them. It does not include depreciation or any budgetary cover allocated by the Department for UK Anti-Doping's use of its own reserves.

19. **Grant-in-aid and any ring-fenced grants**

19.1. Both the grant-in-aid provided by the Department and the overall budgets set by it for the year in question will be voted in the Department's Supply Estimate and be subject to Parliamentary control.

19.2. The grant-in-aid will normally be paid in monthly instalments on the basis of written applications showing evidence of need. UK Anti-Doping will comply with the general principle, that there is no payment in advance of need. Cash balances accumulated during the course of the year from grant-in-aid or other Exchequer funds shall be kept to a minimum level consistent with the efficient operation of UK Anti-Doping. Grant-in-aid not drawn down by the end of the financial year shall lapse. Subject to approval by Parliament of the relevant Estimates provision, where grant-in-aid is delayed to avoid excess cash balances at the year-end, the Department will make available in the next financial year any such grant-in-aid that is required to meet any liabilities at the year end, such as creditors.

19.3. As a minimum, UK Anti-Doping shall continue to provide the Department with monthly information via its grant in aid claims that will enable the Department satisfactorily to monitor:

- UK Anti-Doping's cash management
- its draw-down of grant-in-aid
- forecast outturn
 - other data required for the Treasury's Combined On-line Information System (COINS) or its successor.

20. **Reporting performance to the Department**

20.1. UK Anti-Doping shall operate 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. UK Anti-Doping's performance shall be reviewed by the Department periodically in accordance with the engagement strategy.

21. **Delegated authorities**

21.1. UK Anti-Doping shall obtain the Department's prior written approval before:

- entering into any undertaking to incur any expenditure that falls outside the delegations or which is not provided for in UK Anti-Doping's annual budget as approved by the Department
- 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
- redirecting funding provided by the Department for one purpose to other purposes
- 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.

21.2. The certificate of exemption from Employers' Liability Insurance issued in April 2003 remains valid

22. **Capital projects**

22.1. All capital projects, whether already underway or beginning during this period, are subject to the Department's investment appraisal processes. Any capital expenditure that exceeds UK Anti-Doping's delegated capital limit must be referred to the DCMS Finance Committee for approval at three stages of development, as set out in guidance issued by the Department. The figure used in calculating whether the costs exceed the delegated limit is the lifetime cost of the capital project, including non-exchequer funding and any increased running costs ensuing from it.

22.2. Where projects are reliant on donations or sponsorship that have yet to be confirmed, demonstration of a staggered approach to completion (i.e. that takes account of the funds secured to date before proceeding with each stage) will be more likely to receive approval to proceed.

22.3. When considering the case for capital projects, UK Anti-Doping is expected to use the Treasury's Green Book methodology (or its successor), as modified or enhanced by guidance from DCMS. This is the case for evaluating a capital project regardless of whether the project requires DCMS Finance Committee approval. The Department reserves the right to receive copies of business cases for projects below UK Anti-Doping's delegated limit or elements of it, such as the Net Present Value calculation.

23. **Compliance with the Equality Act 2010**

- 23.1. In exercising public functions, UK Anti-Doping is subject to the public sector equality duty in section 149 of the Equality Act 2010, requiring UK Anti-Doping to have due regard to the need to:
- Eliminate unlawful discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010
 - Advance equality of opportunity between people who share a relevant protected characteristic (age; disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation) and people who do not, and
 - Foster good relations between people who share a relevant protected characteristic and people who do not.

24. **Cyber Security**

24.1 As part of its approach to risk management and information assurance UK Anti-Doping should ensure the robustness of its cyber security to protect itself against data breaches, service disruption, loss and reputational damage. The level of provision should be proportionate to the UK Anti-Doping's size and the level of risk it carries in terms of cyber vulnerability. A range of relevant Government advice and guidance can be found at <https://www.gov.uk/government/collections/cyber-security-guidance-for-business>.

24.2 As a minimum, UK Anti-Doping should take steps to ensure it has basic cyber security controls in place. These should be at least at the level set out in the Cyber Essentials scheme. Further details of this scheme can be found at <https://www.cyberessentials.ncsc.gov.uk>. Departmental officials can offer further guidance and support.

Signed by:



On behalf of the Secretary of State for Digital, Culture, Media and Sport Date:



Chair of UK Anti-Doping

Date: 16/05/19



Accounting Officer of UK Anti-Doping

Date: 16/05/19

Annex A: Compliance with guidance and instructions

UK Anti-Doping shall be aware of and, where necessary, comply with the following general guidance documents and instructions:

- Appropriate adaptations of sections of the Corporate Governance Code for Central Government Departments
<https://www.gov.uk/government/publications/corporate-governance-code-for-central-government-departments-2017>
- Managing Public Money (MPM)
http://www.hm-treasury.gov.uk/psr_mpm_index.htm
- Consolidated Budgeting Guidance (issued annually)
- Government Internal Audit Standards
<https://www.gov.uk/government/publications/public-sector-internal-audit-standards>
- Appropriate adaptations of the Audit Committee Handbook
<https://www.gov.uk/government/publications/audit-committee-handbook>
- Management of Risk: Principles and Concepts
<https://www.gov.uk/government/publications/orange-book>
- Government Financial Reporting Manual (FReM)
<https://www.gov.uk/government/collections/government-financial-reporting-manual-frem>
- If applicable, the Charities SORP
http://www.charitycommission.gov.uk/Charity_requirements_guidance/Accounting_and_reporting/Preparing_charity_accounts/sorpfront.aspx
- Fees and Charges Guide, Chapter 6 of MPM
<https://www.gov.uk/government/publications/managing-public-money>
- Banking guidance, annex 5.6 of MPM
<https://www.gov.uk/government/publications/managing-public-money>
- Relevant Dear Accounting Officer letters
<https://www.gov.uk/government/collections/dao-letters>
- The Parliamentary Ombudsman's Principles of Good Administration
<https://www.ombudsman.org.uk/about-us/our-principles/principles-good-administration>
- Consolidation Officer Memorandum, and relevant DCO letters
- Relevant Freedom of Information Act guidance and instructions
<https://ico.org.uk/for-organisations/guide-to-freedom-of-information/>
- Model Code for Staff of Executive Non-departmental Public Bodies: Chapter 5 (Annex A) of Public Bodies: A Guide for Departments (Cabinet Office)

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/690944/Public Bodies - a guide for departments.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/690944/Public_Bodies_-_a_guide_for_departments.pdf)

- Other relevant guidance and instructions issued by the Treasury in respect of Whole of Government Accounts
<https://www.gov.uk/government/collections/whole-of-government-accounts>
- Guidance on major projects issues by the Major Projects Authority
<http://www.cabinetoffice.gov.uk/content/major-projects-authority>
- The Statistics and Registration Services Act 2007
<http://www.legislation.gov.uk/ukpga/2007/18/contents>
- The Code of Practice for Official Statistics
<https://www.statisticsauthority.gov.uk/code-of-practice/>
- Procurement Policy Note 08/15 – Tax Arrangements of Public Appointees
[https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/418726/PPN 08-15 Tax arrangements for public appointees.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/418726/PPN_08-15_Tax_arrangements_for_public_appointees.pdf)
- Recommendations made by the Public Accounts Committee, or by other Parliamentary authority, that have been accepted by the Government and relevant to the ALB relevant to UK Anti-Doping.