



**BUSINESS PLAN
PLANA GNOTHACH
2019/20**



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FOREWORD

2018/19 was the second year of the current elected Commissioners' terms of office, and we continued to deliver the priorities the Board established for the organisation in 2017. For example, we wrote to large numbers of crofters who had reported a breach in their duties, to initiate a correspondence with them to resolve these issues. We published guidance on common grazings, which has been well received by grazings committees and shareholders alike, and the grazings team engaged directly with 50 townships to help to resolve issues. We built up our role of promoting crofting, for example by advising the Scottish Government on many matters for the 'Phase 1' crofting Bill, and publishing a report on crofting support which we had commissioned from Gwyn Jones.

We have maintained an active presence on social media and enhanced our website, and we published a series of short videos about key aspects of crofting and the Commission. These are part of our drive to make the Commission as open as possible and to ensure we are open for communication with crofters. The Commission took a stand at 3 shows, in the Black Isle, Cunningsburgh and Portree, individual commissioners attended other shows in the Western Isles, Appin and Sutherland, and we held public meetings in Shetland, Orkney, Caithness and Skye. At all of these events, crofters were able to talk to Commissioners or officials about individual cases or about wider crofting issues. Within the office we made several enhancements to our ways of working, including our careful implementation of GDPR, our achievement of the Cyber Essentials accreditation and the drafting of our Workforce Plan.

However, 2018/19 also presented us with significant operational challenges. In Summer of 2018 a backlog of regulatory applications built up, and while we have put sustained effort into managing this closely, and substantially increased the number of regulatory decisions we made, I acknowledge that across much of the past year, the timescales for responding to regulatory applications should have been better.

In 2019/20 it will be a top priority to seek further recovery and overall improvement to operational response times, while other priorities will include continuing our efforts to improve Residency and Land Use, and giving careful consideration to the long term future of crofting in our consideration of the Scottish Government's Phase 2 discussions of future crofting legislation. Our plans for the year ahead are set out in this document on pages 5-15.

Bill Barron – Chief Executive

July 2019

PURPOSE OF THE BUSINESS PLAN

Each year, our Business Plan sets out the Commission's key objectives for the coming year. These are set out in the tables below, which describe our key intentions and aims. During the year, the Business Plan becomes a tool for monitoring our progress and to assist in managing our staff, finances and other resources, to achieve the desired outcomes.

Progress against this Plan will be reviewed regularly by the Senior Management Team and reported to the Audit & Finance Committee through our quarterly performance management reports. Regular reporting helps to ensure that we remain focussed on the priorities and have the right resources in the right place at the right time. Progress will be measured through our Key Performance Indicators of which our Board will receive regular progress updates.

The Corporate Outcomes highlighted in our Corporate Plan 2019 – 2022 are as follows:

Outcome One	Crofts are occupied and managed
Outcome Two	Common grazings are regulated and shared management practices continue
Outcome Three	Crofting is regulated in a fair, efficient and effective way
Outcome Four	The future of active crofting is supported by well-informed engagement with stakeholders
Outcome Five	Our workforce has the right skills and motivation to perform well, our governance processes are best practice

OUTCOME ONE – CROFTS ARE OCCUPIED AND MANAGED

By ensuring crofters are compliant with their Duties and by working with crofting communities and stakeholders, we can increase the number of crofts that are occupied and well managed.

Narrative

Since 2017, we have been expanding our work to encourage – and where necessary enforce – the requirements for crofters to reside on or near their crofts and to put the land to good use. Over this coming year, we will continue to investigate reported breaches of duty, to work with selected landlords and communities, and to engage with those who report their own non-compliance through the crofting census. In addition, we will commence enforcement action on those individuals who have failed to return their census form on more than one occasion, but whose address details would indicate that they are not ordinarily resident on their crofts; and will develop further a systematic approach for the escalation of cases from mainstream regulatory casework to pro-active action to ensure crofts are occupied and worked.

Our approach will be supportive: we will help and advise crofters on the options open to them to resolve their breaches of duty; and likewise will work with landlords to re-let vacant crofts and address succession issues, and will help them understand how best to ensure that all crofts are managed in a positive way.

Key Milestones

Date	Milestone
May 2019	Define and implement reports identifying numbers of residency & land use (RALU) cases in progress and outcomes being achieved
July 2019	Write to all 2018 census respondents who have advised us for the first time they are in breach of residency duty, setting out their options for resolving their breach of duty at their own hand.
Aug 2019	Develop and implement process for escalating to the RALU team, any breaches identified through the Commission’s other regulatory work
Sept 2019	Write to a selection of crofters who have never responded to the census and whose address indicates a breach of residency setting out their options for resolving their breach of duty at their own hand.
Sept 2019	Develop options for Commissioners and Assessors to be pro-actively involved in ensuring crofts are occupied and managed, potentially focusing on the resident non-user of their croft.
Ongoing	Follow-up action on the 2017 census returners advising of first time breaches, re-iterating options for resolving their breach of duty and escalating to the serving of notices as appropriate.
Ongoing	Follow-up action on all 2017 returners who were in breach on more than one occasion, to progress cases through the section 26C to 26H enforcement provisions if they have failed to resolve the situation at their own hand.

Key Performance Measures

Number	Aim	Baseline	Target/Indicator	Measure
1.1	Reduce number of vacant crofts	144	Reduce by 10%	Figure will be taken from the Register of Crofts. 'Vacant' will be defined tightly, as those not only legally vacant but also having no <i>de facto</i> owner occupier.
1.2	Initiate correspondence with more crofters where a breach of RALU duties is suspected	306	Initiate RALU correspondence with 150 new cases	Records of administrative action. Those contacted will include all those whose 2018 census indicated a possible breach for the first time, a selection of census non-respondents, and other cases generated by eg notifications or regulatory casework
1.3	Number of RALU breaches resolved by a crofter in breach of their residency duty by taking up residence on their croft	13	Maintain or increase the number in 2018-19	Records of administrative action
1.4	Number of RALU breaches resolved by assignation of the croft, or sale of an owner-occupied croft	4	Maintain or increase the number in 2018-19	Records of administrative action
1.5	Number of RALU breaches resolved by sublet, or by short-term lease of an owner-occupied croft	15	Maintain or increase the number in 2018-19	Records of administrative action

OUTCOME TWO – COMMON GRAZINGS ARE REGULATED AND SHARED MANAGEMENT PRACTICES CONTINUE

Shared management and productive use of common grazings are important for the sustainability of crofting. The Commission works with grazings committees and crofting communities, providing both guidance and support, to ensure the effective management and use of common grazings.

Narrative

The bulk of the work of the Grazings Team is to support, develop and encourage common grazings committees. Over the next year we will prioritise communication between the Commission and grazings committees while also promoting the importance and effectiveness of creating committees where there are currently no committees in place.

Key Milestones

Date	Milestone
Ongoing	Contact all Grazings Committees whose terms are about to end, encouraging them to arrange election of a new Grazings Committee
Ongoing	Highlight to Grazings Committees and Shareholders the availability of the guidance, published February 2019, for effective management of common grazings. Respond to any questions for clarification.

Key Performance Measures

Number	Aim	Baseline	Target/Indicator	Measure
2.1	Increase in number of common grazings with a Committee in office	Number of Grazings Committees in office on 31 March 2019	An increase in the number of Grazings Committees in office	Administrative records
2.2	Increase in number of grazings committees who have adopted the new template regulations	4 in 2018/19	Commission approvals of new regulations submitted by committees based on the template.	Number of new grazings regulations approved which are based on the new template.
2.3	Meetings or other substantial engagement with Grazings Committees and shareholders (as required) to support them with the regulation and management of common grazings	50 in 2018/19	Maintain or increase the numbers of townships where grazings issues have been progressed, or resolved, following Commission engagement	Records of administrative action. (Note that this covers different types of Commission intervention: getting Committees into office; resolving medium size queries; and helping to address deeper divisions.)
2.4	Establish correct shareholdings on common grazings by researching and updating records of shareholder situations.	N/A	Number of townships researched	Records of administrative action

OUTCOME THREE – CROFTING IS REGULATED IN A FAIR, EFFICIENT AND EFFECTIVE WAY

We are committed to providing a quality and professional service to all our customers, especially those that make regulatory applications to us or who send us applications for registration of their croft, for us to review and forward to the Registers of Scotland. We are committed to fairness in all our decision-making, and we monitor turnaround times for all the different types of process.

We are also committed to continuous improvement of our internal processes, to deliver consistent and fair decision making that is compliant with legislation, and that also delivers value for the public purse. By changing and expanding how we deliver our services to customers, we can provide a faster, more consistent and more informative service to our customers, thereby improving customer satisfaction and confidence.

Narrative

Throughout the next year we will continue to make efforts to find areas where we can improve our processes so as to see an increase customer satisfaction in our services. The aim is to complete the Delegation of Regulatory Decision Making by winter 2019/20.

A focus this year will be to undertake reviews of processes for two of the Commission's regulatory functions, to ensure they are fully compliant with current legislation, reflect policy and are as efficient as possible. We will also continue to provide ongoing training and prepare guidance to Commission and SGRPID officials, to improve the quality of our casework processing.

We will also work with Registers of Scotland to improve the way the two organisations handle croft registration work, especially where it interacts with crofting regulation applications.

Key Milestones

Date	Milestone
June 2019	Pilot a procedure for identifying potentially contentious cases at an earlier stage of the process to manage customer expectations in relation to the time taken to process their case and the potential outcome.
Aug 2019	Pilot a structured process to limit the time taken by contentious cases, without compromising fairness
Sept 2019	Undertake review of “Review of Apportionment” process (section 52(12))
Oct 2019	Add information about decroftings to the online Register of Crofts, so that this information is freely accessible
Oct 2019	Confirm procurement and implementation strategy for online applications/notification processes, probably on a phased basis
Dec 2019	Undertake review of “Division by Tenant” process (section 9)
Dec 2019	Conduct a full analysis of transactional regulatory functions to identify (a) scope for plainer language to be used and (b) any Crofting Commission procedures which go beyond the requirements of the Act and can be simplified.
Dec 2019	Agree, with Registers of Scotland, improvements to our combined processes, and how they can be implemented
Jan 2020	Implement system to measure regulatory customer satisfaction
Mar 2020	Add information about apportionments to the online Register of Crofts, so that this information is freely accessible

Key Performance Measures

Number	Aim	Baseline	Target/Indicator	Measure
3.1	Decrease in median turnaround times (registered crofts, Tier 1 approvals)	Figures for 2018/19: Assignment 9.4 weeks Decrofting CHS 9.1 Decrofting Part 15.1 Division by Owner Occupier 9.1 Division by Tenant 24.4 Letting by Landlord 14.0 Owner Occupier Letting 13.6	Reduce median turnaround times for the main regulatory functions	Time taken from application to notification of decision, <i>for cases where no registration is required</i>
3.2	Decrease in number of regulatory cases outstanding after 12 months	Not yet available	Reduce number of cases still live after 12 months	Number of live regulatory cases (of all types, including those involving registration) on 31 March, which are more than 12 months since first received by the Commission
3.3	Customer satisfaction rates	Not yet available	% of respondents reporting satisfaction to the CC enquiries	To be developed once customer satisfaction system is in place
3.4	Increase in proportion of decisions which are delegated to casework officers (Tier 1)	73%	Increase in the proportion	% of decisions handled at Tier 1
3.5	Increase proportion of decisions which are handled by officers	94%	Increase in the proportion	% of decisions handled at Tier 1 or Tier 2
3.6	Decrease in number of general enquiries	2,459 in 2018/19	Reduce number	Number of general enquiries received

OUTCOME FOUR – THE FUTURE OF ACTIVE CROFTING IS SUPPORTED BY WELL-INFORMED ENGAGEMENT WITH STAKEHOLDERS

The Commission has a responsibility to promote the interests of crofting, and to advise the Scottish Government about crofting issues. We welcome collaborative initiatives with other organisations in order to contribute towards the sustainable development of crofting.

Narrative

In the coming year we will seek out opportunities to discuss crofting issues with crofters and their representatives. We will meet regularly with SCF, NFUS and other representative bodies to ensure that our work takes account of the views and needs of those involved in crofting. We will draw on the knowledge and understanding of the Commission's Assessors. And we will use public meetings and the additional information sheet in the Annual Notice to engage with and find out more information about the current state of crofting and the views, concerns and aspirations of crofters and crofting communities.

Through these different streams of information, we are then able both to inform our policy and decision making and also to inform Scottish Government and other stakeholders.

This year will see the Commission working closer with Highland and Islands Enterprise (HIE) in order further to support crofting in Scotland, and with the Scottish Land Commission to identify areas of common interest and the contribution that crofting makes to the wider land reform agenda. We will also continue proactively to support the Scottish Government in their preparation of the Phase 1 Crofting Bill and a future Phase 2 Crofting Bill in order to highlight the need for changes to be made to crofting legislation so that the Commission can regulate crofting more effectively.

Key Milestones

Date	Milestone
May 2019	Agree joint work programme with Highlands & Islands Enterprise to support the development of crofting
May 2019	Establish a Commission working group to consider the Phase 2 reform of crofting legislation, involving a selection of commissioners and assessors
June 2019	Analyse the findings of the Commission’s survey of crofters’ activities
Sept 2019	Publish a Commission statement on the interaction between crofting and the Scottish Land Commission’s land reform agenda.
Nov 2019	Develop a Commission position on the priorities for reform of crofting support
March 2020	Develop outline CC positions on key issues for the expected phase 2 Crofting Bill, including Common Grazings, Registration and Crofting Regulation. (These positions to be finalised and published by September 2020)
Ongoing	Advise the Scottish Government on issues for Phase 1 reform of crofting legislation

Key Performance Measures

There are no Key Performance Measures for this Outcome

OUTCOME FIVE – OUR WORKFORCE HAS THE RIGHT SKILLS AND MOTIVATION TO PERFORM WELL, GOVERNANCE PROCESSES ARE BEST PRACTICE

By ensuring that our staff and Board Members have appropriate training and continued investment, we can develop a high-performing workforce. We will ensure that our organisation fulfils its legal requirements and contributes to the Scottish Government’s broader objectives for Scotland.

Narrative

As a public body, we will fulfil the legal requirements and strive for best practice in our handling of information, our responsiveness to our customers, and our pursuit of clear communication, efficiency and value for money. In the coming year, we will continue to embed our processes for handling information and records in accordance with the requirements of GDPR and the Data Protection Act. We will continue to develop our information systems and pursue best practice in cybersecurity and Business Continuity planning.

We will improve our assurance of customer satisfaction by ensuring that we have robust and effective mechanisms in place to resolve and address any complaints from customers. We will continue to respond timeously to all complaints and to learn lessons whenever a complaint is upheld.

We will refine and implement the Workforce Plan we developed in 2018-19, seeking to improve the training, engagement and job satisfaction of our staff.

Just as crofting contributes to environmentally sustainable food production and the protection of biodiversity, we as its regulator will continue to monitor our corporate carbon emissions and to implement measures to reduce them.

Key Milestones

Date	Milestone
April 2019	Implement paperless meetings across the office whenever possible
June 2019	Achieve full compliance in relation to data sharing agreements
July 2019	Training for all Information Asset Owners in the Commission
Oct 2019	Implement automated records retention/deletion procedures within the Croft Information System (CIS)
Oct 2019	Finalise the Workforce Plan and the timescale for implementing it
Dec 2019	Launch online census capability
Dec 2019	Renew the Business Impact Analysis, conducted in 2014, which underpins our Business Continuity Planning

Key Performance Measures

Number	Aim	Baseline	Target/Indicator	Measure
5.1	Increase in staff engagement rating	51%	Increase to 55%	Average scores for a set of fixed questions in the annual staff survey
5.2	Corporate carbon emissions	18tCO2e	Maintain or reduce	Emissions from business travel by staff and commissioners
5.3	Increase use of email for correspondence with applicants	7.4% at end of Q3	Increase to 15%	Proportion of correspondence generated from within CIS which is sent electronically

MEASURING SUCCESS

In our Corporate Plan 2019-22 we identified a set of high level performance indicators which are reflected in this Business Plan as shown:

High Level Indicator	Objective	2019/20 Business Plan
Number of vacant crofts	Decreasing	1.1
Number of breaches of duty, resolved through Commission action	Increasing	1.3, 1.4, 1.5
Number of regulated grazings with committee in office	Increasing	2.1
Regulatory application turnaround times	Decreasing	3.1
Customer satisfaction rates (NB measure not defined yet)	Increasing	3.3
Staff engagement rating	Increasing	5.1
Corporate carbon emissions	Decreasing	5.2

NATIONAL OUTCOMES

The outcomes of our Corporate Plan are aligned with those of others in the public sector to bring about delivery of the Scottish Government’s National Outcomes contained in the new National Performance Framework. We believe that we contribute to 4 of the National Outcomes as summarised below.

National Outcomes	CC Outcomes	How we contribute
We value, enjoy, protect and enhance our environment.	ONE TWO THREE FOUR	<p>We recognise the potential that lies within underused crofts and common grazings and we believe that by ensuring crofts are well managed and by facilitating development of crofts and common grazings through our decision making, we can enable an increase in productive use of croft land for a diverse range of activities.</p> <p>We acknowledge the detrimental impact that unworked crofts have on the well-being and productiveness of crofting communities and the land they occupy. By working with crofters to ensure they are fulfilling their duties in relation to cultivating and maintaining the land and working to increase the number of grazings committees in office, we can contribute to better land management across the crofting counties.</p>
We live in communities that are inclusive, empowered, resilient and safe.	ONE TWO	<p>We understand that crofts without a resident crofter or crofter family can create holes in communities which can have far-reaching impacts and through the use of information from the crofting and grazings census, we will develop geo-pilot projects to take action on residency and make a contribution to maintaining sustainable communities. In addition, we will work with communities to help them understand the value of croft land as an asset and encourage more grazings committees into office to help fulfil the land’s potential through better management of shared assets.</p>
We have a globally competitive, entrepreneurial, inclusive and sustainable economy.	ONE TWO FIVE	<p>We recognise the potential within croft land to support local food and drink production, and also within common grazings to support renewable energy and carbon production and we will be mindful of this through our decision making, enabling use of crofting assets to support these industries. Within the organisation, we will ensure that our working practices are mindful of our carbon footprint and energy consumption and will progress changes to reduce these.</p>
We respect, protect and fulfil human rights and live free from discrimination.	THREE FOUR FIVE	<p>By providing evidence based information to Scottish Ministers and working with other crofting stakeholders, the Commission has a vital role in ensuring that the legislation and policies regarding crofting are fit for purpose both now and in the future. Further, by ensuring that our workforce are high performing and that the organisation operates in a straightforward and transparent way through process review and change, we can deliver significant improvements in service to the people of Scotland.</p>

BUDGET INFORMATION

We receive Grant-in-Aid funding from the Scottish Government. Public budget decisions which set our Grant-in-Aid allocation are made on an annual basis therefore we have confirmation of the funding allocation for 2019/20 only. The annual Business Plan will direct financial and staff resources into the priority areas identified in this Corporate Plan and agreed by the Board.

The Crofting Commission has been allocated grant in aid of £2.697m for 2019/20, around 74% of which is directly allocated for staff salaries, and the remainder covers costs associated with Board members and the standard running costs of the organisation.

In terms of the Business Objectives for 2019/20, we can estimate the cost of delivery for each outcome. The table below indicates the number of FTEs estimated as working on each outcome and the approximate cost is based on the associated salaries for those FTEs, plus any other associated costs. Fixed running costs (for instance for our occupation of Great Glen House) are incorporated on a pro-rata basis per FTE.

In addition to this, there are other remuneration costs associated with historical pensions and the Board totalling approximately £140k

Corporate Outcome	FTEs	Approximate Cost
Crofts are occupied and managed	5.1	£300k
Common grazings are regulated and shared management practices continue	2.7	£130k
Crofting is regulated in a fair, efficient and effective way	32.6	£1,400k
The future of active crofting is supported by well-informed engagement with stakeholders	4.8	£340k
Our workforce has the right skills and motivation to perform well, our governance processes are best practice	7.4	£390k