

CROFTING COMMISSION

MINUTE OF THE COMMISSION MEETING HELD IN NOSS & RUM, GREAT GLEN HOUSE, INVERNESS AT 9am ON 29 JUNE 2022

Present:	Malcolm Mathieson	Convener
	Rod Mackenzie	Commissioner
	Mairi Renwick Mackenzie	Vice Convener
	Colin Kennedy	Commissioner
	Iain Maciver	Commissioner
	David Campbell	Commissioner (via Teams)
	Duncan Gray	Commissioner
	Donald MacDonald	Commissioner
	Bill Barron	Chief Executive.
	Finlay Beaton	Head of Grazings
	Aaron Ramsay	Head of Digital & Improvement
	David Findlay	Commission solicitor
	Joseph Kerr	Head of Regulatory Support
	Heather Mack	Head of Operations
	Anne Williamson	Head of Compliance & Customer Services and minute taker
	Michael Nugent	Scottish Government for Closed Session (via Teams)

Staff and public for Open session (via Teams)

1 APOLOGIES AND WELCOME

The Convener welcomed everyone to the meeting, with a greeting in Gaelic, followed in English. Apologies were received from James Scott and Neil MacDonald. In the absence of Jane Thomas, today's minute taker is Anne Williamson and Aaron Ramsay is the Compliance Officer.

2 DECLARATION OF INTERESTS

No Interests were declared in the open session.

3 BOARD MINUTES FROM 12 MAY 2022

The Board Minute of 12 May had previously been circulated and approved, and had been published. There were no comments or questions on the Minute.

4 REVIEW OF ACTION POINTS FROM 12 MAY

The CEO updated on the Actions from the previous Board meeting. The revised Policy Plan requires to be completed by September 2022. The wording for informing the public about gradual improvements to regulatory timescales is still being considered and will be reviewed after statistics are run at the end of June but there is a need to be cautious and temper expectations.

The Head of Digital confirmed that all contact should be in the Contact Us page on the website and will follow this up with a formal email stating the position of the Commission. It was noted that the current policy regarding access to the building by members of the public is governed by Nature Scot (NS). The CEO to discuss the issue with NS and supply an update in advance of the next Board Meeting.

The Board Meeting planned for taking place in Shetland will now be in Inverness on 27 September. It will be preceded by a Strategy Day and the Board will meet for dinner on the evening between. A date for a further Strategy Day is available for October.

5 MATTERS ARISING

The issue of the follow-on survey in relation to the Census was raised with two Board members advising that although they had provided their email, they had not received the survey. Head of Digital confirmed that he will investigate the issue and provide an update.

6 UPDATE ON MEETINGS WITH SPONSOR DIVISION

The Convener gave an update from the previous meeting when it was suggested that Commissioners could take turns of attending the meetings with the Cabinet Secretary. After discussion it was agreed that all interested Commissioners could attend as a guest but could not take part in the meeting and would be muted.

The CEO confirmed there had been one meeting with Sponsor colleagues since the last Board meeting. This is summarised in the paper. In addition, the first meeting of the Bill Group had taken place where the format for the Group's work had been agreed.

7 REVIEW ON PROGRESS AGAINST STRATEGIC OUTCOMES

The CEO gave some background to the reason for this paper and how it related to progress against the long term aims in the Corporate Plan. The Commission will develop a new Corporate Plan in the coming year but in the meantime the Paper reported progress against the Plan produced in 2017 and revised in 2019. The current report is not so positive as previous reports and indicates that we could be doing better.

He gave some details on various areas of the plan including how the current backlog is impacting on target turnaround times, the improving picture of Grazing Committees in office and the purposeful conversations taking place with stakeholders.

Board members then discussed the impact of losing staff over the last couple of years and its impact on the organisation. Consideration needs to be given to future workforce planning and how to provide internal promotion opportunities to prevent further loss of staff.

Head of Operations provided details of a recent staff morale survey within the Regulatory team which presented a more positive picture.

Commissioners were concerned about where the Commission should be focussing resources and how this will impact our ability to meet outcomes. It was however noted that the staff have been doing a great job and this should be recognised.

8 STRATEGIC RISK REGISTER

The CEO confirmed that not much had changed since the last update. It is clear that the 2010 Act created extra workload for the Commission which at the time had not been supported by appropriate funding to allow for a required increase in staffing levels. He suggested that consideration needed to be given to whether our current, increased, budget is sufficient for now or would additional funding be required to sustain keep us going in the future.

The Convener added that consideration would also need to be given to efficiency savings going forward.

9 OUTSTANDING CASEWORK UPDATE

This will be a Standing Item on Board Agendas until the situation with the backlog is less challenging. Head of Operations introduced the update.

She gave a thorough update on current trends regarding applications received, decisions taken and how these are impacted by staff availability at certain periods. Training of current staff and recruitment of new staff are both going well.

The new Improvement Manager post has now been filled and is settling in their role looking at process improvements as well as creating the governance documentation for CIS.

The current high level of outstanding casework is having a negative impact on our customer service, due to the delays and cases moved between different members of staff. Measures are in place to mitigate this and a check will be done to ensure that cases are at the right pace in the queue.

There was a brief discussion around the length of time it takes to train an A3 administrator. The CEO clarified that the title of administrator is somewhat misleading as a new A3 has a significant level of training required around the Act, policy and procedures and that this should not be underestimated. The Head of Operations confirmed that it takes around a year to train a new A3 administrator. She suggested an overview from the Training Officer might be of interest to the Board and this was welcomed.

Commissioners were clear that whilst these issues are an operational matter, the matter did have a reputational impact on the Commission and every consideration should be given on reducing the current waiting times moving forward. The complexity of our application forms was raised including the new online application process. The Head of Regulatory Support confirmed that in conjunction with the creation of online applications, the pdf versions of the application forms were also reviewed to ensure a better experience for the applicant.

The Convener requested that future updates include additional statistics that would be helpful to gain a better picture of the current issues including a breakdown of waiting times by application type and moving annual totals.

10 UPDATE ON DELOITTE

The CEO introduced the paper, explaining that not much has changed since the last update in May. He confirmed that 39 of the outstanding points in the report had now been completed and the final two are agenda items on today's meeting.

11 DRAFT WORKFORCE PLAN

The CEO gave members a brief background to the paper, explaining that it was originally created in 2020 and is updated every year. This year it has been slightly delayed awaiting the outcome of the Business Case.

The plan aims to focus attention on what staffing we want and how we get there over a 5 year period, however this is difficult to predict as we cannot foresee what levels of funding will be available that far in advance. It considers how we would deal with reductions in funding along with issues such as staff turnover, training, specialist roles and sharing of knowledge to provide more resilience.

Decision	<i>The Board approved the Workforce Plan for 2022 -23</i>
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12 DRAFT CODE OF CORPORATE GOVERNANCE

The CEO introduced the paper and explained that this had been an audit recommendation. Some research was done on other organisations handling of this and has resulted in the draft paper presented for consideration.

Commissioners agreed that it was a well laid out and practical guide and was easier to digest with quick access to important information.

Decision	<i>The Board approved the requirement for and the Code of Corporate Governance</i>
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13 VICE CONVENER AND AUDIT & FINANCE COMMITTEE MEMBERSHIP 2022

The Convener updated Board members on the recruitment of two new appointed Commissioners, with interviews being held on 12/13 July and an expectation of being in post by September at the latest.

The role of Vice Convener will be held by Commissioner Mackenzie until November.

The Audit and Finance Committee requires an additional member for the 2 November meeting and Commissioner Rod Mackenzie volunteered to join. Thereafter, the positions of Vice Convener and AFC members will be reviewed in the light of the appointment of the next Convener.

The role of Convener of the Board will be available shortly and a discussion took place on how this process will be undertaken. After discussion it was agreed that a proposal be suggested of an internal interview panel to take place to provide recommendations to the Cabinet Secretary.

14 CENSUS 2021 CROFTING SURVEY

The paper was introduced by the Development Officer who gave a thorough breakdown of the statistics and highlighted some key information regarding trends and changing patterns. The information has helped to provide key areas to focus attention on and will form the basis of topics for attendance at the Black Isle and North Uist shows.

The Board considered the impact of attendance as Shows and the benefit achieved. It was agreed that further consideration should be given to future attendance at the Royal Highland Show and how to reduce costs by collaborating with other organisations whose focus is within the crofting area.

15 DATE OF NEXT MEETING

The next meeting will be held in Great Glen House on Thursday 18 August 2022. Remote participation via Teams would be arranged for those who did not wish to travel.

16 ANY URGENT BUSINESS

There was no urgent business.

17 EXCLUSION OF THE PRESS AND PUBLIC

The meeting was then closed at 2.45pm, with thanks for everyone's contribution from the Convener and Vice Convener.