

BUSINESS PLAN

PLANA GNOTHACH

2023/24



CROFTING COMMISSION
COIMISEAN NA CROITEARACHD

Contents

FOREWORD.....	3
PURPOSE OF THE BUSINESS PLAN.....	4
OUTCOME ONE – CROFTING IS REGULATED IN A FAIR, EFFICIENT AND EFFECTIVE WAY.....	5
OUTCOME TWO – CROFTING CONTINUES TO THRIVE AND TO EVOLVE.....	7
OUTCOME THREE – CROFTS ARE OCCUPIED AND USED.....	9
OUTCOME FOUR – OUR WORKFORCE IS SKILLED AND MOTIVATED, AND OUR GOVERNANCE PROCESSES ARE BEST PRACTICE.....	12
MEASURING SUCCESS.....	14
NATIONAL OUTCOMES	14
BUDGET INFORMATION	15

FOREWORD

2022/23 was a year of change and challenge for the Crofting Commission.

A new Board took shape, with 2 new and 2 returning commissioners elected in March 2022, and two new appointed commissioners in September 2023. As required, the new Board has moved quickly to issue a substantially new Policy Plan and Corporate Plan 2023-28. This Business Plan for 2023/24 is the first annual Business Plan based on the new Corporate Plan.

At the same time there were substantial changes in staffing. Following the independent report into our staffing requirements in November 2021 and a Business Case by the Commission in February 2022, in April the Scottish Government confirmed a significant increase in our funding, to permit expansion of the regulation & registration team, a new Executive Team structure with two new Director posts, and additional posts for our improvement, IS, crofting development and compliance teams. Implementing these changes required a great deal of recruitment, which continued throughout the year, and a substantially complete staff complement was in place by March 2023.

The expansion of staffing has allowed us to considerably strengthen our capacity for improving and developing our in-house IT systems, and work has continued on two major projects throughout the year. In the early months of the new financial year we should see a revamped internal casework management system, and a near-comprehensive provision for on-line digital applications. Later in the year we aim to deliver a facility for on-line checking of the status of a live case.

Alongside the IT projects, the main challenge for the Commission and our customers has been the continuing backlog of regulatory casework. The causes of this are many, including the increased complexity of regulation and registration demands, Covid-19, and losses of some key staff in 2021. However, with our expanded budget we have the capacity to overcome the problem. 2022/23 was the year in which the backlog peaked, in July 2022. Reducing it since then has been slower than we or our customers would wish, but with our new staff all engaging vigorously with training, our capacity will continue to increase. This Business Plan sets a target of eliminating the majority of the backlog during the current year, with turnaround times to improve.

To complement the expansion of the regulatory and registration team, the Commission has embarked on a far-reaching improvement plan to simplify and streamline regulatory processes wherever possible. Part of this is at our own hand, but equally important is the legislative changes which we believe are required. The Commission has worked with other crofting stakeholders to provide advice to the Scottish Government on the changes that would help improve crofting for ourselves and – more importantly – for crofters.

All of our teams, from the regulation and registration team through to development and grazings, Residency and Land Use, customer services, and the vital back office teams, are committed to regulating the crofting system fairly and efficiently, and to securing a strong and effective crofting system for the future.

Bill Barron – Chief Executive

April 2023

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 Executive Team and Senior Management Team, and reported to the Audit & Finance Committee through our quarterly performance management reports. Regular reporting helps to ensure that we remain focused 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 2023-2028 are as follows:

Outcome One	Crofting is regulated in a fair, efficient and effective way
Outcome Two	Crofting continues to thrive and to evolve
Outcome Three	Crofts are occupied and used
Outcome Four	Our workforce is skilled and motivated, and our governance processes are best practice

OUTCOME ONE – 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 also seek 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 refining 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 while simultaneously improving value for money.

Narrative

In 2021/22, staff turnover and the ongoing effects of the covid19 pandemic resulted in an increasing backlog of regulatory casework. Recruitment of additional staff to reverse this problem commenced took place between February 2022 and March 2023. With an expanded team and a strong Board and management focus on processing casework, 2022/23 saw a 23% increase in the number of regulatory cases discharged, halting the increase of the backlog and beginning to reduce it. The aim for 2023/24 is to make a further significant increase in cases processed and see major reductions in the number of outstanding cases.

2023/24 will also see the culmination of two major IT projects, the revision of our internal Croft Information System and the wholesale availability of facilities for on-line digital applications.

Key Milestones

Number	Date	Milestone
1a	May 2023	Strategy agreed for allowing wider use of online system while protecting against identity fraud
1b	July 2023	Digital options for the majority of regulatory application types rolled out and fully functioning
1c	July 2023	Action plan finalised, with timings, to improve efficiency in casework handling
1d	Dec 2023	Implement online progress status of a case for self-serve usage

Key Performance Measures

Number	Aim	Baseline	Target/Indicator	Measure
1.1	Decrease in median turnaround times (registered crofts, Tier 1 approvals)	Figures for 2022-23: Assignation – 15 weeks Decrofting CHSGG – 18 weeks Decrofting Part Croft – 26.9 weeks	Assignation – 15 weeks Decrofting CHSGG – 18 weeks Decrofting Part Croft – 23 weeks	Time taken from application to notification of decision, <i>for cases where no registration is required</i>
1.2	Decrease in number of live regulatory cases at a point in time	1052 on 31 March 2022	Reduce to 800 or below	Number of live regulatory cases on 31 March
1.3	Increase in number of regulatory cases discharged in the year	1866 in 2022/23	2200	Total number of cases discharged during the year
1.4	Customer satisfaction rates	57% in 2022/23	At least 75% of responses positive	Proportion of respondents answering 5 or 4 on the 5-point scale for overall satisfaction

OUTCOME TWO – CROFTING CONTINUES TO THRIVE AND TO EVOLVE

The Commission has a responsibility to promote the interests of crofting, and to advise the Scottish Government about crofting issues. Our Policy, Development and Grazings team is in place to support crofters, those interested in crofting, and grazings committees alike. Along with other agencies we will do what we can to ensure that crofting communities continue to be resilient, and benefit from healthy turnover of crofts to new entrant crofters.

Narrative

In 2022/23, the Development Team and Grazings Team came together, forming a united team to focus on supporting crofting communities. The joint team has provided training sessions around the crofting counties, supported by the Farm Advisory Service. Our Grazings officers have continued to encourage grazings committees to be appointed by their shareholders, while the Development officers are developing a programme of support and communication, to help with croft turnover in particular. Failures of succession of crofts are a major headache for crofting communities, which can be tackled through succession planning.

The Commission is grateful to those who served as assessors during the last 5 years, and we have recently embarked on a recruitment exercise for “Crofting Commission Area Representatives” to work with us in the next period. The Policy, Development and Grazings team will be the key line of contact for CCARs, connecting the Commission to the heart of diverse crofting communities.

Key Milestones

Number	Date	Milestone
2a	Ongoing	Contact all Grazings Committees whose terms are about to end, encouraging them to arrange the appointment of a new Grazings Committee
2b	Ongoing	Encourage shareholders of common grazings, where there has been no grazings committee in office for a period of time, to form a new grazings committee to maintain and manage the common grazings.
2c	May 2023	Submit considered advice to Scottish Government on additional legislative changes for the proposed Crofting Bill
2d	July 2023	Recruit a panel of Area Representatives for 2023-2028
2e	July 2023	Launch campaign to encourage “living succession” within crofting
2g	Feb 2024	Deliver Training events for Grazings Committees/crofting communities/landlords

Key Performance Measures

Number	Aim	Baseline	Target/Indicator	Measure
2.1	Maintain or increase the number of common grazings with a grazings committee in office	500 Grazings Committees in office on 31 March 2023	Maintain at 500 or above	Administrative records
2.2	Establish correct shareholdings on common grazings by researching and updating records of shareholder situations.	36 townships with single or multiple investigations concluded	No numerical target as demand led. Investigation and response to be carried out within 28-day time period.	Records of administrative action
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.	15 significant engagements	No numerical target as demand led. Aim to keep significant engagements below 20 cases through early intervention, provision of guidance, training and mediation as required.	Records of administrative action. (Note that this covers different types of intervention: getting Committees into office; resolving medium size queries; and helping to address deeper issues.)

OUTCOME THREE – CROFTS ARE OCCUPIED AND USED

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 cultivate and maintain the land.

It has been a consistent call of the Crofting Commission's Board that action to promote croft residency and active land use should be high on the Commission's list of priorities. We will therefore continue to investigate reported breaches of duty, work with public and private crofting landlords, engage with croft tenants who report their own non-compliance through the crofting census or whose breach of duties comes to our attention through regulatory casework, and take action to resolve longstanding intestate succession cases where the tenancy has not been transferred within the statutory timescales.

The team places equal focus on owner-occupier crofters as on croft tenants, since the intention of the 1993 Act is that both tenants and owner-occupier crofters are subject to crofting duties. In addition, we will investigate individuals who have failed to return their census form but whose address details would indicate that they are not ordinarily resident on their crofts; and we will initiate correspondence with landlords of vacant crofts (or parts of crofts) who are not resident and/or do not cultivate the croft, with a view to the seeking a solution either through the landlord ensuring the croft is occupied and worked, or through the Commission taking action under the vacant croft provisions of the 1993 Act to ensure the croft is occupied by a tenant who will comply with the residence and land use duties.

Our approach will be supportive: we will help advise tenant and owner occupier crofters on the options open to them to resolve their breaches of duty; and likewise, we will work with landlords and help them understand how best to ensure that all crofts are managed in a positive way either through their own actions or by the Commission taking steps to ensure the croft is occupied and worked.

Key Milestones

Number	Date	Milestone
3a	June 2023	Write to a selection of tenant and owner-occupier crofters who have indicated in their 2022 crofting census returns that they are in breach of their duty to be ordinarily resident, obtaining their plans and intentions for resolving the breach and either issuing a notice section 26C(1) of the 1993 Act or establishing that there is a good reason not to issue a notice..
3b	July 2023	Write to a selection of crofters and owner-occupier crofters who have not responded to the 2022 crofting census and whose address would indicate they are in breach of the residence duty. Should correspondence confirm that they are in breach then the case would be followed up in terms of 1a above.
3c	Aug 2023	Launch and publicise a system of investigating reports that owner-occupiers of vacant crofts are not resident on or within 20 miles (32 kilometres) of the croft and/or not working the croft, to determine whether a notice should be issued under section 23(5) of the 1993 Act requiring the landlord to submit proposals for letting the croft.
3d	Oct 2023	Write to a selection of tenant and owner-occupier crofters who have indicated in their 2022 crofting census returns they are in breach of the duty to cultivate the croft, giving information about their options. This will include both a selection of individuals who are also in breach of the residence duty, and those who are complying with their residence duty.

Key Performance Measures

Number	Aim	Baseline	Target/Indicator	Measure
3.1	Number of formerly vacant crofts let by the landlord or the Commission following the Commission initiating action under the unresolved succession (section 11) or vacant croft (section 23) provisions of the 1993 Act.	7	At least 45 permanent resolutions to breaches of duty, unresolved successions or vacant crofts delivered through Commission action	Records of administrative action
3.2	Number of RALU breaches resolved by a crofter or an owner-occupier crofter (i) in breach of their residency duty taking up residence on their croft; or (ii) in breach of their duty to cultivate and maintain the croft resuming cultivation and maintenance of the croft.	5	(numbers will be reported separately for 3.1-3.4 but the target relates to the total of the four categories of intervention)	Records of administrative action
3.3	Number of RALU breaches resolved by the assignation or renunciation of a tenanted croft, or the letting or sale of an owner-occupied croft.	28		Records of administrative action
3.4	Number of RALU breaches concluded by tenancy terminations orders (section 26H), or approval of letting proposals submitted by owner-occupier crofters following a direction to do so (section 26J).	5		Records of administrative action

OUTCOME FOUR – OUR WORKFORCE IS SKILLED AND MOTIVATED, AND OUR 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, including the reduction of carbon emissions.

Narrative

In 2022/23, the annual scrutiny by our external auditors confirmed that we have made considerable strides in implementing the recommendations of the 2021 Audit, resolving some longstanding tensions in the Commission's governance structure and putting our constitution on a firm footing.

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 handing information and records in accordance with the requirements of GDPR and the Data Protection Act.

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.

Every year we will update our Medium-Term Financial Plan and Workforce Plan, and take part in the civil-service-wide People Survey, to ensure we take account of the views of staff. The People Survey in October 2022 gave good scores for most of the indicators, and we will seek further improvement, focussing on 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

Number	Date	Milestone
4a	Oct 2023	Climate Emergency Charter: We will create an Environmental Team and publish an Emergency Climate Plan.
4b	Oct 2023	Introduce quality assurance and checking programme for regulatory work that feeds into the Register of Crofts
4c	Jan 2024	Update Workforce Plan and Medium Term Financial Plan

Key Performance Measures

Number	Aim	Baseline	Target/Indicator	Measure
4.1	Increase in Employee engagement Index	67% in October 2022	Maintain at 67% or above	SG people survey, October 2023
4.2	Business Travel corporate carbon emissions	Business travel 2.1tCO2e in 2021/22	Below 5 tCO2e in 2022/23	Emissions from business travel by staff and Commissioners
4.3	Redeploy efficiency savings within £4.17m core budget		3%	Funding redeployed as a result of efficiencies in existing operations

MEASURING SUCCESS

In our Corporate Plan 2023-2028 we identified a set of high level performance indicators which are reflected in this Business Plan as shown:

High Level Indicator	2023/24 Business Plan
Reduce regulatory application turnaround times	1.1
Improve customer satisfaction rates	1.4
Reduce the number of live applications awaiting decision	1.2
Keep the number of grazings with a committee in office above 500	2.1
Increase the number of breaches of duty resolved by Commission action	3.1-3.4
Improve our staff engagement rating	4.1
Reduce our corporate carbon emissions	4.2

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:

- We value, enjoy, protect and enhance our environment.
- We live in communities that are inclusive, empowered, resilient and safe.
- We have a globally competitive, entrepreneurial, inclusive and sustainable economy.
- We respect, protect and fulfil human rights and live free from discrimination.

A summary of how we have contributed to each National Outcome is included in our Annual Report each year.

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.

The Crofting Commission has been allocated grant in aid of £4.170m for 2023/24, around 80% of which will be 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 2023/24, we can estimate the cost of delivery for each outcome which is indicated in the table below based on the associated salaries, plus any other costs (for instance for our use of Great Glen House).

Corporate Outcome	Approximate Cost
1. Crofting is regulated in a fair, efficient and effective way	£2,254,000
2. Crofting continues to thrive and to evolve	£ 513,000
3. Crofts are occupied and used	£ 772,000
4. Our workforce is skilled and motivated, and our governance processes are best practice	£ 631,000

* Further information can be sourced from the Crofting Commission Medium-Term Financial Plan and Workforce Plan.