

CORPORATE PLAN

PLANA CORPORRA

2023-2028



CROFTING COMMISSION
COIMISEAN NA CROITEARACHD

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INTRODUCTION

In 2021, the Scottish Government published its landmark *National Development Plan for Crofting*, recognising the importance and value of crofting and setting out its vision for its continued evolution within the Highlands and Islands. The Government's first commitment in the NDP was that "*The Crofting Commission will expand its current capacity, going beyond the delivery of regulatory functions to further enhance its role in crofting development activity.*" This is a task that the Commission has been delighted to accept. Our constitution, with a board of 6 elected crofters and 3 appointed commissioners, and with many of our staff having roots in crofting communities and/or a deep understanding of crofting from many years at the Commission, enables us to champion crofting in a way that no other public body can.

However, at the same time, the Commission was facing considerable challenges with the delivery of regulatory casework. The demands of an increasing number and increasing complexity of applications were multiplied by the disruption of the covid pandemic and, later, an unusually high number of staff retirements or promotions into the Scottish Government or elsewhere. The result was a significant backlog of casework which we are still working through.

As a Commission we aspire to the highest possible standards in all of our roles. Our principal responsibilities are: responding fairly and timeously to casework applications; proactively addressing breaches of duty by crofters; and promoting and developing crofting for the benefit of crofters, the Highlands and Islands, and Scotland as a whole. The Scottish Government's increased investment in the Commission, from 2022/23 onwards, will enable us to deliver on all of our responsibilities over the period of this 5-year Corporate Plan.

The nature of the organisation is changing. We have expanded our Information Services team and invested in IT systems, bringing to crofting communities the convenience of being able to complete their annual census online, and to make regulatory applications using our very highly rated online portal. Using the technology and techniques developed during the pandemic, we now have several staff at a distance from Inverness, meaning that that more of them are living alongside, or are members of, the crofting communities that we serve. In 2023 we will be recruiting an expanded panel of assessors to support the Commission in its work and to represent the Commission in communities. In all these ways and others, we are determined to be a Commission that is approachable and accessible to crofters.

This Corporate Plan sets out more detail of our plans for the next 5 years. We commend it to you.

Malcolm Mathieson – Convener

Bill Barron – Chief Executive

CROFTING IN MODERN SCOTLAND

Crofting has its roots deep in Scottish history, and has existed as a regulated system since the Crofters Holdings (Scotland) Act 1886. There are now some 16,000 crofters on over 20,000 crofts, and they form the backbone of many communities across the Highlands and Islands, including Moray, Argyll and Arran. Crofters run a great variety of agricultural and other business activities, ranging from traditional livestock and food production, to tourism activities, energy production, forestry, environmental conservation and much else. There is no such thing as a 'typical crofter'. Some can trace their holding on the land back several generations, while others are recent entrants; some crofts are very small, others relatively large; the nature of the land varies greatly according to the geographical location. But what all crofters have in common are their duties to reside within 32 km of their croft, and to keep their croft land in good condition and put it to purposeful use.

As a system which has always given land rights to the many, crofting sits foursquare within the Scottish Government's agenda for the control and use of land.

The Scottish Government's and the Crofting Commission's vision for crofting is to enable crofters to continue to be at the heart of communities across the Highlands and Islands and to make the maximum possible contribution to modern Scotland. This will include:

- Local, sustainable, food production
- Contributing to the economy of the Highlands and Islands through traditional and innovative business activities
- Playing a full part in the drive to protect Scotland's biodiversity and to achieve net zero for the nation
- Providing a focus for the continued strength of remote communities, and preserving their unique culture.

WHO WE ARE

The Crofting Reform (Scotland) Act 2010 created the Crofting Commission, which came into being on 1 April 2012, taking over from the Crofters Commission. It is a Non-Departmental Public Body (NDPB) which operates on a day-to-day basis independently of the Government, but for which Scottish Ministers are ultimately responsible. The Commission consists of six Crofting Commissioners elected from six geographical areas in the crofting counties, and three Commissioners appointed by the Scottish Government. One of the nine Commissioners is appointed by the Scottish Ministers as Convener. The Commission is supported by a staff of some 70, led by a Chief Executive (who is appointed by Scottish Ministers in consultation with the Convener of the Commission). The Commission's Headquarters is in Great Glen House, Inverness.

WHAT WE DO

The Crofting Commission's principal functions are regulating crofting, re-organising crofting, promoting the interests of crofting and keeping under review matters relating to crofting. The Act places a duty on the Commission to investigate reports of breaches of duty by tenants and owner-occupier crofters. It can advise the Minister on matters relating to crofting and it can also collaborate with other bodies for the economic development and social improvement of the crofting counties. As a public body, the Commission is subject to, and has duties under, a range of other legislation, but this Plan focuses on the Commission's duties and powers under the Crofting Acts.

This Corporate Plan sets out our aims and objectives for the next 5 years, grouped around 4 outcomes, with the key strategic actions for each being the following:

Customer service: We receive over 1500 regulatory applications from crofters every year. We will uphold high standards of fairness in our regulatory decision-making, and we will improve the customer's experience in terms of timeliness of our decision-making, online facilities, and clear communication.

Developing and supporting crofting: We will implement the Scottish Government's *National Development Plan for Crofting*, and will promote an innovative crofting sector with thriving communities and action on biodiversity and carbon sequestration. We will regulate and support grazings committees in their work. We will communicate effectively about crofting and its regulation, to crofters and the wider public.

Residency and land use enforcement: We will use our powers to address breaches of crofting duties so that more crofters work their crofts and are resident on or near their crofts.

Governance and workforce: We will strive for best practice in governance, workforce development and financial planning, drawing on the recommendations of internal and external auditors.

OUR VISION

All of our responsibilities, whether regulating or promoting crofting, are focussed on securing the benefits that the regulated crofting system brings to crofters and the wider community, in terms of population retention, economic resilience, and land use that is both productive and sustainable. Our vision therefore is a simple one:

That crofts and crofting communities continue to enhance the social, cultural, economic and environmental fabric of the crofting areas

OUR PURPOSE

The Commission's powers and duties give us many opportunities to interact with crofters and crofting communities, whether we are making a decision on a regulatory application, investigating a case of absenteeism or neglect, supporting a grazings committee, or gathering evidence about the strength of crofting communities. In all our interventions we seek both to respect and uphold the rights of crofters, and to protect and promote crofting opportunities for the future. By thoughtful and effective regulation, the Commission can contribute in a variety of ways, enabling through its decision-making support for individuals, creation and support of local businesses, and population retention. In other circumstances, such as enforcing compliance with crofters' residency and land use duties, the Commission can make a direct difference over time by ensuring residency of crofts, therefore supporting population retention, and good land management through cultivation and maintenance of croft land.

Our purpose is therefore:

To regulate the crofting system fairly, and to protect and strengthen it for future generations

OUR VALUES

The Commission has developed corporate values which reflect what is important to us as an organisation and are at the heart of how we strive to operate on a day to day basis.

Caring for crofting communities and environment

Positive teamwork

Commitment to service quality and improvement

Encouraging staff and commissioner development

Being fair and impartial

CUSTOMER SERVICE

Outcome 1: Crofting is regulated in a fair, efficient and effective way

The Crofting Commission is committed to high standards of customer service, especially in our responses to regulatory applications. This includes our handling of regulatory applications and notifications to the Crofting Commission as well as handling registration applications for the Crofting Register held by Registers of Scotland. This means decisions that are rigorous and fair, and also timely. We believe that continuous improvement within the organisation is vital and that by investing in the people and systems that will deliver the Regulatory processes of the Commission, and by being open and accessible to crofters and their agents and solicitors, we will deliver improved services to the crofting communities that we serve.

We will:

- Deliver, by the end of 2023, a significant improvement in turnaround times for regulatory applications; and take all available actions to reduce the number of pending decisions
- Continue to ensure that our policies and decisions are fully compliant with the Crofting Acts
- Provide high quality information to crofters, agents and solicitors, helping them to navigate the application process
- Maintain the accuracy of the information that is openly available through the online Register of Crofts
- Be accessible to applicants and other enquirers, answering their queries within reasonable timescales, as set out in our Standards of Service
- Roll out online applications and online status updates, making it easy for crofters, solicitors and agents to use them

What will success look like?

- The number of pending regulatory decisions will fall below and then remain below 700¹.

¹There will always be a high number of live cases, because of the Commission's volume of casework and the minimum time needed to take different types of cases through all stages required by statute. Past experience and modelling indicate that when all cases are progressing without delay, about 700 cases may be live at any one time.

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- We will see improved turnaround times for Regulatory applications
- We will see improved Customer Satisfaction rates
- When our decisions are challenged, the great majority of them will be upheld by the Scottish Land Court

DEVELOPING AND SUPPORTING CROFTING AND PROMOTING ITS FUTURE

Outcome 2: Crofting continues to thrive and to evolve.

The Commission must promote the interests of crofting and keep matters related to crofting under review, advising the Scottish Government as necessary. We are committed to fulfilling our leading role in promoting a thriving and diverse crofting sector, in accordance with the Scottish Government's 2021 *National Development Plan for Crofting*. We can use our influence to promote crofting both now and for the future. To support this, we will continue working closely with key crofting stakeholders and the Scottish Government to identify and prioritise areas of action.

We will:

- Communicate effectively with crofters, stakeholders and the public to explain and demystify how the crofting system works, including signposting to other specialist sources of advice, information and support
- Support existing and new grazings committees to manage the common grazings actively
- Develop a network of assessors, grazings clerks and others to encourage a culture of residency, active use of croft land, and turnover of crofts
- Work with Scottish Government and others to identify priorities for legislative change
- Support crofters and landlords who wish to take forward joint initiatives on common grazings, especially to enhance biodiversity and carbon sequestration
- Facilitate decrofting for affordable housing developments when this is compatible with our regulatory responsibilities

What will success look like?

- The number of common grazings with a committee in office will remain above 500.
- We see an increase in the rate of turnover of crofts and the number of new entrants to crofting.
- We see enhanced use of croft land, including common grazings, both for traditional and innovative purposes.

RESIDENCY AND LAND USE ENFORCEMENT

Outcome 3: Crofts are occupied and used

Our role in enforcing compliance with crofting duties is a vital part of our work to maintain and strengthen the crofting system. We will use our powers consistently and over the long term to regulate and encourage the active use of crofts, thereby encouraging opportunities for new entrants and supporting population retention and growth. Where possible, we will work with others to increase the understanding of the value of croft land as an asset which can contribute to the sustainable development of crofting communities and the financial viability of croft households.

We will:

- Provide information to crofters explaining their responsibilities and their options for resolving any breaches of duty
- Take action on reported and other suspected breaches of duty, by tenant crofters and owner-occupier crofters
- Require absentee landlords of vacant crofts to let them
- Seek action from crofters who do not submit a census return, to ensure they are complying with their duties
- Work with landlords, grazings committees and communities to encourage adherence to crofting duties

What will success look like?

- At least 200 breaches of duty, unresolved successions and vacant crofts will be permanently² resolved through Commission action, in the period from April 2023-March 2028
- We see a reduction in the number of crofts which are legally vacant

² Not including breaches temporarily resolved eg through sublet or consent to be absent

OUR GOVERNANCE AND WORKFORCE

Outcome 4: Our workforce is skilled and motivated, and our governance processes are best practice.

We believe it is important to have a high performing workforce both now and in the future. We know that to achieve this, there needs to be investment in staff recruitment, training and development, as well as in maintaining the cohesiveness of our team now that it is spread across many parts of the crofting counties. Equally, we are committed to best practice in governance and Board and Executive Team level, and we will draw on training opportunities and audit reports to ensure we maintain high standards.

We will:

- Update our Workforce Plan and our Medium Term Financial Plan annually
- Commit resources to Board and staff training to ensure that everyone is equipped to fulfil their role
- Maintain a 'no-blame' teamwork culture in which Board and staff work together in their respective roles
- Strive for 100% accuracy in the Register of Crofts and other information that we publish, and uphold high standards in the correct use of information in accordance with the Data Protection Act
- Commit to a date for the Crofting Commission to become 'net zero' as soon as possible
- Deliver a secure and fair election for Commissioners in March 2027

What will success look like?

- Our Employee Engagement Index will increase by 5 percentage points above the 2021 level, and will then remain above the UK civil service average.
- We see proactive Workforce Planning and forward financial planning within the organisation
- We use Business Planning effectively and consistently achieve a strong majority of our annual targets

- We use technology effectively and exercise control over our direct carbon emissions
- Our financial budgeting and control will continue to be recognised as exemplary

KEY PERFORMANCE INDICATORS

Each of the outcomes detailed in this plan will be delivered through actions in our annual Business Plans which will also detail specific actions to be delivered and performance targets for each year. Our progress against these targets will be reported in our Annual Reports which will also reflect our overall progress against the high-level success criteria identified in this Corporate Plan and in particular the following:

High Level Indicator

Reduce regulatory application turnaround times

Improve customer satisfaction rates

Reduce the number of live applications awaiting decision

Keep the number of grazings with a committee in office above 500

Increase the number of breaches of duty resolved by Commission action

Improve our staff engagement rating

Reduce our corporate carbon emissions

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. Our main contributions are 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	<p>We recognise the potential that lies within 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 contribute to better land management across the crofting counties.</p>
We live in communities that are inclusive, empowered, resilient and safe.	TWO THREE	<p>We understand that crofts without a resident crofter or crofter family can create holes in communities which can have far-reaching impacts. Our action to promote and enforce residency makes a direct 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.	TWO THREE FOUR	<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 reduction 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.	ONE TWO FOUR	<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

The Crofting Commission has been allocated grant in aid of £3.9m for 2022/23, and anticipates a small increase in 2023/24. For planning purposes, we assume that the core budget will then remain at the 2023/24 level in real terms, for the duration of this plan.

A high-level breakdown of our 2022/23 budget is shown below.

