



SCOTTISH LAND COMMISSION
COIMISEAN FEARAINN NA H-ALBA

Minutes of the meeting of the Scottish Land Commissioners held on Tuesday 3rd November 2020

Commissioners Present: Andrew Thin (Chair), Sally Reynolds, Lorne MacLeod, Megan MacInnes, David Adams (Land Commissioners), Bob McIntosh (Tenant Farming Commissioner)

In Attendance: Hamish Trench, Sarah Allen, Posy MacRae, Shona Glenn, Emma Cooper, Caron Munro, Gemma Campbell, Katherine Pollard (Scottish Land Commission), Fiona Taylor (Scottish Government)

There were no declarations of interest.

The Chair welcomed Fiona Taylor to the meeting.

The Chair noted the positive impact that the Commission has made since the last Commissioners' Meeting in the many pieces of work that the Commission has been publishing and influencing.

1. Minutes of previous meeting 6th October 2020

The minutes were agreed as a true and accurate reflection of the discussion subject to the following amendment:

- Page 3 amend spelling of 'consider' in action 20100602.

All actions have been completed. The Commissioners' confirmed approval of the expenditure for the Potential Tax Reforms work by email correspondence.

2. Update from the Chair of the Audit and Risk Committee (ARC)

The Chair of the ARC provided the Commissioners with an update from the ARC meeting held on 2nd November. He advised that the Commission has been audited on Staff Recruitment and Induction and Financial Processes, both of which received moderate assurance. It was noted that all recommendations made in the audit have been actioned by staff.

The Committee also received a 'Guidance to Audit Committees' publication from BDO, the internal auditors, which gave several useful suggestions for further scrutiny to be taken forward by the ARC.

The Committee were presented with the Commission’s Cyber Incident Response Plan which was agreed by the Committee. The ARC also received a long-term financial planning paper which highlighted the Commission’s 3- and 5-year plan for potential budget reductions and the committee considered and agreed the approach to medium term financial planning. The Committee noted that the current budget spend for 2020-21 was near 50% at the half-year point with a large proportion of the remaining budget committed.

The ARC also agreed Key Performance Indicators for 2020-21 which relate to the Strategic Plan, Annual Report and Programme of Work.

Action 20110301	Hamish to add agenda item on KPIs to the December Commissioners’ Meeting under matters arising
Action 20110302	Posy to email the Cyber Incident Response Plan to Commissioners

3. Quarterly Progress Report

Delivery

It was noted that there have been significant delivery achievements in the last quarter. The Commissioners noted that they were pleased to see so much progress on the delivery.

Commissioners queried when the delivery report would reflect the new Programme of Work. Hamish advised that the quarterly reporting is based on the annual business plan and as such will continue in this format to the end of the financial year. The KPIs which have been agreed will be incorporated into the delivery report at the next quarterly meeting.

Hamish provided the Commissioners with an update on the areas of work which are at an amber or grey rating on the report. He advised that the LRRS area of work is currently amber due to the non-statutory work taking longer than anticipated, but this is now being planned in for progress in quarter 4. He also noted that the Public Interest governance models workstream is currently grey and amber due to the Community Ownership Leadership Group not meeting as a result of the pandemic and the Common Good Land area of work being on hold due to local authority priorities during the pandemic. He advised that there is now engagement with local authorities which will allow progress on the Common Good Land work.

Finance

It was noted that the Commission is at a good position at the half-year point with approximately 50% of the budget spent and a further 42% committed. Hamish advised that the budget has been reprofiled for the remaining half of the year. It was noted that the ARC had queried the impact of lockdown restrictions on suppliers and the Commission staff will monitor this.

Commissioners queried why the payroll expenditure was 55% at the half-year point. Hamish advised he would check this with finance colleagues and email the Commissioners to confirm.

Action 20110303	Hamish to email the Commissioners with clarity on the payroll expenditure.
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The Commissioners noted their thanks to the staff for progressing work throughout the year despite the ongoing levels of uncertainty.

Risk Register

Hamish advised the Commissioners that the risks which were previously increasing in previous quarters due to the pandemic remain high risk but are now considered static due to the mitigations in place.

Hamish noted that the Commission is focussed on staff wellbeing and that the staff are working well together with the working from home arrangements. He advised that the Commission is allocating staff specific time for their wellbeing as well as issuing a further staff survey in November to monitor staff wellbeing. The Commissioners emphasised the priority the Commission should attach to ongoing staff welfare. It was agreed that risks 11 and 12 are potentially the most significant to the Commission at the point although there are new arrangements in place to help mitigate these issues.

Commissioners queried the use of the 'target date' within the risk register and if this was the date in which the Commission anticipated the risk being mitigated. Posy advised that the target date was the time when the Commission intended to have mitigations in place and review the impact that the mitigations had on the risk.

Hamish advised that stakeholder engagement has increased recently, and the Commission will be making a conscious effort to maintain this throughout the winter months, including arrangements for Commissioner engagement.

Communications

Posy noted that the percentage of articles for the TFC is now in balance with the Commission's other work. This had been higher in the previous quarter due to publications and the tenant's amnesty.

4. Scottish Government Update

Fiona Taylor provided the Commissioners with an update from the Scottish Government. Discussion focused on:

- support for the emphasis the Commission is putting on supporting staff wellbeing;
- the Government continues to be agile in the changing circumstances relating to both Covid-19 and the EU exit and this has an impact on staff deployment and priorities;

- the consultation on the next land use strategy will be launched soon;
- work on taking forward pilot Regional Land Use Partnerships is likely to move forward soon, drawing on the SLC recommendations;
- Looking ahead to the timescales for Commission work in relation to the pre-election period and informing the next Parliament;
- The progress being made in developing land reform opportunities in an urban context.

The Chair noted his thanks to Fiona and Hamish for building a strong relationship between the Commission and the Scottish Government Sponsor Team.

Commissioners queried if there were any intentions to reorganise the international land reform conference that Scotland was due to hold in 2020 Fiona advised that the Government will be keeping this under review in relation to the pandemic situation and hopes to be able to rearrange this in some form at a future date.

5. Progress Report on Land Rights and Responsibilities (LRRS) Workstream

Note: Helen Barton and Kirsty Tait joined the meeting at this point.

Emma provided the Commissioners with an update of the project. She provided the Commissioners with an overview of the process using a case study. It was noted that the Commission has received significant stakeholder engagement on the protocols which has been beneficial.

The Commissioners noted their thanks to the Good Practice team and other staff for the level of work that has gone into this workstream. They also noted the importance of casework and support relating to protocols, as a means of shaping change through non-legislative measures and that this continues to be a priority for the Commission.

Commissioners queried if and how the public are able to feed in examples of practice in relation to the protocols. Emma advised that the team does not intend to launch a public request for casework but are working with a number of stakeholders, holding workshops and are finding that there a number of cases where people are identifying situations in which they could use the protocols. There appears to be an increasing awareness among communities and stakeholders of the protocols and their value in challenging poor practice and encouraging good practice.

The team are getting casework examples from this process as well as referrals from Commissioners and staff when cases are raised directly with us. It was noted that it is difficult to monitor success in this area but the build-up of casework using the protocols shows where they are successful in practice. It was noted that it is beneficial to provide evidence of the success of these protocols to inform future consideration of potential statutory measures.

Commissioners asked for information on the types of landowners who are undertaking the self-assessments. It was noted that the casework currently covers different sectors including private, community and public body. Emma advised that the team are currently working with SLE and NFUS to undertake self-assessment pilots in their sectors. Commissioners identified further opportunities to build this work into professional training for land managers.

Gemma advised the Commissioners that the Good Practice Advisory Group has been beneficial in providing input into the protocols, including from the members of their organisations, which has allowed the Commission to gauge how to make the protocols effective and influence practice. The group has also been beneficial in helping to promote the protocols to their members and followers once published.

6. Post-Project Impact Evaluation: Vacant and Derelict Land

Shona introduced the paper noting that the approach to evaluating impact here can be developed further to provide a consistent way for the Commission to review the impact of key workstreams.

Kathie summarised the lesson learned and the feedback process. As well as stakeholder interviews, standardised feedback forms have been used to measure the feedback against each event held. It was advised that the feedback for this project has been gathered on an on-going basis.

Commissioners queried if there were lessons learned in terms of the taskforce size and membership which could be taken into account for future projects. Kathie suggested that for some projects a taskforce on a similar scale may be beneficial whereas others would benefit from a more targeted group of stakeholders or experts. Commissioners noted that the Tax Reforms workstream is a good example of somewhere that a small group of experts is more beneficial although the Commission will need to ensure that Stakeholders are still engaged.

The Commissioners noted the benefit of the evaluation paper in understanding the long-term impact of the project as well as identifying lessons learned and developing the Commission's focus on evaluating impact.

Action 20110304	A discussion on impact evaluation in relation to performance monitoring to be included in the forward programme of board meetings.
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7. Communications Half-Year Update

Note: Jess Barbier-Marsden joined the meeting at this point.

Posy provided an overview of delivery against the communications plan over the year to date, noting the rapid changes in context associated with Covid-19 and the focus on recovery and renewal. She noted that the Land and Economy blog pieces strongly

show the Commission's key messages and indicated we intend to continue to develop the programme of guest blogs. Commissioners noted it was good to see the impact that the guest blogs have.

She noted that the Commission's social media channels have had a steady growth over the past 6 months. Pagoda carried out a social media audit for the Commission in May which identified some key areas for the Commission to focus on such as building a bank of images to use, encouraging staff involvement in social media and promoting paid for content. Commissioners queried if the contract with Pagoda is still current and if it will be reviewed. Posy advised that the contract has been reduced over the past year and is due for review at the end of the year.

Posy advised that the Commission will be looking at podcasts as part of the My Land campaign. She also noted that the new website is coming up for 1 year old and has received positive feedback in terms of design and the Commission will continue to develop the website. It was noted that the new website allows the Commission to publish blogs within the website which has helped to increase website traffic and boost search engine results.

Commissioners were advised that newsletter launches have been reduced over recent months due to reduced capacity in the communications team although there has been a continual increase in subscriptions to the newsletter. The team hope to increase the frequency of newsletters now that Sara has re-joined the team.

It was noted that the online events and webinars that the Commission has been hosting over recent months have high attendance levels.

Posy advised that there is ongoing stakeholder engagement which is now tracked using the Commission's casework management system.

There has been a strong focus on internal communications with regular updates on COVID-19 regulations and updates from the CEO as well as the Commission encouraging communication within and between teams.

Posy noted that the upcoming areas of work for the communications team to promote are the good practice programme and public meetings as well as the advice on RLUPs which is published 3rd November.

It was noted that there is a need for the Commission to develop and continue the momentum of the recent communications.

Commissioners queried why the national coverage was relatively low. Posy advised that this was due to recent work being sector specific which would be published in sector specific media although much of this does have a national audience. It was noted that there is a need to develop national coverage.

Posy noted that the LRRS and VDL areas of work have received good levels of local coverage through the press releases as these are areas which local news is likely to pick up traction from readers. She advised that the My Land campaign is aiming to break away from media focussed on those who already have an interest and to engage those who aren't necessarily aware of the land reform agenda and its links to everyday life.

8. Any Other Business

Commissioners were advised that the test webinar successful and as a result of this the Commission will be progressing with a programme of public webinars in coming months. Sara will be in contact with Commissioners regarding this. It was noted that the open public meetings held by the Commission are seen as a key feature of the Commission's public accessibility and that continuing to offer this in an online form is important.

The Commissioners will hold a meeting with the Cabinet Secretary on the afternoon of 3rd November.

Date of Next Meeting: 1st December 2020

**Scottish Land Commission
October 2020**