



SCOTTISH LAND COMMISSION
COIMISEAN FEARAINN NA H-ALBA

Land Rights and Responsibilities: Self-Assessment Pilot Programme

Overview Report



1. Context and rationale

The Land Rights and Responsibilities Self-Assessment Pilot Programme in 2020-2021 aimed to explore the effectiveness and workability of a voluntary review process of self-assessment against the Scottish [Land Rights and Responsibilities Statement](#) (LRRS) principles for land owners and managers across sectors. It also aimed to improve our understanding of how the LRRS works in practice.

The LRRS sets out a vision and principles for land use, management and ownership in Scotland. The principles underpin the Scottish Government's vision for a stronger relationship between the people of Scotland and the land, and include:

- more diverse patterns of land ownership and tenure
- more opportunities for communities to own, lease or use land and buildings
- good stewardship of land
- improved transparency of land ownership information
- greater collaboration and community engagement in decisions about land.

These principles can lead to the delivery of greater public benefits through an accountable and transparent system of land ownership and use, which incorporates responsibilities as well as rights. The Scottish Land Commission has a clear role in the development and embedding of the LRRS principles.

In March 2019 the Commission reported on its investigation into the issues associated with scale and concentration of land ownership. The investigation identified that issues associated with large-scale and concentrated rural land ownership in Scotland directly impact economic and social wellbeing. A key recommendation in the report was for land owners to undertake a voluntary review process of self-assessment against the LRRS principles:

“We recommend land owners review the operation and governance of their land holdings to optimise opportunities using the principles of the Land Rights and Responsibilities Framework.” [\(Review of Scale and Concentration of Land: Report to Ministers\)](#)

The proposed purpose of the review was for land owners, particularly of larger-scale land holdings, to “optimise the potential [of their land holding] to support wider community and public interest development, delivering the Land Rights and Responsibilities principles and mitigating the potential risks of concentrated ownership.”

In 2019, the Commission held stakeholder workshops to discuss the findings and recommendations of the Scale and Concentration report. There was a clear willingness from participants at these workshops to support a voluntary review process that would enable land owners to consider their own operations and governance.

The Land Rights and Responsibilities Self-Assessment Pilot Programme in 2020-2021 aimed to explore the effectiveness and workability of a voluntary review process of self-assessment against the LRRS principles for land owners and managers across sectors. It also aimed to improve the Commission's understanding of how the LRRS works in practice.

A series of projects took place with volunteer land owners to test a pilot template and process for delivering self-assessments. The Commission delivered self-assessments with nine land owners directly and commissioned partners to deliver self-assessments with their members. Each organisation has reported individually (see links below). This report brings together the key findings from each organisation and makes recommendations for a future voluntary review process of self-assessment against the LRRS principles for land owners and managers across sectors self-assessment.

2. Methodology

Establishment of the [Good Practice work programme](#) and the [Good Practice Advisory Group](#) (GPAG) in late 2019 provided an opportunity to capitalise on the support and goodwill offered. GPAG members Community Land Scotland (CLS), Scottish Land and Estates (SLE), and National Farmers Union Scotland (NFUS) expressed support to test a self-assessment process and were able to identify land and building owners who would be willing to participate.

A draft Land Rights and Responsibilities Review framework was developed with the GPAG in November 2019 to set out initial thinking on the areas that might be considered in such a process. The framework outlined expectations for land owners, land managers, and communities in relation to each of the LRRS principles, along with possible issues to consider and evidence to gather.

A prototype LRR self-assessment template was developed from the initial framework. Minor amendments and updates were made to the template during the pilot, but it continued to follow the original framework headings. Some changes were made to reflect the later development of the [Land Rights and Responsibilities Protocols](#). The only exception is the template used for the NFUS cohort: this was simplified with requirements for evidence and scoring removed, based on feedback from earlier cohorts.

As summarised in the table below, participants were recruited and supported through the process in four cohorts led by the Commission, CLS, SLE, and NFUS, respectively. Each cohort reported separately and links to these reports are provided.

This approach enabled the template and different types of supportive processes to be tested across a range of sector interests, types of ownership and landholding size, and geographic location. Basic details of the participants, locations, and approaches are listed below with more detail available in individual cohort reports. By necessity all information and discussion sessions were held online. Identifying information has been removed from all reports.

Organisation & report	No. Participants	Sector/s	Location/s	Approach
Scottish Land Commission Link to report	9	Environmental Charities (2) Endowment Trust (1) Charitable Trust (2) Private Trust (1) Other Private Estate (1) Community Owned (1) Public Body (1)	Sutherland, Aberdeenshire, Borders, Lochaber, Western Isles, Ross-shire, multiple sites throughout Scotland	Individual one-to-one discussions with SLC Mixed group discussions with other participants Land owner-led process Training sessions provided by the Commission
Community Land Scotland Link to report	11	Community Owned	Western Isles, Sutherland, Skye, Moray, Argyll, Perthshire, Borders	Individual one-to-one support provided directly by CLS Training sessions provided by the Commission
Scottish Land and Estates Link to report	4	Private Estates	Edinburgh, Midlothian, Ayrshire, Borders, Fife	Cohort approach and individual 1:1 support provided direct by SLE
National Farmers Union Link to report	7	Farmers	Various	Training sessions provided by the Commission

3. Findings

Findings across the cohorts were reasonably consistent. More detail is available in the individual cohort reports (page 3).

3.1 Format

Participants generally found the format of the self-assessment template challenging to use. Specifically:

- The formality of the language, amount of information contained within it and number of references to other documents made it tricky to navigate, particularly for those who were less familiar with the LRRS.
- Some participants felt the language used implied negative perceptions of land owners with an emphasis on the need for land owners to 'prove' their value.
- The inclusion of a scoring system which asked participants to rate themselves on a scale of 1-6 was not easy to use. Benchmarking information would have been helpful for some. Others felt that the concept of a scoring system was off-putting.
- The examples and suggested questions within the template did not always feel applicable to the context or circumstances of the landholding.
- The amount of information requested was felt by some to be excessive and intrusive. Concerns were raised about how information would or could be used in the future. Some participants felt the information requested duplicated information they provide elsewhere.

The format of the template itself was generally the most negative point raised about the self-assessment process. The template, as currently developed, felt overly formal for most participants, with more focus on procedure than outcomes. Consequently, it was seen by some as an additional bureaucratic burden on land owners. It could more effectively place greater emphasis on the 'things to think about' and actions to take, rather than asking for evidence.

3.2 Methodology

Working both through sector membership organisations and directly with land owners and managers was beneficial. It provided different perspectives on the self-assessment process. Working at arm's length through SLE, CLS and NFUS provided access to new participants, building the Commission's understanding of their contexts and concerns. They were able to provide useful advice to participants based on their extensive knowledge of the sector. Additionally, working directly with participants gave the Commission a more detailed insight into how the self-assessment process worked in practice. In turn, this provided the opportunity to adjust the methodology throughout, giving participants greater freedom to approach the self-assessment differently.

Sector membership organisations are potentially best placed to develop a self-assessment process that is most effective for their members as they have greatest understanding of the contexts within which they operate. However, we are still developing our understanding of how the LRRS should be applied in different sectors and are conscious of resource constraints these organisations may face. We also recognise that there were situations in which those organisations leading self-assessments on the Commission's behalf were understandably unable to address concerns and questions to which the Commission could have responded had it been more directly involved.

3.3 Approach

A variety of different approaches to a self-assessment were trialled. However, no single approach was considered the best. Some land owners preferred working in a cohort where they could share learning and make new connections; others felt less comfortable sharing information about their practices with others and/or appreciated the individualised support and advice. Those who took part in the cohort approach did not necessarily complete the process any quicker or more easily than those with individual support. There was consensus amongst cohorts that support to complete the self-assessment was helpful and was, in many cases, essential. However, some organisations completed the self-assessment independently, without training or support from the Commission.

3.4 Resource commitments

The time and other resource requirements for participants varied considerably. Factors influencing the time taken included: approach taken by organisation supporting the self-assessment, size and complexity of the landholding, number of people involved, land owners' internal approaches, role of the person completing the assessment, and level of initial familiarity with the LRRS and associated protocols. After any initial familiarisation with the LRRS principles and protocol expectations, most assessments were completed within two days.

3.5 Benefits

The cohorts differed substantively in the level of benefits they identified from the self-assessment. Some participants felt enthusiastic about the process but other participants found it difficult to identify any benefits, predominantly because of the self-assessment template format. Participants mostly identified a wide range of good practice already taking place in relation to all principles of the LRRS, and many identified areas of good practice they had not previously recognised as a result of the discussions and support provided. Some participants recognised the self-assessment as being a useful tool for land owners to demonstrate leadership in delivering land rights and responsibilities, and several recognised it as a tool for sharing good practice they already undertake. Several participants found it to be a useful way of reviewing and reflecting on their practice, and for identifying actions they could take to further land rights and responsibilities.

3.6 Limitations

The self-assessment pilot participants were volunteers and self-selecting. They varied significantly in terms of reasons for taking part and initial enthusiasm for the concept. They also varied substantially in terms of size, sector, context, governance, core objectives and motivations. There are some notable exceptions to the types of land owners who have been involved in the self-assessments, in particular the public sector (one participant to date) and urban development sector (zero participants to date). It has not been possible to test the self-assessment in all of these variations.

4. Recommendations

- a. The Commission should continue to develop a voluntary self-assessment process to support the recognition and development of good practice. The process can be helpful in improving the accountability and transparency of land ownership and in understanding how the LRRS is being implemented.
- b. The format of the self-template should be significantly amended. The revised format should be easier to read and more accessible, with the requirement to provide evidence and self-score removed. Consideration should be given to an online template.
- c. The self-assessment process should focus more on supporting the land owner to identify reasonable and practicable actions to further the LRRS and less on existing practice, although a review of existing practice should still be included.
- d. There should be a range of support options for participants, including peer-learning, 1:1 support, guidance documents, webinars, and training.
- e. Consideration should be given to the use of different self-assessment templates and approaches for different types of land owner. These should be proportionate, applicable and reflect the context of different land owners.
- f. The Commission should continue to work with sector membership organisations to develop a mutual understanding of how the LRRS applies in different contexts and to develop suitable self-assessment processes and guidance.
- g. Land ownership sectors that were not involved in the pilot, or minimally involved, should be prioritised for self-assessment cohorts in the next year.
- h. Consideration should be given to the development of an accredited LRRS self-assessment process to recognise good practice and incentivise land owners to engage with the process.
- i. The self-assessment process should be of benefit to the land owner completing it. An understanding and sharing of the benefits of participating in the self-assessment should be developed further.

5. Conclusion

The LRRS self-assessment pilot project has provided valuable feedback for understanding how the LRRS is delivered in practice and the associated challenges and opportunities. All land owners who voluntarily engaged with the project demonstrated a wide range of good practice and were able to identify how they aligned with the principles of the LRRS. Several participants identified ways they were furthering the LRRS that they were previously not aware of, and the majority of land owners identified reasonable actions they could take to further align with the LRRS. There are a number of improvements to the format and process that the Commission will pursue.

The Commission's Good Practice Programme provides a range of guidance and support for land owners which will continue to evolve in response to feedback and learning. As part of this programme we see considerable value in continuing to develop a self-assessment process that is accessible and workable for land owners and managers. It provides an opportunity for land owners to assess their current position and identify key actions for development within a supportive environment. The process can provide reassurance and accountability to stakeholders that the land owner's actions sit within a recognised definition of responsible practice. We aim to continue our work with a range of stakeholders to develop a mutual understanding of land rights and responsibilities and to embed the LRRS in practice.

Thank you to all of those who participated as land owners, land managers and organisations.



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