

Simplification Task Force (STF) meeting 13 Feb 2019

Attendees:

Ian Davidson	David Lawrie
Douglas Petrie	Jonnie Hall
Marcus Mackenzie	Gail Watt
Eddie Turnbull	Donald McKinnon
John Kerr	Robert Fleming
	Sion Williams
	Claudia Rowse
	Aimee Budge
	Anne Rae MacDonald
	Malcolm Morrison

Apologies:

Kirstin Williams
Hamish Lean
Jennifer Struthers

Ian Davidson welcomed everyone back noted the following:

- Rory Christie has intimated that he has stood down from the group due to his time being taken up by a significant investment in his dairy operation.
- The Cabinet Secretary is interested in forestry grant schemes and has asked the Simplification Taskforce to look at simplifying this.
- Malcolm Morrison has agreed to join the group for his forestry experience and will join Anne and Claudia on the Forestry sub-group.
- Eddie Turnbull, Head of ARE Information Services, attended to offer IT/Digital perspective around certain tasks.
- The biggest challenge will be managing expectations of what we can do given the timescales.

At the last meeting, a number of sub groups were created. Ian talked through each of the sub-groups and the names of the liaison for each taskforce sub-group.

Interpretation of guidance –

- Sub-group - Hamish Lean, Gail Watt, with Gordon McMiken acting as the SG Liaison. Gordon was not able to attend the meeting
- Gordon McMiken has reviewed the appeals process internally and will look at the interpretation of guidance with the sub-group.
- Is there a misunderstanding about the processes?
- Is the guidance unclear?

Mapping (will include land inspections)

- Sub-group - Jonnie Hall, Jennifer Struthers, Donald McKinnon with Wayne Bowden (mapping) and Alan Elder (inspections) acting as SG Liaison
 - We have a detailed review going on at the moment about the inspections process - this will feed into the sub-group.
 - Are there projects here that we can look at in the short term and long term?
 - Inspections have been reviewed, revised and updated previously, which reduced the amount of inspections necessary, but things has changed again. We are doing on-the-spot inspections, which have pros and cons.
 - Dame Glenys has drafted recommendations for DEFRA, which offers some insights - a summary of this will be circulated around the taskforce.
 - LPIS covers forestry as well and also comes under land inspections.

- Each field is captured on aerial photography, rather than the huge map that used to be provided.
- There is a lot of scope here to make things easier for the customer.

Inspections which are non-land, and penalties.

- Sub-group - Aimee Budge, David Lawrie, Sion Williams with Brian Service acting as SG liaison
- The Cabinet secretary is concerned that relatively simple errors can lead to quite large penalties.
- Could we introduce a yellow card system? Is this the right way to approach this?
- The number of penalties is relatively small overall, but it can have a big impact on individual businesses.
- We currently issue a lot of warning letters for minor errors - does this cover similar ground to a yellow card system?
- Do we have any opinions on warning letters? Are they too aggressive? Are they too detailed?
- Should the main issue be noted at the start of the letter and attach the additional advisory information as supporting documentation for reference?
- Is there an option for an awareness and education? Instead of just fixed penalty?
- There are schemes/elements in which people consistently get picked up/penalised. Would customers benefit here from an increase in awareness of the rules? A workshop type approach?
- AOs used to run courses, and the people who needed it most didn't actually turn up for the courses.
- Cultural issue with agricultural officers, who don't have time to discuss and do the educational stuff.
- Guidance vs advice, and RPIS staff need to be very aware not to cross the line.
- Brian agreed to circulate the penalty figures to the group.
- We could then look whether there are trends/areas. Have there been any on the forestry breaches? Alan E will have the figures and will circulate.
- The inspector can often spend an hour or two with the farmer after the inspection. They can then address the issues face to face rather than through the letter. You do not however, speak about penalties at this point.
- If we have more than 2% which are not up to standard, we (RPID) have to do significant extra work to meet audit requirements

Information gathering on what other countries are doing

- Sub-group - Claudia Rowse, Robert Fleming, Kirsten Williams with Stoyan Stoyanov acting as SG liaison
- Is the application process simpler? Are the inspections done differently?
- Are IT systems better elsewhere?
- We should focus on the inspections/mapping/process.
- This is very much based on what the country wants from its farming community. I.e. In Switzerland, tariffs are set to maintain farmers livelihood, regardless of European market.
- We should be comparing from what is within the CAP regulations. Within that framework.

Forestry Grants

- Sub-group - Anne Rae MacDonald and Claudia Rowse, Malcolm Morrison with Richard Zambrano acting as SG Liaison.
- The Cabinet Secretary is particularly interested in small scale woodland. He wants to see if we can move this forward.

- SG have started a Process Improvement project relating to SAF Claims to Payment in relation to FGS. This is to ensure SG make the FGS payment targets for 2018 claims and onwards
- Should Brendan Callaghan from FCS be involved?
- Can we make the process simpler?
- Is AECS going to be included in this? AECS is being reviewed internally.
- How can forestry be combined with livestock and general agriculture? Agri-forestry.
- Policies and schemes should fit regional objectives. Scotland has huge diversity.
- It needs to be simple, regional and easy to implement.

Feedback from sub-groups

Interpretation of guidance

- Hamish and Gordon did not attend and Gail has been off work for the first part of this year and only now back to work. Therefore no progress has been made.
- Gordon has been pulling together information on land courts, and will share outcomes.
- A separate meeting will take place on this sub-group when all members are available.
- One of the most important things will be language and clarity of language. The language of guidance can be simplified, making it less scary.
- There are tools that can be used to help to feedback about what is written.
- Discussion of what the comms strategy is ongoing at the moment. Letters about entitlements, R&E etc.
- There is a fine line between advice and guidance, and it is a difficult line to walk.
- We should be issuing letters that anyone can understand, both customers and AO staff.
- Appeals are being made because customers are not understanding the contents of the letter and staff are sometimes unable to clarify.
- Trying to find the specific guidance for exactly what you're trying to do is often very difficult, is demoralising and often easier to ignore.
- We could be offering a simple front letter with annexes to provide detail.
- How do we make the guidance as close to the regulations, that's a challenge.
- If we get this right, we'll see the benefit across many of the other categories - inspections, applications, penalties.
- Examples of the current letters to be circulated. **Action on Marcus.**
- R&E letters - ongoing internal discussion about these, about how best these should be sent out/formatted.
- We are legally required to put these out, but it is a huge admin cost, and difficult for customers.
- Possible comparison to bank statement letter style?
- Ideally everything would be done online, from SG perspective.
- There are outstanding issues with getting people online - broadband etc.
- Good practice for getting online will be shared.

Mapping (will include land inspections)

- Haven't yet met, but will look to convene a meeting.
- We need to drill down into some of these issues in much more detail - where we are with LPIS etc. Some kind of tutorial for this would be good.
- Sub groups to go away, do their own thinking and come back to share their understanding/findings.
- Next taskforce meeting end of April, and sub group meeting before then with the SG liaison.

Non-land inspections/penalties

- How should farmers be asked to prove that the farm is active - minimum activity? This would be a small and simple change. This is European law.
- Eg. Why are we asking for this evidence. Is it an internal requirement that has been made, or an EU regulation?
- EU are suggesting a 'Genuine Farmer' rather than an 'Active Farmer'.
- Are there other areas that can provide assurance?

Information from other countries -

- Subgroup waiting on more information before being able to get started.
- Stoyan Stoyanov acting as SG liaison will carry out research and come back to the sub-group.

Forestry grants

- Contact will be made with Brendan Callaghan, Lindsay Bisset regarding how they could support the sub-group and seek advice from. **Action on Marcus**
- A lot of the changes will be around small scale applications/projects.
- We need to remind ourselves what were the reasons for the changes in the first place.
- There are questions like this could be relevant after the immediate period. Future planning - post 2024
- Useful to discuss, as these things can feed in to the conversation about plans post 2024.

Marcus - Internal progress

- We have garnered ideas internally, these have been scored, and ranked for priority. The panel thought the present horizon suggestions should be circulated – **Action on Marcus**. This is very much an internal view but these ideas could trigger ideas for the panel members.
- We also have an ARE Improvement Team. They are focusing on AECS and Inspections and currently being process mapped and analysed in a 'Hot House' environment. Their findings and conclusions will be shared with the relevant sub-groups.
- Those findings have to come back through the Simplification Taskforce before being agreed upon/taken forward.
- Cultural changes are also being raised internally and externally.
- Information needs to be shared as the ST does not want to duplicate work.

Other discussions

- John Kerr introduced as the new Head of Agricultural policy division. He will take over from Ian Davidson as Taskforce Chair.
- EU Audit requirements will remain until 2020 regardless of No Deal Brexit.
- DP policy would become redundant after 2020.
- Not a great deal would change before 2021, with regard to regulation.
- We won't get away from audit - the money that comes in/paid out will always be public money, so will always need to be audited.
- We're still going to need to trade with Europe and others, so we will still need to meet their requirements.
- We're quite constrained until we can make any changes that we want.
- SG will try to facilitate the sub groups effectively - **Marcus and Eddie to discuss**.
- **Action on Marcus to liaise with the sub-groups to arrange sub-group meetings before the next Task force meeting on 24th April.**
- Tentative date for next meeting - 24th April. Location TBC. Sub groups to report back with their findings.