

SCOTTISH LAND COMMISSION
Coimisean Fearainn na h-Alba

MINUTES OF FIRST COMMISSIONERS' MEETING,
Held on Tuesday 20 December 2016, at Longman House, Inverness

Present:

- Andrew Thin (chair), Prof David Adams, Lorne MacLeod, Megan MacInnes, Dr Sally Reynolds (Land Commissioners), Hilary Pearce (interim CEO) and Scott Strachan (Interim HR manager).
- Apologies were noted from Dr Bob McIntosh (Tenant Farming Commissioner)

1.1 Terms of Reference – Scottish Land Commission (Board)

The draft Terms of Reference for the Commission (paper 1.1) were discussed and agreed subject to the following amendments:

- Insert “use and management” after “... ownership” in second last line of preamble.
- Insert “statutory” in front of “functions ...” in paras 2.0, 3.0 and 4.0
- Insert new 10.2 to the effect that no business relating to the functions of the TFC will be discussed if s/he is not present.
- Re-label current 10.2 as 10.3
- Revise 15.1(i) to replace “75%” with “4 out of 6”

‘On Board’ – the Scottish Government’s guide to serving on a public body board would be circulated to all Commissioners. It was agreed that conflict of interest issues will be revisited if *‘On Board’* was not felt to cover the matter sufficiently.

1.2 Terms of reference – Audit and Risk Committee

The draft Terms of Reference for the Audit and Risk Committee of the Scottish Land Commission (paper 1.2) were discussed and agreed subject to the following amendments:

- Replace in line 2 of preamble “Scottish Land Commissioner” with “CEO”.
- to read “The ARC will have no fewer than 2 members of the commission and 1 external co-opted member”
- 4.3 replace “50%” with “100%”
- 6.2.2 replace “business plan” with “programme of work” in first bullet point
- 6.2.3 replace last bullet point with “Receive regular reports on security and any breaches of data protection”
- 6.2.4 second last bullet point delete “audit”

- 6.2.5 replace first bullet point with “Advise the commission on the appointment of external auditors”
- 7.1 replace “appointed secretary” with “chair”
- In general use the word “commission” instead of “board”.

The Commissioners also agreed that the membership of the Audit and Risk Committee would comprise Lorne as chair and Megan. Both to come back to the next board meeting with thoughts on a co-opted member (but this is not required until after 1st April 2017).

2 Tenant Farming Commissioner Transitional Arrangements

The Commissioners noted paper 2 setting out the transitional arrangements up to 31 March 2017 for the Tenant Farming Commissioner (TFC) and the Tenant Farming Independent Adviser (TFIA). It was also agreed that it was important for all commissioners to think through how to communicate effectively the two distinct dimensions to the Commission’s work.

3. Initial staff structure

The Commissioners noted the initial staff structure for the Commission (paper 3) and noted that the essential administrative and communications posts were currently being recruited. It was also agreed that:

- there should be a three team structure beneath the CEO – broadly comprising administration/corporate operations, policy/development/research and TFC regulations;
- Headings and titles would be decided upon in due course
- this tier should be recruited next, although further recruitment below this should be cautious until demand and workload was clearer.
- It will be necessary to recruit whatever resources are needed to get the TFC codes in place quickly and that further discussions on meeting the TFC requirements would take place with the TFC in January and at the next Commissioners’ meeting.
- All recruitment should include the positive core cultural values of the commission.

4. Financial report

The Commissioners noted paper 4 - the Scottish Government’s current year budget for setting up the Commission and budget pressures and committed pressures known so far. Commissioners commented that all lease for occupation as business premises should be considered very carefully in terms of comparative value for money. It was also noted that caution should be exercised in spending large sums on IT and a case management system until the need for these is clearer. Lastly it was noted that local sourcing of goods and services should be sought wherever possible, appropriate and represents good value for money.

5. Road map to 31 March 2017

Paper 5 setting out provisional dates for Commissioners' meetings for the coming year, possible meetings with stakeholders and key milestones ahead was noted. It was agreed that stakeholder engagement would be considered in more depth at the meeting on 24 January 2017. Commissioners would consider whether a launch event for the start of the commission in early April would be appropriate and, if so, what event.

6. Interim Corporate Plan

The first draft of the Commission's interim Corporate Plan (paper 6) was discussed and it was agreed that revisions were required so that a corporate plan for the year from 1 April 2017 to 31 March 2018 would be in place by the end of March. In particular it was agreed that the plan should reference the Land Rights and Responsibilities Statement, the Vision should reflect Scottish Ministers' aspirations for the commission and also reflect the language used in the Policy Memorandum to the Act. It was also agreed that a clear statement of the organisation's core values should be included in the culture section. A revised version would be discussed at the next Commissioners' meeting on 24 January.

7. Organisational Infrastructure and systems

Paper 7 setting out progress on the accommodation, staff, finances, IT systems and logo/branding was discussed and noted. It was noted that caution should be exercised before early commitments are made on staffing and IT infrastructure. It was also noted that premises leases should be considered with caution to ensure true value for money.

8. Stakeholder Engagement

The need for wide and inclusive stakeholder engagement was discussed. It was noted that expectations of the Commission were high and that engagement needed to be energetic and systematic. It was agreed that a discussion paper, setting out what the engagement hoped to achieve and how to plan and implement this would be put to the meeting on 24th January.

9. A.O.B.

It was agreed that SG officials would be consulted on how best the Commission should respond to the Land Rights and Responsibilities Statement.

It was noted that Commissioners should complete and submit their Register of Interests to Hilary in accordance with the requirements of On Board. These would be published on the Commission's website in due course.

Arrangements for claiming daily fees and travel expenses up to the end of March were noted.