

The Common Agricultural Policy: Integrated Administration and Control System (IACS):

Notes for Guidance 2015

These notes tell you about the Common Agricultural Policy's Integrated Administration and Control System (IACS) 2015. Please read these notes and the "How to fill in your Single Application Form 2015" booklet carefully before you start to fill in your Single Application Form.

For more information contact your area office or visit the Rural Payments and Services website <https://www.ruralpayments.org>

We are a non-advisory organisation and provide general guidance on scheme eligibility rules and how to complete our forms.

If you need specific business advice please ask a professional adviser for help.

IMPORTANT

Changes and points to note

- We wrote to you recently to tell you that you must re-register your business with us. If you have not done this, you need to do it now. If you do not, this may lead to delays processing your SAF 2015 and delay any payments that become due. You can do this at <https://www.ruralpayments.org> or you can complete a Register a Business Form (PF01). You can get a form at <https://www.ruralpayments.org> or from your area office.
- If you have an agent you need to re-mandate them to allow your agent access to your details. You can do this online at <https://www.ruralpayments.org> or you and your agent need to complete a Business Mandate Form (PF06). You can get a form at <https://www.ruralpayments.org> or from your area office.
- We no longer have a separate application form for Land Managers Options (LMO) continuing commitments. We are now printing these on the IACS(2). Applicants who submit their Single Application Form electronically can access details of their continuing commitments at <https://www.ruralpayments.org>
- If you have Common Grazings we are changing the way you have to declare them on your Single Application Form and we will write to you separately to tell you what you have to do.
- We have consolidated all the guidance on the Less Favoured Area Support Scheme into one document at <https://www.ruralpayments.org>
- If you have land in different parts of the UK, which you manage as one business you must enter the land in each country, in that country's forms. You should return each country's forms to the area office in each country that processes your claims.
- The European Commission has introduced new legislation that requires us to publish details about the payments you receive. If you receive payments of more than €1,250 per annum we will publish your business name, locality (nearest town) and the amount(s) and schemes you have received payments for. We will publish this from 31 May 2015 and it will cover all payments made in the period 16 October 2013 to 15 October 2014.

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Selected abbreviations used in this booklet

BPS	Basic Payment Scheme
IACS	Integrated Administration and Control System
LFASS	Less Favoured Area Support Scheme
LMO	Land Managers Options
LPID	Land Parcel Identifier
LPIS	Land Parcel Identification System
RP	Rural Priorities
RPID	Rural Payments and Inspections Division
SAF	Single Application Form
SBS	Scottish Beef Scheme
SFPS	Single Farm Payment Scheme
SSCBS-I	Scottish Suckler Cow Beef Scheme – Island
SSCBS-M	Scottish Suckler Cow Beef Scheme – Mainland
SUSSH	Scottish Upland Sheep Support Scheme

KEY DATES

Date

Event



Start of the SAF year. You must meet all cross compliance conditions from this date.

Start of the Less Favoured Area Support Scheme year.

Start of the Rural Priorities annual recurrent scheme year.



Deadline for Rural Payments and Inspections (RPID) to receive your SAF if you are to avoid late claim reduction(s).

Deadline for application for automatic allocation of Basic Payment Scheme entitlements if you are to avoid a penalty reduction.

Deadline for application for an allocation of Basic Payment Scheme entitlements from the National Reserve if you are to avoid a penalty reduction.

Deadline for Rural Payments and Inspections to receive your Land Managers Options continuing commitments application. We will not accept continuing commitment applications received after 15 May 2015.

Start of the Land Managers Option scheme year.



Deadline for Rural Payments and Inspections to receive amendments/additions to your SAF (if Rural Payments and Inspections received it on or before 15 May 2015) without reducing your payments.



Final deadline for Rural Payments and Inspections to receive your SAF. We will not accept your SAF after 9 June 2015.

Last day for applications for Basic Payment Scheme entitlements.

Last day for applications for an allocation of Basic Payment Scheme entitlements from the National Reserve.

Last day to nominate or change in which currency (euros or sterling) your Direct Payments support is paid.



Payment window for Single Farm Payment and Scottish Beef Schemes 2014 closes.



Payment window for Direct Payments schemes 2015 opens.



Cross compliance for the current period ends.

1. Introduction

The Common Agricultural Policy (CAP) requires us to set up an Integrated Administration and Control System (IACS) to support schemes covered by the Single Application Form and other aid applications. This booklet sets out the detailed rules of the IACS and the SAF.

The Single Application Form is the claim form for Basic Payment Scheme, Less Favoured Area Support Scheme and Rural Priorities annual recurrent options, the land declarations for the Land Managers Options (LMO) area-based continuing commitments, and application for the LMO Animal Welfare Management Programme continuing commitments.

The Single Application Form is a declaration of all the permanent and seasonal agricultural and non-agricultural land parcels you have in the United Kingdom as a separate IACS business. Business is the term we use to describe all our customers, even though you may not class yourself as a business.

If you have land outside Scotland please read the guidance on cross border applications in section 3.

We will use the land use data you declare on your permanent, seasonal and common grazings land data sheet(s) to meet the statistical requirements of the June Agricultural Census.

You need to read the scheme guidance for any scheme you are claiming under, which requires you to submit a Single Application Form, and if the scheme requires you to comply with Cross Compliance you need to read the Cross Compliance guidance.

You can see all our guidance online at <https://www.ruralpayments.org>

Who needs to submit a Single Application Form (SAF)?

You must submit a SAF if you wish to claim and be paid under any of the following 2015 schemes:

- Basic Payment Scheme (including Greening and Young Farmers Payments)
- Less Favoured Area Support Scheme
- Land Managers Options
- Rural Priorities
- Scottish Suckler Beef Support Scheme (Island and mainland)
- Scottish Upland Sheep Support Scheme

If you do not submit a SAF we will not make payment under any of the schemes listed above.

The paper SAF has four parts:

- an IACS(2) base form
- an IACS(3) permanent land data sheet
- an IACS(4) seasonal land data sheet, and
- an IACS(5) common grazings data sheet

You must complete an IACS(2). You must also complete IACS(3) and IACS(4) data sheets detailing **all** the permanent and seasonal land you have on 15 May 2015, and an IACS(5) if you have shares in common grazings you want to claim Basic Payment, Less Favoured Area Support or Rural Priorities on.

If you do not declare **all** your land, we may apply penalties.

Advisory firms

You can authorise an advisory firm to act for you or your business. If you want to do this you have to mandate your advisory firm online at <https://www.ruralpayments.org> or you and your advisory firm must jointly fill in a Business Mandate Form (PF05). You can get a Business Mandate Form and guidance online or from your area office.

If you have a forestry business and you deal with more than one advisory firm you will have to mandate one to act as a submission agent.

An advisory firm can't act on your behalf until they are mandated.

You will still be responsible for meeting scheme rules and for any penalties we might apply for breaches of scheme rules by yourself or the business.

2. Eligibility

To be eligible to claim under the Basic Payment Scheme, Scottish Suckler Beef Support Schemes (Island and mainland) and Scottish Upland Sheep Support Scheme you must be a farmer/crofter carrying out an agricultural activity. And, if all or part of your holding is classed as being naturally kept in a state suitable for grazing or cultivation, you must also undertake minimum farming activities on that land.

To be eligible to claim under the Less Favoured Area Support Scheme you must be a farmer/crofter carrying out an agricultural activity, as defined in the Basic Payment Scheme guidance, and actively farm LFASS eligible land.

To be eligible to claim Land Managers Options (LMO) continuing commitments you can be any land manager with land in Scotland with existing LMO continuing commitments.

To be eligible to claim Rural Priorities, you must hold an approved contract, and have annual recurrent options scheduled to be claimed in 2015.

Note: you must be 16 years of age or older.

3. Claiming subsidy

Completing your Single Application Form (SAF)

The easiest way to complete your Single Application Form (SAF) is using our new, secure and streamlined system – Rural Payments and Services. To do this you need to register with us and then login to Rural Payments and Services at <https://www.ruralpayments.org>

By completing the form online, you'll be able to:

- view the latest guidance on Greening and get your Greening requirement checked and validated instantly
- create your own tailored form based on your scheme selection – our system will automatically fill in parts of your form
- check your form for errors – our system will flag these to you before you go on to the next stage
- access up-to-date map and boundary information
- store all your communications, from us to you and from you to us, in one place
- view and manage your own information – for example, changing your bank account details
- get 24-hour access, seven days a week

If you register with our online service, we'll send you a reminder each year ahead of the SAF submission window opening.

Your SAF can also be submitted online or on paper by:

- an authorised advisory firm or business representative, that is farm/land manager, company official or business partner
- the designated lead person for a rural community holding an RP contract, or their mandated advisory firm
- an Executor of a will

Cross border applications

If you have land in different parts of the UK, which you manage as one business you must enter the land in each country, on that country's forms. You should return each country's forms to the area office in each country that processes your claims. In Scotland this is the Rural Payments and Inspections Division (RPID) area office which deals with your main location code.

However, if you are only claiming under Rural Priorities in Scotland on non-agricultural land and do not have any agricultural land outside of Scotland you only have to complete and submit a Scottish SAF.

Under IACS rules only one country can be responsible for the processing and payment of your Basic Payment Scheme (including Greening and Young Farmers Payments) claim. In most cases we will already have assessed which country is responsible for this.

Businesses

If you are involved in different businesses and if each business is managed as a separate business you can submit a separate SAF for each one. In most cases we will already have assessed whether the businesses are separate but if we have not we may need to seek more information from you.

There are four criteria we use to assess if businesses are separate or one for IACS purposes these are:

- legal status
- economic structure and organisation
- commercial management
- operational arrangements

RPID will withhold (or if paid, recover) subsidy if it discovers that businesses have been created for the sole purpose of artificially creating the conditions for obtaining subsidy.

If your business structure changes after 15 May 2015, this may affect the aid which you can subsequently claim. You should inform your area office immediately, before the changes occur. You will have to complete a Register a Business Form (PF01).

Registering your business

It is essential that we hold up-to-date information about your business and that you re-register your business with us, if you have not already done this. You must also tell us if:

- your name, address and contact details are not the same as the pre-printed information on your SAF 2015
- you have changed your business name or structure

You can do this online at <https://www.ruralpayments.org> or using the Register a Business Form. You can get a Register a Business Form and guidance at <https://www.ruralpayments.org> or from your area office.

Registering your land

It is essential that we hold up-to-date information about your land. You must fill in a Land Maintenance Form (PF06) to tell us if the pre-printed information on your SAF 2015 is incorrect. You should do this **now** – please don't wait until you submit your SAF 2015. If the information we have is wrong, it may lead to delays in processing your application and any payments that become due.

Please tell us if you have:

- bought or sold land
- transferred land from one holding to another for any reason other than change of owner
- made changes to the permanent boundary of a land parcel
- moved internal permanent land parcel boundaries to merge or split a land parcel
- moved whole or part land parcels between holdings
- land parcels to register for agriculture or forestry use for the first time
- land parcels going out of agriculture

You should also tell us if you make any of these changes **after** you submit your SAF 2015 as soon as they take place. This will make sure the pre-populated data in your SAF 2016 is as accurate as possible.

The Land Maintenance Form can be submitted either by the owner of the land parcel or by the long term tenant on whose SAF it appears. Seasonal tenants should arrange for the owner or long-term tenant to submit a Land Maintenance Form. An agent can also submit a Land Maintenance Form providing they have been authorised to do so.

There is more information about land parcels and maps at Annex 3. You can get the form and guidance online at <https://www.ruralpayments.org> or from your area office.

Transfer of land

Your SAF must show all the permanent and seasonal agricultural and non-agricultural land you have on 15 May 2015. If, during the IACS year, you take over the whole of a holding which another farmer has claimed or declared in 2015, we may be able to transfer the whole area on their SAF to you to support your claims under the Basic Payment and Less Favoured Area Support Schemes. Your area office can provide more information and a transfer application form.

4. Deadline for applications

Your area office must receive your SAF and all supporting documentation no later than 15 May 2015.

Late applications

We can accept your SAF up to 25 calendar days after the closing date of 15 May 2015 but the payments you receive will be reduced (see table below) unless you had a force majeure/ exceptional circumstance that prevented you from submitting your SAF by the deadlines. You can read more about force majeure/exceptional circumstance at section 5.

Scheme	Days late/Penalty
Basic Payment Scheme <ul style="list-style-type: none"> initial entitlement allocation National Reserve award 	1 – 25 calendar days <ul style="list-style-type: none"> 3% reduction in the amount to be paid for Basic Payment Scheme for each working day your SAF is late Over 25 calendar days <ul style="list-style-type: none"> all amounts to be paid for Basic Payment Scheme will be lost for this year and all future years
Greening and Young Farmers Payments Less Favoured Area Support Scheme Rural Priorities Scottish Suckler Cow Beef Scheme – Island Scottish Suckler Cow Beef Scheme – Mainland Scottish Upland Sheep Support Scheme	1 – 25 calendar days <ul style="list-style-type: none"> 1% reduction in the amounts to be paid for each working day your SAF is late Over 25 calendar days <ul style="list-style-type: none"> no payments will be made
Land Managers Options	No payments will be made if we receive your SAF after 15 May 2015

Acknowledging the SAF

We will acknowledge receipt of your SAF. If you submitted it online you will be able to access our acknowledgement via your online account on Rural Payments and Services in your Customer Contact Log. If you sent us a paper form we will send you a letter. You will also be able to access it on Rural Payments and Services if you set up an online account.

Our acknowledgement letter will confirm if applicable:

- Basic Payment Scheme area claimed and if 2013 is your route to entitlements
- Young Farmers Payment claimed
- Less Favoured Area Support Scheme area claimed
- a summary of Land Managers Options (LMO) land-based continuing commitments options
- a summary of LMO Animal Welfare Management Programme continuing commitments
- a summary of Rural Priorities annual recurrent options
- a land use summary table
- if Greening requirements have been met
- any queries or outstanding errors on your SAF

You must check the information in the acknowledgement letter and tell us if anything is incorrect.

If we dispute receiving your paper or online SAF, you must be able to produce evidence which shows we received it before the closing date.

We recommend you submit your SAF online at <https://www.ruralpayments.org> or send the paper SAF to us by recorded delivery.

5. Amendments and additions

You can amend your SAF up to and including 1 June 2015 to:

- add or delete land parcels
- add or delete common grazings shares
- change the land use of land parcels declared
- change the schemes claimed for land parcels declared
- add Rural Priorities options that you have an approved contract for
- add options under Land Managers Options (LMO) that you have an approved contract for

You can only add LMO options if you have applied for LMO on your IACS(2) base form or selected it on the online scheme selection pages and we received it on or before 15 May 2015.

If we receive amendments after 1 June 2015, we will reduce the payments on each land parcel amended by one per cent for each working day the amendment is late.

We will not accept any amendments after 9 June 2015.

Withdrawal

You can withdraw all or part of your SAF at any time if:

- you write to your area office
- we have not told you of an error in your SAF
- we have not told you of an intended inspection, which subsequently reveals an error in the area you wish to withdraw

If you want to withdraw land you must identify the land parcel and the scheme you no longer wish to claim for.

Notified error

After you send us your SAF you may realise it is incorrect or has become incorrect since it was lodged. For example, you have included in error an area of land that is ineligible for the payment you have claimed. Or not told us about all the agricultural land you have. You can correct errors like these at any time and we will not penalise you if:

- you write to your area office
- we have not told you of the error first
- we have not told you of an intended inspection, which subsequently reveals the error

Your SAF cannot be amended after 9 June 2015 to add and claim a parcel, or increase areas claimed on a parcel. If you tell us about a land parcel you haven't declared on your SAF after that date, we will correct your SAF, and we will not apply under declaration penalties. But you will not receive payment on the parcel.

Obvious error

You can correct a mistake in your SAF, at any time, if we classify it as an obvious error. An obvious error is one of a purely clerical nature that is obvious to us during a simple examination of your SAF or an error we find during our coherence checks which reveals a contradiction in the information you have provided on your SAF only.

Decisions on obvious error depend on the overall facts and circumstances of each individual case. We will not reduce payments in cases that we class as obvious error.

We cannot correct a mistake you made because you misunderstood scheme rules or forgot to claim:

- a land parcel for Basic Payment/Less Favoured Area Support
- a Rural Priorities annual recurrent option
- a Land Managers Option continuing commitment

We have no obligation to check your SAF for obvious error.

Force majeure/exceptional circumstances (FM/EC)

We may accept that you may have been prevented from meeting certain obligations due to a force majeure/exceptional circumstance (FM/EC) event. A FM/EC event comprises an objective element (an unusual circumstance, outside your control which prevented you from complying with scheme rules) and a subjective element (the consequences of which you could not have avoided in spite of the exercise of all due care).

Some examples of a force majeure/exceptional circumstance event are:

- the death of the farmer/beneficiary
- the long term professional incapacity of the farmer/beneficiary
- a severe natural disaster affecting the holding's agricultural land
- the accidental destruction of livestock buildings; and
- an epizootic disease affecting livestock

To apply for force majeure/exceptional circumstances, you must write to your area office **within 15 working days of being able to tell us about it.**

You will need to send us as much evidence as you can to show the failure to comply with your obligations was solely due to the FM/EC event, including proof that the event occurred. We will consider each case on its merits.

6. Inspections and records

Inspections

We must carry out inspections. If we select your business for inspection we will check to ensure you meet the rules of the scheme(s) you are claiming under.

We are not required to provide advance notice of inspections. If you, or others acting on your behalf, prevent an inspection from being carried out, we will not pay you. More detailed information about inspections is available at <https://www.ruralpayments.org> or from your area office.

Records

You are required to keep all records relating to any scheme you have claimed under for four years from the end of the calendar year in which you made your claim. But for Land Managers Options and Rural Priorities you need to keep all records for six years from the date of the last payment.

More detailed information about the records you need to keep is available from your area office.

7. Reductions, exclusions and penalties

Failure to declare all the land you have

You must declare **all** the permanent, seasonal and common grazings agricultural and non-agricultural land that you have on 15 May 2015 on your SAF.

If we find a difference between the total area you declare on your SAF and the total land that you should have declared we may have to reduce payments that become due to you.

Discrepancies in areas claimed

We cannot pay you on an area greater than the area you claim on your SAF.

If we find an area greater than the area you claim on your SAF, we will only pay on the area you claim.

Over declaration penalties

Where we find a difference between the number of hectares you claimed and the number of hectares of eligible land determined (found) we may have to apply penalties.

If the ineligible land was claimed in a previous year we may have to penalise these claims too and recover some or all of the payments we have made.

You can find more detailed information on all the reductions, exclusions and penalties we may apply in guidance notes for each scheme. Payment reductions for cross compliance breaches are detailed in the Cross Compliance guidance.

You can find all our guidance on our website at <https://www.ruralpayments.org>

False declarations

A false declaration made intentionally or recklessly is a criminal offence. If we find that you have intentionally or recklessly made a false declaration you will be liable to prosecution.

8. Payments

Sterling or euros?

We can pay you under the Basic Payment, Scottish Suckler Beef Support and Scottish Upland Sheep Support Schemes in either sterling or euros (we only make payments under the Less Favoured Area Support Scheme, Land Managers Options and Rural Priorities in sterling).

If you ask us to pay you in euros we will calculate your payments using the average of the exchange rates set by the European Central Bank in September 2015.

If you ask us to pay you in euros and we have paid you in euros before, we will use the same account details for your 2015 payment unless you tell us not to.

You can change the currency you have opted to be paid in until 9 June 2015. After 9 June 2015, you will be tied to payments in either sterling or euros until the following IACS year.

Payments by BACS

We make payments under all schemes covered by IACS using the Bankers Automated Clearing Services (BACS).

We can only make payments to a bank account which accepts BACS payments. If we do not already have your business' nominated bank account details, or if you want to change them, you can do this online at <https://www.ruralpayments.org> or fill in a Register your Bank Details Form – Sterling (PF03) or a Register your Bank Details Form – Euros (PF04) and send it to your area office. Blank forms are available on our website at <https://www.ruralpayments.org> or from your area office.

Please keep your bank details up to date to avoid payment delays.

Please note if you register a new bank account or tell us of a change to your bank account we carry out checks for your security. These take at least 10 days and we cannot make payments during this period.

We are not responsible for delays to your payments because you or your agent gave us incorrect bank details or did not tell us about a change to your bank account details before we processed your payment(s).

We will not process requests for mandates.

Publishing your payment details

The European Commission introduced legislation in 2014 that requires Member States to publish details of the amounts paid to CAP beneficiaries. Data will be published for all beneficiaries on a searchable website and will include the name and locality of the beneficiary, and details of the amounts and schemes for which subsidy has been paid. However, for those receiving less than the equivalent of €1,250 in subsidies, the name of the beneficiary will be withheld. The first data to be published in this format will be made available from 31 May 2015 and will cover all payments made in the period 16 October 2013 to 15 October 2014. The data will be updated annually and remain available for two years from the date it is published.

9. How we look after your information

We will use the information provided in the SAF to process any claims or applications you make.

We will also use your data for purposes connected with:

- administration of the Common Agricultural Policy
- administration of Scotland Rural Development Programme and other aid schemes
- monitoring and regulating the production and safety of food
- management of land and other environmental controls
- animal health and welfare
- occupational health and welfare
- evaluation of the impact of scheme payments and to provide evidence and advice to support policy-making
- assessment and improvement of our services to ensure that they are of high quality, efficient, and responsive to our customers' needs

We will pass on your personal information if we have a legal obligation to do so, or if we have to enforce or apply our terms of use and other data sharing agreements.

We may also exchange information with other government departments for legal reasons.

In order to fulfil the objectives referred to below, we will share your personal information with the following organisations (including any successor bodies):

- Scottish Natural Heritage (SNH) and Forestry Commission Scotland (FCS) for purposes connected with the Scotland Rural Development Programme and other environmental controls
- Food Standards Agency (Scotland) (FSAS) for purposes connected with the production and safety of food
- Scottish Environment Protection Agency (SEPA) for management of land and other environmental controls

- Animal and Plant Health Agency (AHPA) for purposes connected with animal health and welfare
- research organisations for statistical and research purposes, including the collection of agricultural data under section 78 (as amended) of the Agriculture Act (1947) and to meet European Commission Statistical Regulations
- organisations which audit the distribution of grants and subsidies in Scotland
- other organisations, including Scotland's Environmental and Rural Services (SEARS) partners, for the purpose of improving public service delivery

You can find out more about SEARS at www.sears.scotland.gov.uk.

We store your data on our secure servers in the UK. By submitting your personal data, you agree to this.

Whenever we use your personal data or share it with other organisations, it will be in accordance with the Data Protection Act 1998.

The Act requires, among other things, that we do not use your data for purposes incompatible with those listed here, that we take appropriate measures to protect the confidentiality, integrity and security of your information. And we must supply you with a copy of the information we hold about you if you request it.

We must observe the provisions of the following legislation as may be amended from time to time:

- the Data Protection Act 1998
- the Freedom of Information (Scotland) Act 2002
- the Environmental Information (Scotland) Regulations 2004
- European Commission (EC) Regulation No 259/2008 as amended by Commission Regulation (EU) No 410/2011

We may need to disclose personal information when required by law if, in our opinion, it is necessary to comply with a current judicial proceeding, a court order or legal process.

We will publish information relating to support payments in Scotland in line with European Commission legislation. We will also publish information which is not personal data for reasons of transparency and public interest.

You can get further information on how your information is used, how we maintain the security of your information and your rights to access the information we hold about you at <https://www.ruralpayments.org> or from your area office.

10. Appeals and complaints

Appealing against our decision

If we have written to tell you we have already, or soon will, refuse, reduce or recover your payment and you are not sure why we have made this decision, you should urgently contact your area office for more information.

If after this you are not satisfied with our decision, you may wish to ask us to formally review our decision under the EU Rural Payments Appeals procedure.

To do this you must submit a written request to your area office no later than 60 days (legal timescale) from the date of our original decision letter on a review application form.

Area office staff will then arrange to meet with you - or phone you if you prefer - to formally review your appeal in more detail.

By law they must do this no later than 60 days from the date they receive your review application form. This will give you the opportunity to explain to a senior member of staff why you think our decision is incorrect, provide additional evidence, ask any related questions and seek relevant clarification.

The area office must then send you a written report of the review meeting within 60 days. The report will either confirm, amend or alter our original decision, or revoke it entirely and substitute a new decision.

If after this you are still not satisfied with our decision, you can submit an appeal to the Scottish Land Court. You must do this within 60 days of receiving the area office report.

You can get further information on the EU Rural Payments Appeals procedure and the review application form at <https://www.ruralpayments.org> or from your area office.

Complaints about our standard of service

A complaint is an expression of dissatisfaction with our standard of service, procedures, or processes that you feel requires a response or explanation from us.

You or your representative can complain in person by phone, by e-mail or in writing.

All complaints will be treated seriously by us and you will receive a full response.

Our complaints procedure has two stages:

Stage One - frontline resolution

Frontline resolution aims to quickly resolve straightforward customer complaints that require little or no investigation. Under this part of the procedure you should direct your complaint to the officer in charge of the staff you have been dealing with.

This person is likely to be located in your area office or with RPID in Edinburgh. They may be able to answer your concerns to your satisfaction. We aim to address your Stage One complaint in five working days.

If you are dissatisfied with our response you can ask us to consider your complaint at Stage Two.

Stage Two - investigation

We will look at your complaint at this stage if you are dissatisfied with our response at Stage One. We also look at some complaints immediately at this stage, if it is clear that they are complex or need detailed investigation before we can resolve the issue. We will acknowledge receipt of your complaint within three working days. For Stage Two complaints we will appoint an independent investigating officer who has an in-depth knowledge of the issue you are complaining about and you will receive a report at the end of the investigation.

We aim to issue this report as soon as possible but no later than 20 working days.

You can obtain further information about our complaint handling procedure at <https://www.ruralpayments.org> or by e-mailing us at SGComplaints@scotland.gsi.gov.uk

If you are not satisfied with the decision reached in the Stage Two report, you or your representative have the right to ask the Scottish Public Services Ombudsman (SPSO) to investigate your case.

The SPSO cannot normally look at:

- a complaint that has not completed our complaints procedure
- events that happened, or that you became aware of, more than a year ago
- a matter that has been or is being considered in court for example the Scottish Land Court

You can contact the SPSO at the following address:

Scottish Public Services Ombudsman,
4 Melville Street,
Edinburgh,
EH3 7NS.

Further information about the Scottish Public Services Ombudsman is available at <http://www.spsso.org.uk>

The telephone number is 0800 377 7330.

If you are satisfied with the service we have provided, or wish to highlight some exceptional performance, we would be happy to hear from you. We would welcome your suggestions on how we might build on the service we provide.

11. Legal base

The legal base for the Integrated Administration and Control System is in Regulation (EU) No 1306/2013 of the European Parliament and of the Council; Commission Delegated Regulation (EU) No 640/2014; and Commission Implementing Regulations (EU) No 809/2014 and 908/2014.

The legal base for the Direct Payments Schemes for farmers under the CAP is in Regulation (EU) No 1307/2013 of the European Parliament and the Council; Commission Delegated Regulation (EU) No 639/2014; and Commission Implementing Regulation (EU) No 641/2014.

The legal base for the Less Favoured Area Support Scheme is in Regulations (EU) 1305/2013 and 1306/2013 of the European Parliament and of the Council; Commission Delegated Regulations (EU) No 640/2014 and 807/2014; and Commission Implementing Regulation (EU) 808/2014.

The legal base for Land Managers Options is in Council Regulation 1698/2005 and Commission Regulations 1974/2006 and 65/2011.

The legal base for Rural Priorities is in Council Regulation 1698/2005 and Commission Regulations 1974/2006 and 65/2011.

We aim to provide as much guidance as possible on the IACS. But these notes do not provide a full statement of the law (which only the European Court of Justice can give). If you have any legal questions, you should get appropriate legal advice from a solicitor.

ANNEX 1

June Agricultural Census (JAC)

We will use the land data you declare on your permanent, seasonal and common grazings land data sheets to meet the land use statistical requirements of the June Agricultural Census (JAC).

We are looking at ways we can gather more data from farmers electronically on Rural Payments and Services to help reduce the administrative burden on them.

Until we can source all the JAC data electronically, we will still send you a JAC form each year but it is a smaller form with fewer questions to answer (because we have sourced the land data from your SAF). We will send the shortened JAC 2015 to applicants who submitted a SAF 2014.

It is crucial for JAC purposes, that you declare all the land you have on your SAF.

Land rented-out seasonally

In order to provide comprehensive statistical coverage of all activities on your land, if you rent out seasonal land, and your tenant does not submit a SAF, you will need to record land use codes for this land in column H on your IACS(3) permanent land data sheet(s). However, if your tenant does submit a SAF please use code LLO in column H.

Land use

We also have to collect information on specific crops that are required for the JAC. Some examples are:

- vegetables
- fodder crops, including a specific code for whole crop cereals
- nursery stock
- strawberries
- bedding & pot plants
- aromatic, medicinal, & culinary plants

You can see the full list of land use codes in the “How to fill in your Single Application Form 2015” booklet.

Intended land use on 15 May 2015

When you complete your SAF please tell us, as best you can, what the land use will be on 15 May 2015. This applies to land which has not yet been sown or on which a final decision has not yet been taken. In these cases, please complete the forms for JAC purposes with the best information available to you at the time of completion.

Livestock Data

We will not use the data on livestock you tell us about on your SAF for the JAC. This is because:

- there are considerable differences in terms of definitions and reference dates
- SAF data is collected at the aggregate business level but we need holding level data for the JAC
- all cattle data is now collected from the British Cattle Movement Service's Cattle Tracing System (CTS) database.

JAC statistical database

We will aggregate the SAF data on land use to the holding level using the information you give us on your permanent, seasonal and common grazings land data sheet(s). If you submit an online SAF we will get this data from the land details section in the online application. We will combine this with the other holding level information collected from the reduced JAC form, including livestock, labour, rental agreements and total holding areas (including any un-mapped land).

All of this data will be combined to create the JAC database and the SG Agriculture Statistics Unit (ASU) will treat the data in strictest confidence. Occasionally, we will use the JAC database to contact holdings in emergencies, for example during a disease outbreak, or with information which the Scottish Government considers will be beneficial to holdings.

Data that is on the JAC database is treated confidentially, in line with the Data Protection Act. However, data may sometimes be shared with third parties, under strict confidentiality restrictions, in line with section 80 of the Agriculture Act 1947. You can view the Agriculture Act 1947 at www.opsi.gov.uk.

ANNEX 2

Hemp growers

If you want to grow hemp you must get a licence from the Home Office. It is a criminal offence to grow hemp in the United Kingdom, for any purpose, without a licence. A fee is payable for a new licence or the replacement of an existing licence. Applications for licences are made online via the Home Office website at:

www.homeoffice.gov.uk/drugs/licensing/domestic-licences

You should apply for a licence as early as possible. They are not issued, or renewed, automatically. The Home Office will ask where and why you plan to grow hemp. You may be asked for evidence that you have a contract to supply hemp to a Home Office approved processor. A “Growers Factsheet” is available on the Home Office website. Hemp cultivation licences are presently issued for three growing seasons, but there is a requirement to submit an Annual Grower Statement to the Home Office by 1 May of each year, irrespective of whether you cultivated hemp in the previous growing season.

The Home Office address and email contacts are:

Drugs & Firearms Licensing Unit
5th Floor Fry Building
2 Marsham Street
London
SW1P 4DF

email: Industrialhemplicensing@homeoffice.gsi.gov.uk

Telephone: 0207 035 8972

All individuals named on a licence application form must complete an **enhanced** Disclosure and Barring Service (DBS- previously CRB) disclosure. A DBS disclosure can be made in advance of the application by contacting Capita. You can contact Capita Recruitment Vetting Service (CRVS) directly on 0870 850 2516 or visit their website: **www.capitarvs.co.uk**. The Home Office **does not** undertake DBS checks on your behalf. Please note a fee is payable to CRVS for each enhanced DBS disclosure request.

DBS disclosures completed for other organisations- for example in the course of employment or voluntary work- are not “portable” for drug licensing purposes. However, as a general rule, where you have obtained an enhanced CRB or DBS check for the purposes of Home Office drug licensing, we will not require you as an individual to renew that check within three years of the disclosure date. Furthermore, if you have paid an additional fee for the optional ‘update’ service now offered with an enhanced DBS check obtained for another purpose, you should contact the Home Office before applying for a further check.

You must declare all the land on which you grow hemp for fibre or other purposes on your permanent, seasonal and common grazings data sheets. Land on which you grow hemp for fibre or other purposes is eligible to support a claim under the Basic Payment Scheme.

If you are claiming Basic Payment Scheme on this land you must use certified seed of one of the eligible varieties listed in the Common Catalogue of Varieties of Agricultural Plant Species on 15 March 2015. **You must send the original official labels for the hemp you are growing to us with your SAF.** We will return the labels to you. If sowing takes place after 15 May 2015 you must submit the labels no later than 30 June 2015.

If you need more information please contact the Direct Payments Team in Q1 Spur, Saughton House, Broomhouse Drive, Edinburgh EH11 3XD.

ANNEX 3

Land parcels and maps

1. Introduction

The EU Regulations governing the IACS require Member States to have a register of land parcels. This register must have unique land parcel identifiers (LPID) and areas, against which we can check all claims. We hold the unique LPID and gross areas for your land on this register and this information is on the maps we issue to you. You can also view your maps on <https://www.ruralpayments.org> if you have an online account. You must use these unique land parcel identifiers and areas in your SAF.

Land located in other parts of the UK is subject to the Land Parcel Identification System operated in that country.

2. IACS maps

General

We will be continuing to review the boundaries of and ineligible areas within all land parcels claimed under agricultural subsidy schemes. **However, it is particularly important that whenever you make a change to or think that the boundary of a land parcel is wrong that you notify us, by completing a Land Maintenance Form (PF06), as soon as possible to enable any changes to be made.**

You can find more information on the Land Maintenance Form and when you should submit one in Section 3.

In addition to the guidance in this annex we have also published guidance on “Mapping Requirements for Land Managers” and “Assessing Ineligible Land”. This guidance provides additional practical examples to aid your understanding. You can see it online at <https://www.ruralpayments.org>.

Our standard backdrop for IACS maps is aerial photography with Land parcels identified by yellow boundaries. The table on the right hand side of the map contains land parcel counters in the left hand column (these will help you to establish which land parcel identifier belongs to each land parcel). The second column contains the unique land parcel identifiers and the third column lists the gross area of each land parcel. The total gross area for all land parcels is shown in red below this table.

For reasons of clarity we may issue you with a map that has OS MasterMap as the background. On these maps the land parcel boundaries are in blue, the table on the right hand side of the map contains the same information as the aerial photography map. The total gross area for all land parcels is shown in red below this table.

The areas held on the register correspond to the plan area within the land parcel boundary. We must validate your claim against the register **before payment is made**. It is, therefore, essential that you use the most recent map for the land that you are claiming and/or declaring.

Your map shows the gross plan areas of your land parcels. They have been calculated on the assumption that the land parcel boundary is correct. The background is **either** OS MasterMap which shows roads, buildings, water features and general details **or** aerial photography.

Please note these maps are for IACS purposes only and have no legal standing. They do not represent the ownership of the land.

PDF copies of these maps can be requested via the FIS Team Mailbox
FIS_Team@scotland.gsi.gov.uk

Ineligible areas (unusable areas, such as roads, yards, buildings, ponds, and impenetrable areas of vegetation)

The areas printed on your IACS map are for the gross plan area of the land parcel. This includes ineligible areas, such as rocky outcrops and buildings contained within the land parcel. You must check your current land parcels maps for ineligible areas and ensure you do not claim on them. It is your responsibility to ensure that you deduct any ineligible land when you claim. In line with EC Regulations a Land Maintenance Form should be submitted to remove any ineligible areas such as buildings, roads and permanent water features from the boundary of your land parcels.

Disagreement over area sizes

If you do not agree with the area shown on your map, you should first check whether the boundary of the land parcel is shown correctly. If not, then amend it by completing a Land Maintenance Form. If you agree with the land parcel boundary shown, but are unhappy with the area, you can make your own arrangements to have the land professionally measured and to submit those measurements to us for approval. Any plans you submit under these arrangements should be surveyed and certified by an independent person who must hold a qualification from the Royal Institution of Chartered Surveyors (RICS), the Institution of Civil Engineers (ICE) or a similar professional body. Any map you provide under these arrangements should be drawn to scale and clearly show the areas in question, the underlying OS MasterMap detail and the OS map reference number.

Maintaining the Land Parcel Register

It is important that the register is up to date and if any land is bought or sold or boundaries change, you should update the register by completing and submitting a Land Maintenance Form. These are available on our website at <https://www.ruralpayments.org> or you can get one from your area office. It is in your interest to submit the form before 15 May 2015 as any form submitted after this deadline may delay your payment.

Note: If we have sent you a paper SAF and you submitted a Land Maintenance Form for one or more of your land parcels previously and it is not yet fully processed, your pre-printed data sheets (which detail your land parcels) will not reflect any of this information.

If your outstanding Land Maintenance Form relates to the boundary (and, therefore, the gross area of the land parcel), the pre-printed area in column D on your permanent and seasonal land data sheets will be the original gross area printed on the map we sent you. Unless you are confident that a different area will supersede the pre-printed area, use the pre-printed area in column D as the total area of your land parcel, or the pre-printed areas in column E as the potential eligible area. If an Agri-Environment or Forestry measure exists in the land parcel you may have to adjust the pre-printed areas when filling in your claim. If you claim more than this, and the results of your Land Maintenance Form do not substantiate a larger area, we may have to apply penalties. If you claim less than this, **do not** amend the pre-printed area, but enter the correct area claimed in the appropriate data sheet column. **It is your responsibility to ensure the accuracy of the area you claim.**

Map requirements for existing applicants

When submitting a Land Maintenance Form with land parcel changes, supply a map with the details of every change clearly shown. If you have an existing map, you must use it to notify changes. Do not use correction fluid when altering your boundaries. Mark crosses on the line to be altered and make any amendments in ink other than blue or yellow for maps with aerial photography as the backdrop.

If you have a new land parcel which has not been registered, draw the boundaries clearly on your existing map. Check if the previous owner/occupier has already received a new unique land parcel identifier and use this number. If the land parcel cannot be drawn on the map, supply another map showing the land parcel. The map should be an OS map (or a professional equivalent) at 1:10000 scale (or 1:2500) for land parcels up to 2000 hectares, and 1:25000 scale (or 1:10000) for land parcels above 2000 hectares. Make sure that the map sheet reference is marked on the map.

If you purchase or sell a land parcel which has already been registered you should enter the unique land parcel identifier on the Land Maintenance Form showing the type of change, date of change, area etc. You do not need to submit a map if the boundaries have not changed.

Map requirements for new applicants

Requirements differ depending on the size of the land parcel that needs to be registered. When submitting a Land Maintenance Form to register your land for the first time; supply the following types of map:

For a new land parcel up to 2000 hectares, you must submit an OS map at a scale of at least 1:10000 (maps at 1:2500 scale are also acceptable), or a professionally produced equivalent;

For a new land parcel above 2000 hectares, the map should be at a scale of at least 1:25000 (maps at 1:10000 scale are also acceptable).

Your map(s) must include:

- the code number of the holding
- for each land parcel, the land parcel boundary in blue and the estimated area in hectares. Note that acres are not acceptable. To convert from acres to hectares divide by 2.47
- for each land parcel, the reference number which you have used on your data sheet (if Land Maintenance Form submitted along with SAF)

Special Categories

Common Grazings

The Grazings Clerk or other appointed person should submit a Land Maintenance Form relating to changes to the Common Grazings. Forms relating to apportionments from the Common Grazing must only be submitted once the apportionment has been officially approved and a Final Order produced by the Crofting Commission.

If you are submitting a SAF for the first time and you have a share in a Common Grazings that is not recorded on our LPIS, which you use for forage, then we require a map of 1:25000 scale covering the whole Common Grazings. We only need one map of the grazing so you may wish to contact the other shareholders in the Common Grazings and arrange with them for a map to be submitted to the relevant area office by the Township Clerk, Grazing Constable or other suitable person on behalf of the Township, Sheep Stock Club or Grazings Committee. Your SAF will not be processed until the map is supplied.

The boundary of the Common Grazings should be marked on the map and the person who submits the map should sign it on behalf of all shareholders. The map should show (or be accompanied by) a list of all shareholders with their allocated shares. Any apportionments granted should be clearly marked on the map and the area of the Common Grazings (excluding apportioned land) should be marked in hectares. If you are having difficulties supplying a map or identifying apportionments please consult your area office, who will advise on appropriate sources of information.

Legacy Agri-Environment and Forestry schemes

A Land Maintenance Form is required and a land parcel identifier given if an area has never previously been captured and is not part of an existing land parcel.

A Land Maintenance Form will be accepted and a land parcel identifier given if the area is part of an existing land parcel but over one hectare and fenced off from the remaining area of the land parcel, but only where the area is to be permanently enclosed, for example an area to be managed under an Agri-Environment Scheme.

A Land Maintenance Form is not required when:

- the area is part of an existing land parcel already covered by a unique land parcel identifier and under one hectare, whether fenced off or not
- the area concerned is already covered by unique land parcel identifiers and is to be enclosed and managed separately only for the lifetime of an Agri-Environment Scheme agreement, for example a water margin, wetland area or pond to be created within a land parcel already identified by a unique land parcel identifier

Who to contact if you require additional information about land parcels, maps and the register

You can call the Land Parcel Identification System (LPIS) Team on 0300 244 1938 between 9am - 5pm, Monday to Thursday and 9am - 4.30pm on Fridays. An answer machine service is available outside these hours. If you wish to write regarding a query, write to the LPIS Team, RPID, D1 Spur, Saughton House, Broomhouse Drive, Edinburgh, EH11 3XD.

ANNEX 4

Area office and other contacts' details

RPID area offices

E-mail: sgrpid.areaoffice@scotland.gsi.gov.uk (for example sgrpid.ayr@scotland.gsi.gov.uk)

AYR

AFRC - RPID
Russell House
King Street
AYR
KA8 0BE
Tel: 01292 291300
Fax: 01292 291301

BENBECULA

AFRC - RPID
Balivanich
Isle of Benbecula
HS7 5LA
Tel: 0300 244 9600
Fax: 0300 244 9601

DUMFRIES

AFRC - RPID
Government Buildings
161 Brooms Road
DUMFRIES
DG1 3ES
Tel: 01387 274400
Fax: 01387 274440

ELGIN

AFRC - RPID
Alexander Fleming
House
8 Southfield Drive
ELGIN
IV30 1QN
Tel: 01343 569500
Fax: 01343 569501

GALASHIELS

AFRC - RPID
Cotgreen Road
Tweedbank
GALASHIELS
TD1 3SG
Tel: 01896 892400
Fax: 01896 892424

GOLSPIE

AFRC - RPID
The Links
Golspie Business
Park
Golspie
KW10 6UB
Tel: 01408 634063
Fax: 01408 634014

HAMILTON

AFRC - RPID
Cadzow Court
3 Wellhall Road
HAMILTON
ML3 9BG
Tel: 01698 462400
Fax: 01698 462401

INVERNESS

AFRC - RPID
Government Building
28 Longman Road
INVERNESS
IV1 1SF
Tel: 01463 234141
Fax: 01463 714697

INVERURIE (Thainstone)

AFRC - RPID
Thainstone Court
INVERURIE
AB51 5YA
Tel: 01467 626222
Fax: 01467 626217

KIRKWALL

AFRC - RPID
Government Buildings
Tankerness Lane
KIRKWALL
KW15 1AQ
Tel: 0300 244 9626
Fax: 0300 244 9625

LERWICK

AFRC - RPID
Charlotte House
Commercial Road
LERWICK
ZE1 0HF
Tel: 0300 244 9599
Fax: 0300 244 9598

OBAN

AFRC - RPID
Cameron House
Albany Street
OBAN
PA34 4AE
Tel: 0300 244 9340
Fax: 0300 244 9331

PERTH

AFRC - RPID
Broxdon Business
Park
Lamberkine Drive
PERTH
PH1 1RX
Tel: 01738 602000
Fax: 01738 602001

PORTREE

AFRC - RPID
Estates Office
PORTREE
IV51 9DH
Tel: 01478 612516
Fax: 01478 613128

STORNOWAY

AFRC - RPID
10 Keith Street
STORNOWAY
HS1 2QG
Tel: 01851 702392
Fax: 01851 705793

THURSO

AFRC - RPID
Strathbeg House
Clarence Street
THURSO
KW14 7JS
Tel: 0300 020 1234
Fax: 0300 020 1258

Other contacts

Complaints

AFRC - RPID
Central Complaints Team
P1 Spur
Saughton House
Broomhouse Drive
Edinburgh
EH11 3XD
Tel: 0300 244 9969
Fax: 0300 244 9960
Email : Agri-Complaints@scotland.gsi.gov.uk

Land parcels & maps

AFRC - RPID
Land Parcel Identification System Team
D1 Spur
Saughton House
Broomhouse Drive
Edinburgh
EH11 3XD
Tel: 0300 244 1938*
Email: FIS_Team_Mailbox@scotland.gsi.gov.uk

* Open 9am-5pm Monday to Thursday
and 9am-4.30 pm on Fridays

Basic Payment Scheme Entitlements Transfers

AFRC - RPID
Entitlement Transfer Unit
10 Keith Street
Stornoway
HS1 2QG
Tel: 01851 702392
Fax: 01851 705793
Email: EntitlementTransferUnit@scotland.gsi.gov.uk

Forestry Commission Scotland: Conservancy Offices

Highland & Islands Conservancy

'Woodlands'
Fodderty Way
Dingwall
Ross-shire
IV15 9XB
Tel: 01349 862144
Fax: 01349 866624
Email: highland.cons@forestry.gsi.gov.uk

Grampian Conservancy

Ordiquhill
Portsoy Road
Huntly
AB54 4SJ
Tel: 01466 794542
Fax: 01466 794986
Email: grampian.cons@forestry.gsi.gov.uk

Central Scotland Conservancy

Bothwell House
Hamilton Business Park, Caird Park
Hamilton
ML3 0QA
Tel: 01698 368530
Fax: 01698 368531
Email: centralscotland.cons@forestry.gsi.gov.uk

Perth and Argyll Conservancy

Upper Battleby
Redgorton
Perth
PH1 3EN
Tel: 0300 244 6005
Fax: 01738 827819
Email: panda.cons@forestry.gsi.gov.uk

South Scotland Conservancy

55/57 Moffat Road
Dumfries
DG1 1NP
Tel: 01387 272440
Fax: 01387 257888
Email: southscotland.cons@forestry.gsi.gov.uk

South Scotland Conservancy Area Office

Weavers Court
Forest Mill
Selkirk
TD7 5NY
Tel: 01896 750222
Fax: 01387 257888
Email: southscotland.cons@forestry.gsi.gov.uk