

Policy, governance & compliance

Subsidy control and World Trade Organisation (WTO) classification

Future Farming Investment Scheme (FFIS) support is subject to the UK subsidy control framework and the World Trade Organisation (WTO) Agreement on Agriculture.

For UK subsidy control purposes, FFIS funding is provided as Minimal Financial Assistance (MFA) under the Subsidy Control Act 2022.

An enterprise must not receive more than £315,000 of MFA and other assistance that counts towards the same limit during the applicable period.

The applicable period is:

- the elapsed part of the current financial year; and
- the two financial years immediately preceding the current financial year.

The limit applies to the single economic enterprise. This may include other businesses or enterprises under common ownership or control.

If your application is successful, your Offer of Grant will ask for details of relevant MFA and other assistance. This includes assistance received during the applicable period by your business and any other enterprise with which it forms a single economic enterprise.

You must provide complete and accurate information and confirm that receiving the FFIS grant will not cause the applicable £315,000 limit to be exceeded.

If you receive any further relevant assistance after accepting your Offer of Grant but before your FFIS grant is paid, you must tell Scottish Government Rural Payments and Inspections Division (SGRPID) immediately.

You must retain the written confirmation of your FFIS MFA award for at least three years from the date the assistance was given.

For WTO Agreement on Agriculture purposes, FFIS support will be classified and notified in accordance with the applicable WTO requirements.

Fair Work First Policy

Fair Work First requirements apply to FFIS.

If you employ staff, you must:

- pay at least the **real Living Wage** to all directly employed staff aged 16 and over, including apprentices; and
- provide appropriate channels for **effective workers' voice**.

Where you use a contractor or subcontractor to deliver your FFIS-supported investment, you must ensure that the applicable Fair Work First requirements are met.

If your application is successful, compliance with Fair Work First will form part of the terms and conditions of your Offer of Grant. You must retain appropriate evidence to demonstrate compliance.

Limited exceptions

In limited circumstances, SGRPID may consider an exception to the **real Living Wage condition** where a business cannot afford to meet it. An exception is not guaranteed and must be requested before you apply.

Any approved exception applies only to the real Living Wage requirement. It does not remove the effective workers' voice requirement or any other applicable Fair Work First requirement.

An exception applies only where it was approved before the application was submitted and is expressly stated in the recipient-facing Offer letter.

Successful recipients must publish a brief overview of their Fair Work First commitment on their website. Where a recipient does not have a website, it must provide the overview to the Scottish Ministers by another agreed means.

Further information, including the exception request form, is available in the Scottish Government Fair Work First guidance.

The real Living Wage is different from the minimum rates set under the Agricultural Wages (Scotland) Order. The real Living Wage is updated annually.

Data protection

The Scottish Government is the data controller for personal information provided in connection with FFIS.

Personal information may be used to:

- administer and assess applications;
- verify eligibility and grant rates;
- make grant payments;
- assess evidence and compliance with your Offer of Grant;
- prevent and detect fraud and error;
- carry out inspections, reviews and audits; and
- monitor and evaluate the scheme.

Information may be shared with other public bodies, auditors, contractors or organisations acting on behalf of the Scottish Government where this is lawful and necessary for these purposes

For information about how the Scottish Government uses personal information and your data protection rights, see the Scottish Government privacy policy