

Farmers' Charter of Rights Monitoring Committee

Minutes of Meeting held at the Killeshin Hotel, Portlaoise, Co. Laois on 28 June 2018

Attendees

Chair: Padraig McMahon

Farming Bodies

ICMSA:

ICOS:

ICSA:

IFA:

INHFA:

Macra na Feirme:

DAFM

Paul Whelan	BVD
Vincent Byrne	Forestry Grant and Premium Schemes
Kevin McGeever	Organic Farming Scheme
Margaret Murray	Burren Scheme/Article 35
Melessa Lunney	TB and Brucellosis Compensation
Mark Crosbie	AEOS / GLAS
Mary McMahon	TAMS II
Josephine Brennan	Inspectorate
Liam Fahey	Inspectorate
Angela Corcoran	Knowledge Transfer Scheme
Paul McKiernan	Beef Data Genomics Programme
James Walsh	BPS/Sheep Welfare Scheme
Brian Alcock	BPS

Noel Dinneny	BPS
Larry Cashman	ANC
Fran Morrin	Young Farmers Scheme/ National Reserve
Eddie Forde	Young Farmers Scheme/ National Reserve
Ursula McMahon	Inspections
Tom Keating	Inspectorate
Con O'Brien	Inspectorate
Geraldine Howard	Data Protection
Darren Murray	Data Protection
Guy Mahon	Corporate Affairs
Edel Carty	Corporate Affairs
Derek Peppard	Corporate Affairs

The Department presented statistics and information for each of the agenda items in the context of the targets set out in the Charter. There was detailed discussion in relation to these matters. The action points arising are set out in the table below. Further information on the discussions can be found in Appendix 1.

Action Points Summary Table		
	Business Area	Action required
1.	BVD	<ol style="list-style-type: none"> 1. Review the communication process with farmers that are ineligible. 2. Review of whether payments can be made on a more regular basis.
2	Forestry	Details of causes of delays on Felling Licences to be provided.
3.	Burren Scheme	Consider the provision of additional up-to-date information on this Scheme.
4	AEOS	Average payment details to be provided.
5	TAMS II	Department will provide figures on committed funds.
6	Knowledge Transfer	A breakdown of outstanding payments to each of the KT sectors to be provided.

7	Fodder Scheme	Provide statistics on this scheme.
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Appendix 1

Item 1 – Previous Minutes of 8th March 2018 and matters arising

No comment on minutes or matter arising.

Item 2 – BVD

Issue Raised	Response
Why are farmers not informed if they are not eligible?	It is a resource issue. If a farmer has a query they can contact Elizabeth Monahan in in the Department Office in Mullingar.
The Charter states that a Farmer should receive a full response to correspondence.	The Department notes this and will look into the matter.
If a calf has a PI in January 2017 payment is not received until May 2018. Is there anyway that the Department could make payment on a more regular basis? Maybe every 3 months.	The Department will review this.

Item 3 – Forestry Grant and Premium Schemes

Issue Raised	Response
Why are there delays in issuing felling licences?	The Department will provide this information.

Item 4 – Organic Farming Scheme

Issue Raised	Response
What is the cause of delays in payments?	The delays are due to interactions with the GLAS or BPS schemes.
How many farmers have not been paid?	100 farmers not yet paid. 40 of these are inspected cases which when finalised will be paid.
Why has this scheme not achieved its target as set in the Farmers Charter?	Because of the schemes close links with the GLAS Scheme it cannot be paid until GLAS is paid.

Item 5 – Burren Scheme

Issue Raised	Response
Is the scheme open at the moment?	Yes it is open until the 6 th of July 2018.
Delays in payment?	This scheme is a results based scheme and cannot be paid until the declaration is made and these are not made until Feb/Mar. Payment is made as soon as possible after the declaration is received.
The fact that payment cannot be made until a declaration is made is unclear to the farmers. Can it be made clearer to farmers?	To consider the provision of additional information on the scheme at time of application.
Is this scheme online?	No. It is one of only a few paper based schemes.

Item 6 – Article 35 Schemes

Issue Raised	Response
Is it possible to get statistics on the breakdown of SPA's level of interest, payments?	An Advisory Group has been set up to oversee all Locally Led Schemes and the membership includes all the farming bodies who attend the Farmers' Charter. It is hoped to arrange the first meeting for end July/early August. Questions such as this can be answered at this meeting.
What is overall budget for the schemes	<ul style="list-style-type: none"> • Burren Project €15 Million • Hen Harriers €25 Million • Pearl Mussel €10 Million • Open Calls €24 Million
Is the cost of administration of the Hen Harrier scheme very high?	The scheme has been set up as simply as possible, but administration costs are inevitable. A scheme with a value of €25 million must be administered by an experienced team. While the Department is not directly administering the scheme we would still expect the same level of financial probity and other controls as the Department would have in the running of any scheme. Given this we do not believe that 15% is an overly burdensome administration cost.

Item 7 – TB and Brucellosis compensation

Issue Raised	Response
What is the position in relation to depopulation?	Depopulation is a veterinary decision and considered only when all other testing options have been implemented to try and eradicate TB in the herd. Depopulation will not be carried out based solely on the request of the

	farmer.
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Item 8 – AEOS

Issue Raised	Response
Are any of the 80 outstanding in relation 2016?	No they all relate to 2017.
Have all been contacted?	Yes.
What is the average payment on AEOS?	Information to be provided.

Item 9 – GLAS

Issue Raised	Response
How long was someone on hold before they hung up?	Statistics on this are not available
Will there be more staff on the call centre next year?	It is not anticipated that extra resources will be required for the running of the call centre, as now that the scheme has bedded in less queries are anticipated.
IT caused problems last year will this be the case this year?	IT did not cause the problems last year it was a miscommunication inferring that they did. At this point there are no major IT issues. However, there will always be issues in relation to schemes.
Partnerships caused an issue last year, will this be a problem this year?	There was an issue with functionality last year which has now been resolved.
How are phone queries dealt with?	Where possible they are dealt with there and then, if not they are sent on to the relevant area to resolve.
Can the person on phone dealing with	In many cases they can and will do

queries solve the issue?	where possible. However, a solution on the day does not mean payment that day. There is a weekly pay date for issuing payments.
What does dealt with mean?	Staff deal with the query there and then where possible and if not to refer on to be resolved by the appropriate person.
Is there a process to change planners?	The Department did appoint some commonage advisors. If there are issues with specific planners then the Department would have to address this.
What is causing the 296 outstanding GLAS cases?	Most of these issues are on the farmers' side.
When will advance payments begin?	November, it's not realistic to say October.
Has this payment date being communicated to the farmers?	Anyone who phones in are told it is November.
Is it early, middle or late November?	As early as possible.

Item 10 – TAMS II

Issue Raised	Response
There was a change in the last Tranche date – why?	As the closing date was very close to the closing date for BPS applications, the closing date for TAMS was extended.
The amount of time spent on this is onerous on farmers – can it be run concurrently with planning applications?	This is not possible as applying after planning is granted shows the Farmer is more likely to carry out the project. The Department is pushing approvals to payments through as quickly as possible
How long are approvals taking?	If everything is in order it will take a matter of weeks.
Are farmers informed of the expiry	Yes they are at application stage when

dates?	they receive their approval letters and they can check it at any stage on their online accounts on Agfood.ie
What is the position regarding young farmer drawdown?	<ul style="list-style-type: none"> • 4,471 applications have been received • 3,236 have issued • 423 in tranche that just expired • 1,264 payment claims received • 1,049 paid • €27.9m spent on the young farmer
Can the Department provide figures on committed funds?	The Department will provide these.
What is the position on reference costs review?	Nearing finalisation. The costs will be based on current figures.

Item 11 – Knowledge Transfer Scheme

Issue Raised	Response
Has full payment issued?	Yes.
Are partnerships still holding up payments?	Not all partnerships are subject to delayed payments. Delays on payment to Registered Farm Partnerships (RFP) mainly relate to cases where there is movement into or out of a RFP and/or where there are multiple partners participating in the KT Programme.
Teagasc are charging a fee in addition to the costs that are paid by DAFM - why?	This is up to the farmer as it is a private arrangement between them and the advisor. It was open to farmers to join a group run by Teagasc or a private agricultural consultant.
When will the remaining 26% of	We are continually working on clearing

payments be made?	them.
What is the closing date for year 2 applications?	31 July 2018.
What is the breakdown of the KT sectors?	It's approximately 50% private advisors and 50% Teagasc advisors. Statistics to be provided on this for the next meeting.

Item 12 – Beef Data Genomics Programme

Issue Raised	Response
When will farmers be contacted regarding the 2019 tags?	We will be contacting farmers in the Autumn regarding the 2019 tags.
There is a case where a farmer has received penalties that don't add up – why?	The farmer in question is to contact the BDGP section.
Is the €44.5m net or gross?	Gross.
A number of issues concerning BDGP were raised and the following responses were provided.	ICBF notifies farmers of the animals that they propose to genotype but farmer can nominate animals that they may wish to select themselves - about two weeks allowed for farmer to revert to ICBF. Remittance form – there was an error in remittance slips in last pay run – gross pay and genomic deduction amounts were doubled but net payment was actually correct. We will be writing to the 5000+ farmers involved to clarify. The plan is to get tags out earlier. There are c. 700 herds not paid – these could be cases where ownership has changed and we are going through this process, withdrawals from the scheme, just have not complied yet – we wrote to

	<p>everybody in March/April telling them to get surveys/ genomic tests/carbon navigators submitted.</p> <p>As regards replacements – ICBF issued evaluation reports to all participants advising of number of replacements required and the status of the animals in their herds. We have surveyed herds that are not yet compliant with this requirement – the vast majority were aware of the position and indicated that</p> <ol style="list-style-type: none"> 1. they know what to do to become compliant, 2. indicated that they just weren't going to comply or 3. indicated that they were considering withdrawing from BDGP.
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Item 13 – Basic Payment Scheme/Greening

Issue Raised	Response
Preliminary checks are carried out even in regard to burnt land?	Preliminary checks are based on 2018. The department to notify farmers by 9 June 2018 of issues that the Department is aware of at that time.
Can farmers change their application?	Yes. They can go back in on line and change their application. They had up to midnight on 19 June to do so.
What is the current position with regard to satellite imagery?	Provision of Satellite imagery by EU Commission is ongoing.
There are 900 less farmers in the scheme – what is the number of hectares claimed?	This information is not to hand.
What measures are in place to make farmers aware of issues regarding	There are targets to adhere to. It takes 6 weeks for processing claims. The target is to issue letters as soon as

payment?	possible.
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Item 14 – Areas of Natural Constraint

Issue Raised	Response
Is there an update on the review?	It is ongoing with a view to implementing it in 2019.

Item 15 Sheep Welfare Scheme

Issue Raised	Response
What are the number of outstanding cases?	There are 600 cases outstanding relating to census/inspection issues. There is to be a payment run next week and it is anticipated that this will reduce the above number.
Is there a proposal to take on new entrants to the scheme?	It is a scheme that caters for new entrants to Farming.
How many have applied?	300 new entrants applied in 2018.

Item 16 - National Reserve/Young Farmers Scheme

Issue Raised	Response
Are there enough funds in the 2018 budget?	Yes. €3.5m is available.

Item 17 – Pillar I/ ANC/BDGP Inspections

Issue Raised	Response
Penalties system is not achieving	The system is as required by EU

compliance.	legislation.
There is an issue with quality assurance around inspections with regard to some inspectors deviating from that standard - why?	There is a code of conduct that inspectors must follow. If there are issues with some inspectors the Department wants to know about them. There is a complaints process and we would encourage your members to come forward, we can only investigate complaints that we are aware of. The Department must have all the facts before it can investigate complaints.
How is an inspector that doesn't follow the rules dealt with, what is the outcome, if an inspector is repeatedly in bad form or overstepping his mandate what happens?	Everything will be looked at based on the facts once we receive a valid complaint.
What happens with complaints sent in to the highest level?	Complaints are logged and followed up. If the individual is not happy with the response they receive from the Department they can go to the Ombudsman.
Can statistics be provided on the outcome of 2017 inspections, with a comparison to 2016, and to include 'most common non-compliances.	The Department are currently compiling statistics on the outcome of 2017 inspections for an EU return. Given the level of detail requested it will take time to complete this range of data.
Can a yellow card system be introduced?	The Department will provide stats on the 'Eligibility' Yellow Card cases as soon as possible.

Item 18 – General Data Protection Regulation.

Issue Raised	Response
Can you take a picture of the	Yes

completed authorisation form and send it in?	
How long will it take to get the authorisation process completed?	An interim measure has been put in place where you can still contact the Department with a specific question in relation to a specific farmer however, the information will be released to the farmer not the third party.
Will the completed authorisation form cover all schemes?	Yes.
Can the nomination be generic to an organisation?	No it has to be a named individual within the organisation. However the system allows for up to 10 named individuals.
Have you ensured that all staff are trained in relation to this?	Yes.
Are all Departmental Forms and Agreements being updated to reflect the GDPR?	Yes.
Are farm payments still being published?	Yes as it is a requirement under a separate EU Regulation.

Item 19 – A.O.B.

Issue Raised	Response
Can a breakdown of the fodder scheme be provided?	In response to weather conditions experienced by farmers over a number of months, the Department put in place two schemes to support farmers facing fodder shortages. The Fodder Transport Scheme was introduced in late January in order to make a financial contribution towards forage transport costs in certain circumstances. The Fodder Import Scheme was then introduced in April to reduce the costs

	<p>borne by farmers in importing fodder and was implemented via approved suppliers of imported fodder. Under the Fodder Transport Scheme, just over 600 applications were received. Under the Fodder Import Scheme, farmers availed of the opportunity to purchase imported fodder via 23 approved providers. Payments under both schemes are due to commence shortly – directly to farmers in the case of the Fodder Transport Scheme, and to the approved providers in the case of the Fodder Import Scheme where the reduced cost of the imported fodder has already been passed on to farmers who availed of the Scheme.</p>
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Item 20 – Date of Next Meeting

The date for the next meeting is dependent on the Chair’s availability.

The meeting concluded.