

## **Northern Ireland Agricultural Consultants Association (N.I.A.C.A)**

N.I.A.C.A. was formed in 2006. It currently has over 40 members from throughout the six counties. N.I.A.C.A.s' members are professional men and women who assist farmers with the administration requirements of operating a farm business. Their services range from completion of DARD business forms (FB1s, BC1s, TE1s), Farm Modernisation Applications online but basically Single Farm Applications and the preparation of the records for the Nitrate Action Programme.

All of N.I.A.C.A.s' members are from an agricultural background ranging from being full time/part-time farmers to former employees of DARD.

The organisation meets regularly to discuss issues such as the experiences and situations encountered by the members. Solutions that have been found to solve problems are shared and pitfalls to watch out for are explained.

N.I.A.C.A. also is in regular contact with DARD via its office bearers and submits its opinion on all consultative documents. N.I.A.C.A.s' members are also in regular contact with local DARD staff at county level (DARD-Direct offices).

We are represented in many of the stakeholder groups and our chairman is regularly in contact with senior DARD personnel.

### **Problems identified with current Single Farm Payments (SFP) administration.**

The main problem is that N.I.A.C.A. feels that DARD had misinterpreted the rules on which SFP was based in 2005. Since 2005 the "goal posts" have been constantly moving.

Examples are:

The change to the 50% rule. In 2005 if livestock could graze more than 50% of a field, then the field could be eligible for SFP. Position has changed to only the actual area able to be grazed is eligible.

The number of ineligible items seems to increase each year. OT codes have increased in number from 7 to 17 by 2011. Ineligible heather was introduced in 2011.

The change in the mapping of farms has caused a lot of confusion. The introduction of orth-photography maps and later the LPIS maps has identified incorrect boundaries etc. whereas before there was no way of knowing if a boundary was correct or not. Yet applications were made using DARD maps.

The above three examples have created situations that applications made in 2005 are now found to be incorrect and N.I.A.C.A. members have to advise

farmers that their claims for SFP have to be reduced year on year because of these rule changes. Yet the size of their actual holdings has not decreased.

If what is known now was known in 2005 we would not be in this position.

This has resulted in many farmers having to claim less land and having a lower number of entitlements. In 2011 farmers could not claim on overgrown heather, but NIACA members advised these farmers to write to DARD and have their entitlements recalculated as the rules had changed. To date nothing has been changed.

After an inspection has been carried out and if penalties are applied, the system of penalty calculation is very complicated and cannot be followed. N.I.A.C.A. members find it very difficult to reconcile the inspector's report to the level of financial penalties imposed. DARD's own an example of penalty calculation was found to be incorrect.

Penalties can be retrospective. Cases where previous inspections have been carried out and farmer has been penalised, N.I.A.C.A. members are finding that farmers can be penalised a second time because of the rule changes.

In 2011 there was a delay in inspections, which resulted in many farmers not getting paid until June and July 2012. The Minister said this would be improved for 2012.

However we have been getting reports that farmers who received inspections in 2010 and 2011 are being inspected again in 2012. In fact there has been a suggestion this could be as high as 40% of 2012 inspections were inspected within the last 2 years.

The time limit for submission of SFP applications is getting shorter. SFP application packs were usually issued prior to 17<sup>th</sup> March. The opening period has recently been as late as the last week in March. This puts both farmers and N.I.A.C.A. members under a lot more pressure to make applications on time.

The introduction of the Northern Ireland Countryside Management Scheme (NICMS.) onto the SFP application has caused a major delay in being able to complete applications on time in the cases of new entrants into the scheme. The majority of new entrants were not getting their approvals until the last week of the application period.

Penalties imposed for clerical or simple administration errors. This is a subject very close to the hearts of N.I.A.C.A. members and the reason why professional indemnity insurance premiums are paid. A simple error can cost a farmer his SFP for perhaps up to three years. Whilst there has to be a penalty regime we feel that DARD in this case have interpreted the rules stringently and do not apply them in the spirit in which they were intended, i.e. cases of fraudulent or careless applications.

The penalties applied are very draconian. Often in the case of very simple errors, thousands of pounds are being lost to the local economy.

N.I.A.C.A. members often represent farmers who feel that they have been unfairly treated. In cases where there was a simple error made, the current appeal system does not take into account what the original intention of the farmer was. Cases are treated as black and white issues.

N.I.A.C.A. members often find in cases where the death has occurred in a farm business, that the transfer process to a new business is often very complicated and leaves the surviving family members or beneficiaries sometimes out of pocket or very frustrated as payments are frozen. As new herd numbers and flock numbers have to be issued, the movement of livestock can also cause problems for the surviving family and beneficiaries as new tags etc. have to be purchased.

## **Improvements identified with Current Single Farm Payments (SFP) administration.**

Orth-photography and LPIS maps. The introduction of these maps enables N.I.A.C.A. members to provide a better service to their clients and make more accurate applications.

Online applications, which N.I.A.C.A. fully embraces. Online applications are less prone to administration errors and applications made are more accurate.

Online tracing system enables N.I.A.C.A. members trace the position of the application and payments without the need for constant telephone calls requiring updates.

Record keeping with the online system is easier and more use of the records can be made. For example preparing nitrate-loading calculations.

Consultations with N.I.A.C.A. on the introduction of proposed changes to existing schemes, new LPIS maps, dual claims issues etc.

A better understanding of the role N.I.A.C.A. members and non-members offering similar services play in relation to Northern Ireland agricultural industry.

As mentioned we are an advocate of the online applications and the added benefit of accuracy and being able to track payments. It also greatly reduces DARD staff time as all the information is on the system and doesn't need to be scanned or checked.

If the intention is to increase the number of online applications (the last Minister of Agriculture indicated that all SAFs had to be done online by 2015) the system will have to be simplified. We feel within NIACA that there will not be sufficient professional people to complete all the forms on time – at present we have individual members completing between 500 and 1000 applications.

The succession planning and mentoring assistance offered by DARD through Countryside Services has been a step in the right direction to assist the older generation of farmers towards proper succession planning to ensure problems encountered by a business through bereavement are minimised.

## **Solutions offered**

1. The period for completion of the SFP application should be opened sooner.
2. There has to be a case made for the re-calculation of entitlements due to the changes in interpretation of eligible areas.
3. Inspections have a correct cut of date. Inspections being carried out in a different scheme year cause a lot of delays and frustration.
4. Better processing time between local offices and Orchard House on inspection cases.
5. That DARD inspectors are better informed and are in a position to advise farmers of the outcome of inspections at the time of inspection.
6. For those farmers that have inspections and it is clear that there has been no issues of over claiming and farm is compliant, that the farm business will receive an interim payment, rather than not receiving a payment until perhaps July or August after the scheme year end.
7. Have dedicated staff at local DARD direct offices to deal with SFP problems specifically.
8. A more clearly transparent system of penalty calculation so it can be independently checked.
9. We must have a final correct mapping system in place.
10. A more simple common sense approach taken to errors made. A tribunal type panel should be able to make a decision based on what the original intention of a farmer was. The panel should be able to make a determination based on submissions made and on the farmer's previous history with DARD. We do not wish for money to be taken out of the local economy because of simple administration errors.
11. To have a special section set up within DARD to deal with the associated problems connected to bereavement. Similar to DHSS Bereavement Department.