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By Email

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Your Ref: N/A
Our Ref: MC-102-2022

Reply to: Edinburgh Office
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Date: 03 November 2022

Dear Ms Baker

REGISTERS OF SCOTLAND – EFW QUARTERLY PROGRESS UPDATE

I am writing to provide the Economy and Fair Work Committee with a quarterly update on the work of Registers of Scotland (RoS) as part of the agreed reporting. For ease of reading, I have outlined the latest updates against relevant headers below.

Performance

Our Key Performance Indicator progress is updated quarterly on our external website and the end of September 2022 position is [now available](#).

With one exception, all our Key Performance Indicators are on or ahead of target. In summary we have met or exceeded all the second quarter FY 22/23 targets we have set for: clearing our long-standing open casework, processing at least 85% of dealing with whole and 65% of transfers of part within 35 days and achieving at least 93% application quality. We fell slightly short on our target of processing 68% of first registrations within 35 days, however this was due to an issue with the flow of cases which has now been corrected and October's figures show us back on target. We are also meeting our target to break-even financially in this financial year.

Two of our strategic objectives do not yet have results to report for this financial year. We are currently awaiting the results of our six-monthly Institute of Customer Service (ICS) Business Benchmarking Survey which will be available in mid-November. I anticipate that I will be able to share these with you verbally at our upcoming meeting and will report on them more fully in next quarter's update.

Following a recommendation from the RoS board in September about focussing our activity, the RoS Executive Management Team has identified 14 priority milestones for the remainder of this financial year, spread across our six strategic objectives. The top priority remains reducing the overall stock of cases. These priorities have been shared

throughout the organisation so that all colleagues are clear on where they should be prioritising their effort.

Legislation

We have now concluded all of the work required, in terms of both primary and secondary legislation, to place on a permanent footing the digital ways of working adopted by RoS and customers because of the pandemic.

The legislation making provision for registration of true electronic documents in the Register of Deeds came into force on 01 October.

Transparency of Land Ownership

We continue to make good progress in delivering the benefits of a complete land register. Our estimations are that around 87% of addresses that regularly transact are now on the land register, and our total land mass coverage (taking into account unlocking Sasines and land register work in progress) is around 83%. In the last period we have been working closely with SG officials on the land reform consultation and have continued engagement with the Scottish Land Commission.

The Register of Persons Holding a Controlled Interest in Land (which went live on 01 April 2022) continues to see small numbers of applications, though they are beginning to increase. Work continues to publicise and raise awareness of this new register and to ensure that all customer queries about how to use the new register are addressed promptly, and our guidance is regularly updated.

The Land Registration parts of the Register of Overseas entities, established by the Economic Crime (Transparency and Enforcement) Act 2022 came into effect on 5 September and are working well.

Digital

Rollout of additional Microsoft 365 applications across the whole organisation has enabled increased collaboration benefits for colleagues in intelligent information management. Benefits include the use of effective information management controls such as retention management. Our Network access control has been further strengthened to mitigate the risk of non-RoS devices, or inadequately updated RoS devices from accessing our network. This work has enhanced our capability to provide a shared onsite multi-tenancy model at MBH.

Our initiative to refresh business continuity arrangements across RoS and strengthen our organisational resilience has concluded its pilot phase. A post-pilot review has completed and the roll-out of wave 1 has commenced.

This month the first electronic document signed by qualified electronic signature was submitted to the Register of Deeds and Probative Writs in the Books of Council and Session following the relevant legislation coming into effect. This has been welcomed by customers though we expect that dual running of paper and electronic documents will persist for some time.

Register Land and Property (RLP), RoS' strategic channel for applications to the Land Register, has been expanded to include discharges of standard security. This removes the separate Digital Discharge channel (introduced in 2017) and reduces customer reliance upon the Land Register application form (introduced in 2015). This is part of the channel shift strategy to focus upon single routing into RoS which improves customer experience and the quality of data we receive, setting important groundwork for streamline and automation of applications.

Geovation Scotland

Geovation Scotland recruitment of Cohort 5 is nearing completion and any decisions will be announced in early November 2022.

Cohorts 3 and 4 of the accelerator programme took part in a Geovation Scotland Showcase event on 20 October at Meadowbank House, where they were given the opportunity to pitch their current propositions and their ambitions for the future of their businesses to a curated audience of potential investors, partners and contributors. The startup founders were also critiqued by a panel of industry experts, comprising of Rich Wilson, CEO of Gigged AI, Tania Watson, Leadership Specialist at Creative Coaching, Christine Esson, founder of the Scottish Business Network and chaired by Registers of Scotland's Business Development Director Kenny Crawford. The panel offered feedback and insights from their vast collective experience in investment, global startup support and scaling tech startups as well as overall positive feedback on the founder's pitches.

Cohort 4 of Geovation Scotland have now moved into the 'to-market support' phase of the programme and will continue to receive support for a further 6 months.

People

We continue to work hard to ensure we are resourced appropriately to meet operational demands. Colleague turnover, most particularly in our digital and HR functions, means that we are constantly recruiting across a large number of campaigns and this places a significant burden on our recruitment teams. The Executive Management Team are re-examining vacancies across the whole organisation to ensure we prioritise recruitment to those that are most essential to our key deliverables.

The Civil Service People Survey 2022 launched on 22 September and closed on the 31 October. The Corporate Plan confirms the target to increase our response rate from 69% to 71%. The target of a 68% Engagement Index (EI) score is an increase to the 66% achieved in 2021. We are awaiting finalised response rates and will update the Committee when these are made available.

A Wellbeing survey, in partnership with Hive, is progressing well with plans on track for launch on 08 November. In addition, consultation is ongoing with Investors in People regarding the upcoming We Invest in Wellbeing accreditation which will also take place in November.

Following negotiations with PCS, the 2022-23 pay offer has been implemented without reaching agreement with the trade union and has been paid with October salaries. Our pay award is closely aligned to the pay award made by SG and was subject to approval by the Deputy First Minister and Cabinet Secretary for Covid Recovery, Mr Swinney.

PCS have launched their national ballot in relation to pay, pensions and redundancy terms with the ballot closing on 07 November and results expected mid-November.

Stakeholder Engagement

Our events and engagement activity over the last quarter has included an interactive session with me, our Accountable Officer and the Chair of our Audit and Risk Committee on our latest Annual Report and Accounts, as well as the continuation of our programme of breakfast briefings for MSPs, MPs and their staff.

Colleagues from across the organisation have participated in various speaking opportunities, including the CLT Conveyancing Conference, Law Society of Scotland Presidential tour, Government Data Summit, and Service Design in Government events, a couple of which were complemented with staffed exhibition stands. We continue to run a programme of practical webinars which are well attended with high customer satisfaction scores.

Recently we issued our annual 'conveyancing students introduction to RoS' recording, including our role in the conveyancing process and a key guide to our services. New to 2022 was the option for Universities and Colleges to access the newly developed Land Registration Form Test Environment which allows students to practice submitting applications ahead of qualifying.

Work is ongoing to develop the next phase of customer communications in relation to our long-standing open casework. This updated approach will enable more targeted engagement with the Law Society of Scotland, solicitor firms, and lenders to resolve specific concerns as well as communicating and seeking feedback on our general approach to resolving the issue.

During October, along with RoS policy and product colleagues, I attended an evidence gathering session of the Delegated Powers and Law Reform Committee, Scottish Parliament. During this session, we provided information and answered questions from the Committee on the purpose, build and role of RoS in the Register of Assignations and Register of Statutory Pledges, which are the two new statutory registers that RoS will be responsible for providing under the Moveable Transactions (Scotland) Bill. A well-received demonstration of the current design was also provided to the Committee. We anticipate the Committee's stage one report in due course.

Plans are underway to host an event in Parliament next year (likely to be March 2023) to provide all MSPs with the opportunity to be updated on RoS work and have an opportunity to discuss any questions or concerns.

Finances

We published our annual accounts for 2021-22 in September. Audit Scotland, as our external auditors, provided an unqualified opinion on the accounts, and also in their annual audit report stated we operate in an open and transparent manner and our website provides easy access to key information. That report is [available here](#).

The annual report outlines the financial position for 2021-22. In contrast to 2020-21, our income (at £91.5 million) fully covered all our running costs (at £80.5 million), enabling us to contribute £11.1 million resource DEL to the Scottish Consolidated

Fund. In parallel, we drew down capital budget from the Scottish Government to cover the costs of developing the new registers on behalf of Ministers, and Annually Managed Expenditure (AME) budget to cover non-cash provisions.

Our current projections are that we will continue to be broadly self-financing in this financial year and future years, with income from fees matching the cost to serve customers. Housing market activity for the first half of this year has broadly run at our mid-point forecast, but we are monitoring closely the possibility of this slowing as the economy more generally slows.

We have just published our annual procurement report for 2021-22. Amongst other highlights it shows that we spent just over £30 million, of which 38% was with Small and Medium Sized enterprises, and £8,000 with supported businesses. Through the use of best value contractual arrangements, we were able to save £2 million on those procurements. We paid 94% of payments to our suppliers within 10 days.

Estate

You will be aware that the title to Meadowbank House (MBH) is in the name of Scottish Ministers. Prior to Covid, MBH was used just by Registers of Scotland. With the advent of hybrid working, we are now actively looking to share the building with other public bodies on a cost sharing basis to make sure we are making best use of our assets.

We are currently working with Consumer Scotland (who are on site already) and another SG Public Body to pilot sharing arrangements through a Memorandum of Terms of Understanding (MOTU) within MBH and with the Scottish Futures Trust and Revenue Scotland in St Vincent Plaza, RoS' Glasgow Office (rented). Several other public bodies are also indicating potential interest in sharing some space.

Other Matters

RoS has completed several activities this quarter relating to the accession of the new Monarch. Most importantly, ensuring that in-flight Great Seal of Scotland warrants have the necessary legal cover to continue their passage through the sealing process. This enabled the Commission confirming Dunfermline as a new city to be completed in advance of HM the King's visit to Dunfermline. The first piece of legislation in Scotland signed by HM the King has now received Royal Assent and the RoS part of this process has been successfully completed.

Please do not hesitate to contact me if you require anything further in relation to the information provided in this update, or if there are other aspects of RoS work that you would like to receive further updates on.

Yours sincerely



JENNIFER HENDERSON
Keeper of the Registers of Scotland