

UKFS COMPLIANCE PROCEDURE

This Briefing Note introduces the UK Forestry Standard (UKFS) Compliance Procedure which formalises our response to potential breaches of UKFS and what corrective actions or sanctions will be sought from owners or their agents. The UKFS Compliance Procedure is located on our website: <https://scotland.forestry.gov.uk/supporting/grants-and-regulations>

This procedure will apply to all FCS approvals and consents, namely Forest Plans¹, Felling Licences, Forestry Grant Scheme contracts, and EIA consented operations. It will also be applied to illegal felling and non-consented EIA operations. It will not replace existing procedures, but will be undertaken alongside them or where legal procedures do not exist. It should therefore be read by FCS Conservancy staff, forestry owners, managers, on-site operators and other practitioners who are required to work to the UKFS.

Background

The UKFS was first introduced in 1998. It is a comprehensive document that outlines an approach to national and international requirements (either legal or best practice) and guidelines on Sustainable Forest Management (SFM). The current version of the [UKFS](#) came out in 2017 as a 4th edition.

Introduction

The UKFS Compliance Procedure is about maintaining forestry standards and raising the profile of the UKFS across Scotland. This procedure outlines how FCS staff will be carrying out investigations into potential breaches of UKFS and taking a laddered approach to dealing with any breaches. If a landowner / forest manager is found to have breached UKFS then, depending on the seriousness of the breach, these incidents may be reported to the Institute of Chartered Foresters (ICF) and where appropriate, auditors of forest certification schemes.

Laddered Approach

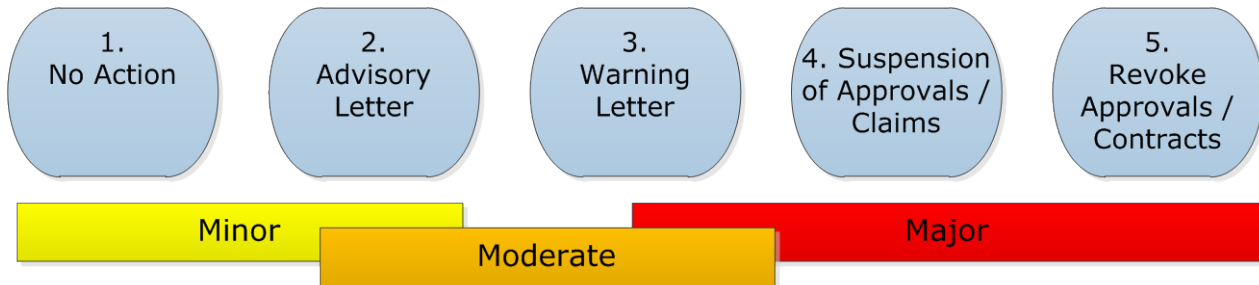
When investigating issues of non-compliance FCS will be taking a laddered approach which involves a range of interventions. The laddered approach involves responses that are proportionate to the nature of the breach. The aim of this approach is to help owners

¹ Long-term Forest Plans, Land Management Plans, Forest Design Plans, Management Plans

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and managers improve their understanding of SFM and how this reflects the UKFS structure.

The actions FCS will take are:



These will be in line with the seriousness of any offence.

Process of Investigation

Within the procedure, a flow chart sets out the process that Conservancies will follow when investigating an incident. Conservancies will gather information and prepare a report setting out their findings and recommended actions. A standardised inspection and incident report will be used for investigations.

During this process FCS staff may hold interviews with those who sanctioned the operations and the operators who carried out the work. This will be to establish the nature and extent of the breach and to gauge what mitigation has been put in place. FCS may also seek specialist advice with regards to any breaches.

Appeals

A landowner or forest manager can appeal to the Head of Delivery and Regions on FCS's decision of the severity of the breach or any corrective actions within 28 days of being notified of the findings. A panel comprising the Head of Delivery and Regions and two nominated ICF members will consider the appeal.

During the appeal, any action to suspend or revoke plan approvals will immediately be reviewed by the Head of Delivery and Regions and will normally be lifted, except in circumstances where there is a clear risk of further negative environmental impacts if approvals were to remain in place.

Please read the UKFS Compliance Procedure for further details and contact your local [FCS Conservancy Office](#) if you have any questions.