

## Scottish Woodlands Group Certification Scheme

### Membership Agreement

### IMS Index 7.05

#### About the Group Scheme

The objective of the Scottish Woodlands Group Certification Scheme is to allow its Members to demonstrate that their forests are being responsibly managed to both the Forest Stewardship Council® (FSC)® and the Programme for the Endorsement of Forest Certification™ (PEFC)™ scheme requirements and to access markets for certified timber. Both schemes endorse the United Kingdom Woodland Assurance Standard (UKWAS) to demonstrate responsible forest management in the UK.

Membership is open to any Scottish Woodlands client and to other woodland owners who express a desire to join and are willing to comply with the terms of this Membership Agreement. Scottish Woodlands encourages its clients to enter the Group Scheme, but membership is voluntary. The advantage of the Group Scheme is that the overall costs of achieving certification can be split amongst a wider ownership base. Further, by relying on the Scottish Woodlands management system the costs of meeting the standard can be further minimised.

Accordingly, the Member named below, and Scottish Woodlands have agreed to enter into this Membership Agreement to set out the terms upon which the Member will be granted membership of the Scottish Woodlands Group Certification Scheme.

#### Membership Details

1. This Membership Agreement is between:

(the "Member"),

and

Scottish Woodlands Limited, a company registered in Scotland (Company Number SC101787) and having its registered office at Research Park, Riccarton, Edinburgh, EH14 4AP ("Scottish Woodlands").

2. This Membership Agreement relates to the area(s) of woodland identified below and shown outlined in red on the plan attached at Appendix 1 to this Membership Agreement (hereinafter known as "the Property")

Forest Name:		
Location:		
Area: (ha)		
Type of Membership*	Full	Associate
*For information on membership types see section 2 of the Scottish Woodlands Group Certification Scheme Rules and Procedures.		

3. This Membership Agreement consists of this membership form together with the Scottish Woodlands Group Certification Scheme Rules and Procedures and Appendices attached hereto. The Rules and Procedures may be varied from time to time in order to meet changing certification scheme requirements.
4. By signing this Membership Agreement, the Member undertakes to conform with the terms of this Membership Agreement, the Scottish Woodlands Group Certification Rules and Procedures, the UK Woodland Assurance Standard (and any subsequent revised version) and commits to the requirements of both the FSC and PEFC Certification Schemes for a minimum period of 5 years from the date of certification of the Member's Property being granted by Scottish Woodlands and declares an intention to protect and maintain the woodland management unit and its ecological integrity in the long term. Furthermore, the member confirms that the forest management unit is not included in any other Forest Management Certificate.

5. Scottish Woodlands will act as the “Resource Manager.” In this role they will administer the Group Scheme and proactively develop markets for the certified timber originating from Members’ forests. The administration of the Group Scheme by the Resource Manager is governed by this Membership Agreement and the Scottish Woodlands Group Certification Rules and Procedures document.
6. Potential Members must satisfy the Resource Manager that their Property meets all the requirements necessary to become a Member of the Group Scheme.
7. An integral part of the Scottish Woodlands Group Scheme management system is that internal and external audits are carried out to monitor performance against the required standards. A significant noncompliance by one Member could cause the Group Scheme Certification to be withdrawn and it is essential that all Members meet consistently, the highest standards of forest management. Auditing of Members will be carried out in line with sections 5 and 6 of the Group Scheme Membership Rules and Procedures, which includes the authority to audit the members property.
8. This agreement gives the Scottish Woodlands the authority to immediately stop any work or activity on the Member’s property that does not comply with the requirements of UKWAS or Certification Scheme requirements until such time as the non-compliance is resolved. Failure to comply with such a notice will result in membership of the Group Scheme being suspended or withdrawn. See section 11.2 in the Group Scheme Membership Rules and Procedures.
9. The costs of certification are of two types – the initial assessment, followed by an ongoing administration, auditing and monitoring fee. Members will be charged a joining fee and an annual administration fee reflecting the individual input required by the “Resource Manager” to administer Members’ participation. These fees will be reviewed annually and notified to Members. Cost will be much lower than the alternative of individual forest certification.
10. Any dispute or arbitration will be referred for resolution under section 12 of the Group Scheme Membership Rules and Procedures.
11. Section 11 of the Scottish Woodlands Group Certification Scheme Rules and Procedures details the circumstances under which this agreement may be terminated. Upon leaving the Group Scheme the former Member will must not make any certification claim or use the FSC or PEFC logo for any purpose.
12. The Member confirms they will protect and maintain the integrity of the Property in the long term.
13. The Member confirms and warrants that they are the legal owner of the Property and hereby agrees to comply with the attached Scottish Woodlands Group Certification Scheme Membership Rules and Procedures.
14. This Membership Agreement shall be interpreted, and the rights and obligations of the parties determined according to Scottish Law.

Signed.....

Please print name:

Owner

Agent

(if an authorised agent please provide evidence of authority to sign on behalf of the owner)

Date:

Signed for and on behalf of Scottish Woodlands Ltd:

Date:

---

# Scottish Woodlands Group Certification Scheme

## Membership Rules and Procedures

### IMS Index 7.06

---

## 1 Scope

These Rules and Procedures have been developed to meet Scottish Woodlands' commitment to both the FSC® Principles and Criteria and the PEFC™ Principles and Objectives for responsible forest management. The UK Woodland Assurance Standard (UKWAS) has been adopted as the Certification Standard by both of the above schemes in the UK and has been employed as the working standard to guide forest management and evaluate performance against responsible forest management targets.

The aim of these Rules and Procedures is to establish a set of rules and mechanisms to implement and control the Group Scheme. This shall ensure that Members of the Group Scheme are adequately supported and that their woodlands undergo regular monitoring for compliance with UKWAS and all relevant legislation and regulations.

### 1.1 Group Scheme Size

The aim of Scottish Woodlands Group Scheme is to supply certification services in line with demand, from our clients. Consequently, the number of group scheme members or total area within the scheme is only limited by demand. The company undertakes to allocate the necessary management resources from within its Environment Team or pool of around 90 skilled forest managers. Where necessary the company can provide additional resources through the engagement of contract auditors. For the purposes of this document the current limit is 1,000 members or 500,000ha, whichever is reached first. All members are considered 'active.'

### 1.2 Management Resource

It is the responsibility of the Environment & Certification Manager to monitor the management capacity of the Group Scheme and to request from the Forestry Director the allocation of additional resources in line with membership levels at any given time. The management resource required is determined by demand, to competently administer the scheme, to successfully achieve the minimum auditing frequency set out in section 5.2 below and to ensure the robust assessment of new members.

Supporting auditors are selected from the company Environment Team or contracted in if required.

#### 1.2.1 Contingency

The Forestry Director will normally appoint the most experienced member of the Environment Team to act as the Environment and Certification Manager's deputy if required.

#### 1.2.2 Training

Training needs and competency of staff involved with auditing the Group Scheme will be assessed by the Environment & Certification Manager and at annual staff appraisals. The Environment & Certification Manager does most training through the mentoring of support staff.

The Environment & Certification Manager and their deputy will hold a Lead Auditor qualification and necessary training is provided by the company.

#### 1.2.3 Appointment of a Certification Body

The Certification Body is the external auditor appointed by Scottish Woodlands to audit the management of the Group Scheme and to issue the relevant certificates. The Certification Body will have been accredited by FSC and by PEFC for forestry certification worldwide.

The selection of the Certification Body will be renewed every five years on expiry of the Group Scheme certificate.

## 1.3 Variations

These Rules and Procedures may be changed at any time for them to remain compliant with certification scheme requirements.

## **1.4 Definitions of Terms Used in these Rules and Procedures.**

### **1.4.1 “The Group Scheme”**

Means the Scottish Woodlands Group Certification Scheme

### **1.4.2 “Scottish Woodlands”**

Means Scottish Woodlands Limited, a company registered in Scotland (Company Number SC101787) and having its registered office at Research Park, Riccarton, Edinburgh, EH14 4AP.

### **1.4.3 “Resource Manager”**

Scottish Woodlands will act as the Resource Manager. In this role they will administer the Group Scheme. This function is primarily delivered by the Environment & Certification Manager on behalf of the Board of Directors as defined in the Environment & Certification Manager 's job description. The Environment & Certification Manager reports directly to the Forestry Director. The Environment & Certification Manager is supported by and may delegate tasks to other suitably trained members of the Scottish Woodlands Environment Team or qualified sub-contractors, such tasks as may be deemed appropriate to ensure the delivery of the Resource Manager role.

### **1.4.4 “The Forest Manager”**

Means the individual named as being responsible for the management of the forest resource as per the Group Scheme Membership list maintained by the Environment & Certification Manager.

For a Full Member of the Group Scheme, this is the manager named in the Group Scheme Membership List and with direct line management responsibility for the Property.

For Associate Members, the Forest Manager may be the Associate Member themselves or such other person designated by the Associate Member to act on their behalf in matters relating to membership of the Group Scheme.

### **1.4.5 “The Property”**

Means the area(s) of woodland identified in the Membership Agreement.

UKWAS defines a Forest Management Unit as “... the area to which the management planning documentation relates. A Forest Management Unit is a clearly defined woodland area, or areas, with mapped boundaries, managed to a set of explicit long-term objectives.” The term Property is synonymous with the UKWAS definition of the Forest Management Unit.

Group Scheme Membership and certification shall extend only to forestry areas. All woodlands within an individual Property shall be covered by the certificate and the ownership cannot be artificially divided to avoid certification requirements. On estates, small areas of scattered open trees within an adjacent deer forest, in a garden or round field edges may be excluded from the certificate where these form part of larger areas managed for sporting, agriculture or amenity. Any new planting carried out on the Property or new areas purchased from neighbours shall be included in the Property at the commencement of establishment activity or on the date of purchase.

### **1.4.6 “Ownership”**

Ownership of a Property must be held by a legal entity or entities. For example, a limited company, partnership, trust, individual or individuals. Where there is more than one owner then either all owners must sign the Membership Agreement, or one owner must have the authority to sign on behalf of all others. Similarly, individuals signing the Membership Agreement on behalf of a company or trust must have and exhibit authority to do so.

It is a requirement of UKWAS that Members can demonstrate legal title to their property and for the legal identity of the ownership to be clearly identifiable.

### **1.4.7 “Membership”**

An individual Membership relates to an individual Property. However, a membership may consist of a number of closely aligned ownerships (e.g., Family estates) or a portfolio of woodlands in the same ownership. where the woodlands are managed as a single management unit under a single forest plan in a defined geographic area.

### **1.4.8 “UKWAS”**

The requirements for certification are not Scottish Woodlands requirements but are contained in the current edition of UKWAS. Members confirm that they will comply with the whole standards and requirements of UKWAS, and this is not negotiable. There may be additional requirements specific to the individual certification schemes which members are obliged to follow.

## 2 Membership

Membership of the Group Scheme is ultimately at the discretion of the Board of Directors of Scottish Woodlands. Membership of the Group Scheme is voluntary and open to any Scottish Woodlands' client. There are two classes of Membership.

### 2.1 Full Membership

Full Membership of the Group Scheme is open to clients of Scottish Woodlands where Scottish Woodlands has full operational and management control.

This would be appropriate in the following circumstances:

1. If Scottish Woodlands have a signed management contract and/or carry out all the woodland management work on the property.
2. If Scottish Woodlands are the woodland managers in respect of the property, but other companies or contractors carry out some works, then as long as Scottish Woodlands have a full management and supervisory role of the work and the work is done to appropriate standards, the property can be a Full Member.
3. If there are estate staff, then they can carry out limited work in the woods so long as they meet all the relevant health and safety requirements (to a parallel standard to Scottish Woodlands Contractors) and the work is carried out to a programme agreed with Scottish Woodlands as Forest Managers, then Full Membership can be offered. This most often applies to stalking staff but could also include fencing or firewood work done by estate staff.

Agreed programmes can take several forms including, for example:

- Agreeing cull targets and receiving the actual cull figures,
- Estate staff repair a section of fence identified by Scottish Woodlands as in need of repair,
- A programme of work agreed at quarterly or monthly management meetings.

Other managers or contractors cannot be engaged by the owner or manager of the property without the prior knowledge and approval of the Scottish Woodlands Forest Manager or engaged out with Scottish Woodlands management control. Estate staff may not carry out work within the certified area which could affect the certification status of the property unless the Scottish Woodlands Forest Manager has knowledge of the operations and has assessed any potential impacts and granted their approval.

The Membership Fee does not cover the costs of any supervisory role required by Scottish Woodlands to maintain certification. Where applicable, the Scottish Woodlands Forest Manager will charge an appropriate fee to cover any required supervisory costs.

### 2.2 Associate Membership

Associate Membership of the Group Scheme may be open to clients of Scottish Woodlands who wish to retain some or all control of their forest management activities in respect of the Property.

Associate Membership of the Group Scheme is not available as a stand-alone service but may be available in conjunction with other services provided by Scottish Woodlands where there is a long-term business relationship between Scottish Woodlands and the prospective Associate Member. Associate Membership is not available to facilitate a one-off job.

This would be appropriate in the following, example circumstances:

1. Where there is a resident forest manager and/or forestry employees, but Scottish Woodlands carry out all major operations such as felling and restocking.
2. Where the prospective Associate Member carries out the forest management function, but Scottish Woodlands are regularly engaged as the main Forestry Contractor; and
3. Where a third-party acts as Estate Factor or Manager for the prospective Associate Member but does not have expertise in forestry and engages Scottish Woodlands to fulfil that requirement.

Associate Membership will only be granted after consultation with the Certification and Environment Manager and if necessary, the Forestry Director and is entirely at the sole discretion of Scottish Woodlands.

### **3 Membership Fees**

#### **3.1 Full Members**

For Full Membership, the joining fee and current annual membership fees are fixed by area and current rates are available from the Environment & Certification Manager. Membership Fees are reviewed annually. In the case of Full Members, the Scottish Woodlands Forest Manager is responsible for notifying the prospective Member of the costs of certification. Membership fees for Properties which join during the year shall be charged pro-rata to the nearest whole month.

Full Membership fees cover the period 1<sup>st</sup> April to 31<sup>st</sup> March.

#### **3.2 Associate Membership Fees**

Associate Membership joining, and annual fees are set by the Environment & Certification Manager and reflect the costs of establishing and maintaining certification for a given prospective Member. The level of membership fees payable by Associate Members will depend on several factors including the size and complexity of the property. The Environment & Certification Manager will send the applicant a note of the proposed Membership Fees based in individual circumstances.

Associate Membership fees are charged for the period 1<sup>st</sup> November to 31<sup>st</sup> October.

### **4 Joining the Group Scheme**

#### **4.1 Written Contract (Scottish Woodlands Group Scheme Membership Agreement)**

All Members of the Group Scheme must enter into a Membership Agreement with Scottish Woodlands as the Resource Manager (IMS Index 7.05 - Scottish Woodlands Group Scheme Membership Agreement) and comply with the terms of the Membership Agreement which, for the avoidance of doubt, obliges the Member to comply with both FSC and / or PEFC Principles of Management and these Rules and Procedures. The Membership Agreement will be valid for a minimum of 5 years. The extent of the Property set out in the membership Agreement should correspond directly with the Forest Plan and associated maps viewed and assessed at the Pre-assessment.

#### **4.2 Pre-assessment**

The Property of all applicants for Membership of the Group Scheme will undergo a Pre-assessment to determine if current management practices meet the requirements of UKWAS prior to Membership being awarded. The Scottish Woodlands Environment & Certification Manager or a member of the Environment Team shall assess whether the operational practices and documentation comply with the requirements of responsible forest management.

The Pre-assessment may raise non-conformities against the standard, which will be rated as either Major or Minor (see below). Observations where there is a weakness in management systems and Opportunities for Improved Compliance are raised as appropriate. Following the pre-assessment, the prospective Member or Forest Manager shall be notified of any corrective actions or observations raised at the pre-assessment. These may include:

- Major Corrective Actions require closure prior to admission.
- Minor Corrective Actions requiring closure within the first 12 months of certification.
- Observations requiring closure within the first 12 months of certification.

Scottish Woodlands can, if instructed, provide necessary expert advice to Associate Membership applicants on meeting certification requirements and a fee will be charged for such work.

The scope of the assessment covers all applicable requirements of UKWAS but will be appropriate to the forest type(s) on the Property, the size of the woodlands and the effectiveness of management control.

##### **4.2.1 Full Members Pre-assessment**

Scottish Woodlands has its own procedures developed under ISO 9002, ISO 14001, and OHSAS 18001 so, applicants for Full Membership may only require a more limited pre-assessment

##### **4.2.2 Associate Members Pre-assessment**

Applicants for Associate Membership will be required to provide documented evidence of management plans, including long term objectives, a 5-year operational plan and yearly implementation records. They will also be required to demonstrate that all operations at the Property meet with UKWAS requirements and current industry best practice, particularly in terms of health and safety and environmental standards.

### **4.3 Consultation**

Before a Property can be accepted as a member the Environment & Certification Manager must be satisfied that the consultation requirements laid out in UKWAS have been met. Applicant properties advertised on the appropriate section of Scottish Woodlands public website for a period of not less than 30 days in line with UKWAS requirements will normally meet this requirement. The appropriate 30-day consultation may be achieved at the scoping stage of developing the Forest Plan, providing all requirements of UKWAS are met at that time.

This does not negate the requirement for the Forest Manager to proactively consult with neighbours, community interests and other stakeholders during the planning process or forest operations.

Consultation is also required during subsequent forest plan renewals and at other times as appropriate.

### **4.4 Admission**

Following the pre-assessment, consultation and the closure of any Major Corrective Actions raised at the preassessment, the Property may be admitted to the Group Scheme, subject to the owner of the property signing a Membership Agreement.

On admission, the Environment & Certification Manager will issue a Membership Confirmation and membership number for the Property, or group of Properties, being admitted to the Group Scheme. The Environment & Certification Manager shall inform, in writing, the Forest Manager that the Property has entered the Group Scheme, and of the assigned membership number. The note will inform the Forest Manager of the correct usage of the relevant certificate number and of any outstanding Corrective Actions or Observations (see [5.3 Corrective Actions](#)).

Outstanding Corrective Actions and Observations will be raised by the Environment & Certification Manager on the CAPACITY system with the Forest Manager responsible for ensuring closure within the allotted time.

### **4.5 Renewal of Membership**

The Environment & Certification Manager shall monitor the expiry dates of Group Scheme Memberships to ensure they remain current. Existing Members will be invited to renew their Membership every five years.

## **5 Internal Audits**

Formal internal audits are undertaken on a regular basis to ensure that forest management performance remains high and continues to comply with the requirements of the UKWAS. Other informal inspections may take place for time to time. Scottish Woodlands has the authority to immediately stop any work or activity that does not comply with the requirements of the scheme until such time as the non-compliance is resolved. Failure to comply with such a notice to stop will result in membership of the Group Scheme being suspended or withdrawn. (See 11.2)

### **5.1 Authority to Audit**

Scottish Woodlands has the authority to carry out regular internal audits of management practices of Members against UKWAS. This includes the right to access the member's property and associated documentation.

### **5.2 Internal Surveillance Audits**

#### **5.2.1 Full Members**

For Properties managed by Scottish Woodlands and which are also Full Members of the Group Scheme, the aim of internal auditing is to audit all Properties at least once in every membership 5-year cycle. However, properties where Major Corrective Actions are identified through internal and / or external audits may be re-visited more often to ensure Corrective Actions are adequately addressed and performance improves.

#### **5.2.2 Associate Members**

For Associate Members, internal audits will be carried out at least three times in every 5-year cycle and will inspect office procedures followed by field operations. Associate Members will be subject to a re-certification audit every 5<sup>th</sup> year. The re-certification audit is required to ensure that the management arrangements remain sufficiently robust to be able to maintain the required standards and will cover all requirements in UKWAS. Properties where Major Corrective Actions are identified through internal and / or external audits may be re-visited more often to ensure Corrective Actions are adequately addressed and performance improves.

### **5.3 Corrective Actions**

Non-compliance against UKWAS requirements is recorded as either a Minor Corrective Action or a Major Corrective Action.

### **5.3.1 Major Corrective Actions**

A Major Corrective Action refers to infringements that have a serious risk and can impede achieving the goal of sustainable forest management. Normally a Major Corrective Action must be addressed (i.e., information supplied to and agreed with the Certification and Environment Manager on how closure is proposed) within 30 days of the audit or the Member may face suspension or expulsion from the Group Scheme. Closure is required within 90 days unless an extension is agreed with the Environment & Certification Manager. Failure to close a Major Corrective Action within the agreed time will lead to the suspension or expulsion of the Property from the Group Scheme. Exceptionally, a major corrective action may lead to the immediate suspension or withdrawal of a certificate if the non-conformance is of a serious nature. (See also section 11.2.1)

### **5.3.2 Minor Corrective Actions**

A Minor Corrective Action refers to infringements that have a low risk and do not impede sustainable forest management. Minor Corrective Actions must be addressed within 6 months, or other such time as agreed with the Environment & Certification Manager. Minor Corrective Actions not closed within 12 months may be raised to Major Corrective Actions by Scottish Woodlands.

### **5.3.3 Observations**

In addition, the audit report may raise Observations. Observations are not in themselves Corrective Actions but highlight weaknesses in management and provide suggestions for improved compliance. They may also highlight good management practices. Normally Observations highlighting a weakness in management should be addressed within 12 months of the audit and may be escalated to a Minor Corrective Action after that period, if not adequately addressed.

## **5.4 Internal audit findings**

Internal audit findings are reported to the Property owner/manager by the Environment & Certification Manager, (on the Internal Audit Form). This provides feedback from the audit process to enable the development and closure of Corrective Actions.

## **5.5 Recording and Closing Corrective Actions**

Internal audit findings for Members are recorded and stored in Scottish Woodlands' Capacity System Database. These records enable performance trends to be identified and form the basis for defining the scope of future internal audits.

## **6 External Audits**

### **6.1 Authority to Audit**

Scottish Woodlands along with the Certification Body and representatives from FSC and PEFC, or their appointees have the authority to carry out audits of management practices of Members against UKWAS and their own standards. These audits could occur at any time by reasonable notice and arrangement and include the right to access the member's property and associated documentation.

### **6.2 Surveillance Audits**

The Certification Body will undertake surveillance visits of a sample of certified properties within the Group Scheme every 12 months to ensure that the Resource Manager and the performance of Members continues to meet the requirements of the UKWAS.

### **6.3 Renewal Audits**

The Certification Body carries out a full assessment of the Group Scheme every 5 years before re-issuing the Group Scheme Master Certificate. This is a much more in-depth assessment which will draw from a larger sample of certified properties within the Group Scheme.

### **6.4 Disputes**

Any dispute between the Member and the Certification Body will be referred to the set of procedures used the Certification Body as required by FSC and PEFC rules and ISO norms.

### **6.5 Audit Results**

The Environment and Certification Manager analyses the results of external and internal audits on an annual basis and produces an audit review document highlighting areas where weakness has been identified. This may be supported by subsequent training in the form of Toolbox Talks, Webinars etc and by mentoring during internal audits.

## **7 Chain of Custody**

Internal audits shall also verify the Chain of Custody to ensure that timber products delivered to processing sites can be traced back to the forest of origin. Details of Scottish Woodlands' Chain of Custody procedure to be followed by Scottish Woodlands Harvesting Managers are contained in IMS Index 7.08 "Chain of Custody."

### **7.1 Informing Others**

The Environment & Certification Manager shall inform, in writing, the Forest Manager that the Property has entered the Group Scheme and shall assign an internal membership number. The note will inform the Forest Manager on the correct usage of the relevant certificate number.

The Forest Manager shall inform the Scottish Woodlands Harvesting Manager or the purchaser of the timber (if sold standing) of the certification status of the Property so that they may check this on the Certification Schemes databases.

### **7.2 Informing Sawmills, Timber Merchants, and Processors**

The Scottish Woodlands Harvesting Manager or the Forest Manager responsible for an Associate Member, shall inform sawmills, timber merchants and processors, prior to each sale of the certification status of the Property concerned.

### **7.3 Identification on Timber Advice Notes**

Timber products originating from Group Scheme Members shall be delivered using a Timber Advice Note (TAN). For Scottish Woodlands managed sales this advice note is part of Scottish Woodlands' existing mechanism for tracing timber loads from the forests to the factory gate, see IMS Index 7.08 "Chain of Custody." Associate Members should seek the advice of the Environment & Certification Manager on the design of Timber Advice Notes.

### **7.4 Invoices**

Invoices for timber or other non-timber woodland products shall include the relevant claim(s) and certificate code(s). These are embedded in Scottish Woodlands invoicing software, see IMS Index 7.08 "Chain of Custody." Associate Members should seek the advice of the Environment & Certification Manager on the design of invoices.

### **7.5 Outsourcing**

Where a Member engages a contractor to harvest timber on their behalf the Member must first put in place an Outsourcing Agreement with the contractor. Associate Members should seek the advice of the Environment & Certification Manager on outsourcing.

## **8 Monitoring**

### **8.1 Annual Monitoring Forms**

Annual monitoring summary forms shall be completed by the Forest Manager responsible for each Member's woodlands. These shall be collated and analysed by the Environment & Certification Manager. Failure to return the Annual Monitoring Form by the due date will result in a Corrective Action being raised.

### **8.2 Annual Returns**

The Environment & Certification Manager shall prepare the following information on an annual basis for Full Members.

#### **8.2.1 Pesticide and Herbicide Usage**

For Full Members, Forest Managers are responsible for ensuring that all pesticide and herbicide usage is recorded correctly on Pesticide Application forms and that these are entered into the CAPACITY system. Associate Members are required to return this information on the annual monitoring form. Pesticide and Herbicide usage by quantity used shall be recorded by Member, active ingredient and product name and collated annually by the Environment & Certification Manager.

#### **8.2.2 Fertiliser Use**

For Full Members, Forest Managers are responsible for ensuring that all fertiliser usage is recorded correctly on Fertiliser Application forms and that these are entered into the CAPACITY system. Associate Members are required to return this information on the annual monitoring form. Fertiliser usage by quantity used shall be recorded by Member, active ingredient and product name and collated annually by the Environment & Certification Manager.

### **8.2.3 Timber Harvesting**

The Environment & Certification Manager shall provide an annual summary of all timber sold by Full Members. This information will be drawn from Navision and from returns from standing sales. Associate Members are required to return this information on the annual monitoring form.

### **8.3 Membership List**

The Environment & Certification Manager shall maintain a list of current Members and this shall be publicly available through the Scottish Woodlands website. The external auditor shall receive an up-to-date Membership list from the Environment & Certification Manager monthly unless there are no membership changes.

## **9 Publicly Available Information**

The names and locations of member forest are published on both the FSC and PEFC websites. The Scottish Woodlands website also contains a list of current member forests and the name and contact details of the forest manager.

Public summaries of evaluation reports produced by the certification body are also published and included on the relevant certification scheme websites. Members may request copies of the full evaluation report if desired.

## **10 Amendments to Memberships**

### **10.1 Changes to Certified Areas**

The Member is required to inform the Environment & Certification Manager of any changes to the property as a result of the purchase or sale of parts of the Property or any neighbouring land or following the planting of new areas of woodland within the Property.

Where additional areas are purchased, it may be necessary, depending on the scale and complexity of the purchased area, for the new area and supporting management documentation to be subject to an additional audit. Such audits may be chargeable by Scottish Woodlands. Individual cases will be assessed on their own merits by the Environment & Certification Manager.

All changes to the nature or extent of any Property must be notified to Scottish Woodlands within 30 days of the change.

### **10.2 Excision**

Occasionally, areas of a certified woodland may be excised to allow for infrastructure developments such as new powerlines, windfarms etc. The excision of areas from certification must be done in line with the requirements of the two certification schemes. Where an infrastructure development is to take place on a member property then the Forest Manager must inform the Environment and Certification Manager as soon as possible in the planning process and before any woodland removal takes place. Failure to follow excision procedures correctly could jeopardise the continued certification of the remaining wooded area.

### **10.3 Changes to Ownership**

Membership of the Group Scheme shall cease automatically on any change in ownership of the property. New owners will have to apply for Membership of the Group Scheme and any audit or re-audit shall depend on the new circumstances.

Where the property is already certified as a Full Member of the Group Scheme and the incoming owner of the property is eligible for Full Membership of the Group Scheme in terms of paragraph 2.1 of these Rules and Procedures and wishes to adopt the current Forest Management Plan then the new owner need only sign a new copy of IMS Index 7.05 - Scottish Woodlands Group Scheme Membership Agreement in respect of the relevant property in order to attain Membership.

New membership documentation will be then issued by the Environment & Certification Manager in respect of the new prospective Member.

The new prospective Member (or their manager) wishing to adopt this route to membership must do so in consultation with the Environment & Certification Manager during the purchase or transfer of the property.

## **11 Leaving the Group Scheme**

### **11.1 Early Termination**

On signing the Membership Agreement, the Member commits to remaining a member in respect of the property for a full five years from the date that the property is certified. A member may only withdraw a property (or part of a property) from the Group Scheme prior to the end of the 5-year term on the sale or transfer of their interest in the property (or part thereof) to a third party.

The Certification Body has the authority to continue auditing performance to check continuing compliance for 5 years from the date of joining the Group Scheme even if a member has left the scheme.

### **11.2 Suspension or Expulsion of a Member/Property from the Group Scheme**

#### **11.2.1 Significant Major Non-Compliance with the Spirit of UKWAS, FSC Principals and Criteria or PEFC Principals and Objectives**

A single incident resulting in a significant major non-compliance with the spirit of the Certification Standard (UKWAS) or FSC Principles and Criteria or PEFC Principles and Objectives *may* be sufficient to result in the suspension or withdrawal of a Member's membership of the Group Scheme in respect of all its Properties. Examples include (this list is non-exhaustive):

- Inadequate Health and Safety.
- Evidence of Wildlife Crime.
- Use of illegal pesticides, unapproved products, or wilful misuse of approved pesticides'
- Illegal Felling (especially of Ancient Semi Natural Woodlands).
- Significant pollution.
- Actions to cause significant loss of designated environment or habitat.
- Any other act of wilful law breaking.

Although activities carried out by an owner outside the certified woodland area are not covered by certification, for example, open hill stalking, agricultural activity, or work around the estate house etc., if there is any evidence that these activities are clearly contrary to the spirit of UKWAS or are having a significant impact on the certified woodland area, then Scottish Woodlands may withdraw certification in respect of the Property and the corresponding membership of the Group Scheme.

Individual incidents will be assessed on their own merits and a Member's continued membership of the Group Scheme is ultimately at the discretion of the **Board of Directors** of Scottish Woodlands.

#### **11.2.2 Continual Non-Compliance or Failure to Close Corrective Actions**

If internal audits reveal persistent non-compliance against UKWAS by any Member, or if Corrective Actions are not implemented in the required time frame, then the Environment & Certification Manager will review that Member's continued membership of the Group Scheme which may result in a Member's suspension or expulsion from the Group Scheme in respect of some or all of its Properties. Such information shall be communicated to the Member in writing along with appropriate evidence, referencing UKWAS requirements.

#### **11.2.3 Non-payment of Membership Fees or Other Sums Due to Scottish Woodlands**

Non-payment of membership fees within 30 days from the date of issue or the non-payment of other sums due to Scottish Woodlands within the required timescale may also lead to suspension or expulsion from the Group Scheme. Such information shall be communicated to the Member in writing with appropriate evidence, referencing UKWAS requirements.

#### **11.2.4 Changes to Management**

Full Members who no longer wish to use Scottish Woodlands Management Services or who significantly alter the terms of Scottish Woodlands' engagement under which they were admitted to the Group Scheme may have their membership of the Group Scheme withdrawn. Such Full Members may be offered Associate Membership of the Group Scheme subject to a re-certification audit and at the discretion of the Board of Directors of Scottish Woodlands. Such information shall be communicated to the Member in writing with appropriate evidence.

Associate Members who make significant changes to their management arrangements will also be subject to a recertification audit to assess whether their membership may continue.

The re-certification audit will be based on the pre-assessment format and will be charged at Scottish Woodlands' prevailing rate. The re-certification audit is required to ensure that the new management arrangements are sufficiently robust to be able to maintain the required standards.

### **11.3 Notice of Termination**

Upon leaving the Group Scheme (either within or at the end of their 5-year minimum membership period), the Environment & Certification Manager will write to the former Member's manager to inform them of the termination of their membership and to inform them that they will cease to be able to use the Scottish Woodlands FSC or PEFC certificate number or certification scheme logo for any purpose thereafter.

## **12 Dispute Resolution**

### **12.1 Internal Disputes**

In the event of a dispute between the Environment & Certification Manager and a Scottish Woodlands Forest Manager over the legitimacy of a Corrective Action, the suspension or revocation of a certificate then the matter shall be referred to the Forestry Director, and as necessary to the Board of Directors for final arbitration.

### **12.2 Disputes with Members**

Any Full Member or Associate Member may, in similar circumstances, refer matters which cannot be resolved with the Environment & Certification Manager to the Forestry Director. The Forestry Director may seek guidance on certification matters from the Certification Body before providing arbitration. Membership of the Group Scheme remains ultimately at the discretion of the Board of Directors of Scottish Woodlands.

### **12.3 Complaints**

Complaints from external stakeholders which cannot be resolved amicably by the Member or their Forest Manager should be passed to the Environment and Certification Manager. The Environment and Certification Manager will attempt to resolve the issue but if this is not possible the issue will be raised with the Certification Body.

## **13 Logo and Trademark Use**

No logo or trademark use is permitted without the authorisation of the Environment and Certification Manager. Any Member wishing to use either the FSC or the PEFC logo or trademarks for e.g., marketing purposes, signage /interpretation boards, etc. must contact the Environment & Certification Manager for advice on proper logo use.

The Environment and Certification Manager must submit any proposed trademark use to the Certification Body for prior approval.

## **14 Membership Support**

### **14.1 Members' Area**

Scottish Woodlands maintains a Members' Area on the Scottish Woodlands website ([www.scottishwoodlands.co.uk](http://www.scottishwoodlands.co.uk)). The member's area contains information to assist members with compliance and members are encouraged to use this resource to assist with their management.

The Members' Area also contains important information on

- Pesticide use.
- Employee competency and insurance
- Shooting competency and insurance
- International Labour Organisation requirements

Access to the area is password protected. The password can be obtained from the Environment and Certification Manager.

### **14.2 Toolbox Talks and Safety Bulletins**

Scottish Woodlands publish toolbox talks and safety bulletins on the FISA website as part of an industry wide sharing of safety information and best practice. The FISA website also contains industry standard guidance on health and safety matters. Members are encouraged to visit the FISA website to help maintain a high standard of health and safety.