



Confor
Promoting forestry and wood

Guidelines for Respectful and Constructive Engagement in Forestry Management

Scotland



Introduction

These guidelines have been developed by Confor with input from representatives from the following organisations: Institute of Chartered Foresters, Scottish Forestry, Forestry and Land Scotland, the Scottish Land Commission, Scottish Woodlands and Tilhill Forestry. They form part of a wider suite of materials developed by Confor to promote good practice in stakeholder engagement by the forestry sector. Individual companies operating across the sector are encouraged to adopt this document; while ensuring it is consistent with their own company aims, objectives and practices.

These guidelines draw on materials from the Scottish Government, Scottish Forestry, the Scottish Public Services Ombudsman, Scotland's Ethical Standards Commissioner and the Scottish Land Commission. By doing so, they acknowledge the importance of maintaining consistency between the public and private sectors in so far as possible, so that stakeholders, including communities, receive clear and unambiguous advice.

Who are these guidelines for?

These guidelines are specifically for use by the forestry sector. They will be a useful resource for everyone who is involved in forest management including: forest owners, forest managers and workers, forestry contractors, all stakeholders in forestry including communities, neighbours including farmers and crofters, special interest groups, regulators with an interest in forestry operations, statutory consultees and elected representatives.

The Forestry Sector's Commitment to Good Engagement

In all aspects of forest management good engagement can add value to the design and delivery of forestry projects through stimulating new or better ideas and the early identification of issues that will need to be mitigated. Good engagement can lead to productive long-term relationships and collaborative working. Those involved in planning, managing and delivering forestry operations have to take into consideration a wide range of views and find an appropriate balance between everyone's needs and good engagement supports this process.

The forestry sector has demonstrated a commitment to good engagement through the development of good practice (see Confor's [Engagement with Local People and Communities Good Practice Guide](#)) and through rolling out specific training on stakeholder engagement for those working in the sector. These guidelines both complement and should be read in conjunction with existing guidance / good practice on engagement.

These guidelines have been developed to aid the forestry sector where there is a requirement for them to undertake stakeholder engagement in relation to forestry management. It should also support delivery of the good practice guidance by providing greater clarity for forest managers on what stakeholders, including communities, can expect from the sector and how the process of engagement can be undertaken in a respectful and constructive manner by all parties. They also set out what to do when things go wrong.

Context

Forestry is a significant land use in Scotland and one which has seen increased activity over the last three decades. It is expected that the level of activity (woodland creation, timber harvesting and restocking) and associated land use change will continue to grow due to both the management of existing forests for timber and the implementation of government policy to increase woodland cover.

The main driver for this is forestry's ability to contribute to the mitigation of a range of climate change related impacts through increasing carbon storage, timber substitution for concrete and steel in buildings and through appropriate tree planting reducing the potential for flooding, amongst other things. This type of land use change is not always welcomed and can on occasion be contentious; this needs to be acknowledged.

Forestry, and specifically land use change through woodland creation, is highly regulated. The Scottish Government's agency Scottish Forestry is responsible for regulating the sector and granting appropriate permissions.

All permissions issued for forestry management activity require those forests and woodlands to be managed under the UK Forestry Standard (UKFS). UKFS requires the balancing of complex impacts and benefits of forestry operations to the economy, environment and society – rarely are there single issues to consider.

All forest owners and managers whether part of the private sector (including estate owners, farmers and crofters), the public sector (Forestry and Land Scotland) or the third sector (community woodlands and environmental NGOs such as the Woodland Trust or RSPB), must secure all appropriate permissions/approvals before regulated forestry activities are carried out.

The UK Forestry Standard stipulates as a **good practice requirement** that people with a recognisable interest in a forestry proposal or its outcomes should be given the opportunity to be involved in its development. This means that the process of securing permissions/approvals requires stakeholders with a recognisable interest in the operation to be engaged with at an appropriate point. Furthermore, forestry sector good practice encourages engagement during the implementation of specific forest operations, such as timber transport.

These requirements mirror those set out in the Scottish Government's Guidance on Engaging Communities in Decisions Relating to Land, and the Land Rights and

Responsibilities Statement and relevant protocols developed by the Scottish Land Commission.

Forestry management specific requirements for engagement are set out in Scottish Forestry's guide: [Forestry Engagement and Consultation Processes](#). This highlights that the applicant is responsible for engaging with stakeholders, including communities, during the preparation of any proposal or application.

In certain circumstances, for example for larger or more sensitive cases (either with or without an Environmental Impact Assessment (EIA)), Scottish Forestry may consult directly with relevant stakeholders, in addition to any engagement undertaken by the applicant.

Once the application has been submitted to Scottish Forestry it will be subject to a **formal consultation** when it is placed on a [Public Register](#). All stakeholders should be informed by the applicants when the formal consultation starts and there is a four-week period during which further comments on the site-specific design, if any, can be made.

Many forests and woodlands are certified under the UK Woodlands Assurance Standard (UKWAS). This Standard provides independent verification that the forests are being managed sustainably, and enables products to be marketed as FSC or PEFC certified. UKWAS requires that further engagement be carried out in advance of certification.

Stakeholders can be invited to comment on a range of forestry management activities including:

- New woodland creation proposals
- Long Term Forest Plan (LTFP) approvals and amendments
- Felling Permissions
- Harvesting operations and timber transport
- Certification of forests and woodlands under UKWAS

It is not expected that every stakeholder will have an interest in every proposal or every aspect of a proposal; rather it would be more common that they would engage and provide feedback on elements of the proposals that are of direct relevance to their own interests and expertise.

Stakeholder engagement is also undertaken on wider issues regarding the

development of policy and guidance relating to the scale and balance of land use change, but these consultations are dealt with in a different way. This activity is led by Scottish Government or Local Authorities and managed through development of National Strategies such as the National Planning Framework or National Land Use Strategy, Regional Strategies such as the South of Scotland's Regional Land Use Framework or Local Plans such as Local Authority Forest and Woodland Strategies.

Scottish Forestry, forest owners and managers draw on the policy and guidance set out in these broader strategies and plans when regulating and preparing individual forestry proposals.

Increasingly forest owners and managers are expected to consider how forestry, particularly new woodland creation, contributes to the local rural economy and delivers community benefits. While not a formal part of the required engagement process forest owners and managers may wish to consider broader engagement on how to deliver community benefits as laid out in the Scottish Land Commission's [Route Map for Delivering Community Benefits from Natural Capital Investment](#).

What stakeholders can expect from the forestry businesses who have adopted these guidelines

Stakeholders can expect good engagement, which should:

- 1 Be transparent** and provide appropriate contact details for the forestry manager responsible and links to relevant information. Note: This could be organisational contact details. (Refer: [SLC: Transparency Protocol](#))
- 2 Take all reasonable endeavours to identify all stakeholders with a recognisable interest** and their specific areas of interest/expertise.
- 3 Take place as early as practicably possible** in the process to enable stakeholder views to be taken on board effectively.
- 4 Be proportionate** and reflect the nature of the activity based on the type of forest management activity, the location, scale and sensitivity of the proposal. (Refer: [Page 10: SLC: Engaging Communities Guidance](#))
- 5 Provide reasonable time for feedback**, taking things like holiday periods into account.
- 6 Provide all appropriate information and be honest** about the proposal. Present information in a way that can be easily understood and be clear about what is being asked of stakeholders.
- 7 Be clear and specific about what is being asked of stakeholders** and why.
- 8 Provide feedback** on what action, if any, has been taken to address issues raised or explain why changes have not been made.
- 9 Record stakeholder comments** in a clear and unambiguous way.
- 10 Communicate in a way that promotes a culture of respect and inclusivity**, with active listening and empathy for the positions of others. Communication should be ongoing.

What is expected from stakeholders

The forestry sector should expect stakeholders to:

- 1 **Share contact details for their organisation or a community** in a way that is accessible to those who will be undertaking engagement on forestry projects.
- 2 **Take reasonable steps to understand the engagement processes** for approving forest management planning and operational activities and how best to provide input; recognising resource and time constraints of stakeholders.
- 3 **Acknowledge receipt of engagement requests** and indicate whether they can meet the timescales or if not request **reasonable adjustments**, explaining why these may be necessary (i.e. weeks not months to fit with scheduled meeting dates).
- 4 **Request any additional information**, including clarification of language, **as soon as possible** so as not to incur unreasonable delays. Requests for additional information should be limited to that necessary to inform feedback related to the stakeholder's area of expertise.
- 5 Give **responses that provide site specific information** / highlight relevant issues and/or potential mitigation measures and are based on the stakeholder's expertise.
- 6 Ensure that if representing an organisation or a community, **the views expressed are the agreed views of that organisation or a community** (or its members), and not their own views or those of a small subset of members. Where there is a significant minority dissenting voice this should be disclosed.
- 7 **Communicate in a way that promotes a culture of respect and inclusivity**, with active listening and empathy for the positions of others. Communication should be ongoing.

What behaviours are unacceptable in engagement and how these will be dealt with

All of those involved in forestry management, including both the stakeholders and forest managers and other professionals who are required to engage with stakeholders as part of their job should not be made to feel uncomfortable or threatened by the behaviour of any individual.

Unreasonable behaviour whether it involves a stakeholder or a forest manager or other professional that results in unreasonable demands on individuals, groups or business will be considered unacceptable. These actions have been grouped under the following three broad headings.

1. Aggressive or abusive behaviour

It is understood that people can feel passionate about the issues they may raise, and sometimes may be hurt, frustrated or angry. However, if those feelings escalate into aggression towards any individual, that would be considered unacceptable.

Violence or abuse towards any individuals will never be tolerated.

Violence and aggression are not restricted to acts which cause or threaten physical harm. They also include behaviour or language (whether oral or written, in person or online) that may cause any individual to feel afraid, threatened or abused. Examples of such behaviour include swearing, threats, personal verbal abuse, derogatory remarks and rudeness. This can be accompanied by threatening body language, including invading personal space and aggressive hand gestures.

Inflammatory statements and unsubstantiated allegations can also be abusive behaviour. Statements do not need to be made directly to an individual or expressly address or name them to be abusive or threatening. Even statements made outside the work environment or directed towards friends or family of an individual, or made online or by email, may constitute unacceptable actions, on which the individual themselves or their organisation or employer will act. It is the

overall context of the behaviour that is important.

Anyone involved in forest management related stakeholder engagement should not tolerate any threat or use of physical violence, or verbal abuse or harassment.

Physical violence, either used or threatened, should always be reported to the police.

2. Unreasonable demands

People can make unreasonable demands on the resources of the organisations, companies or individuals involved by the nature and scale of the service they expect. Examples of such behaviour include repeatedly demanding responses within an unreasonable time-scale, placing unreasonable conditions, insisting on seeing or speaking to a particular individual even when it isn't possible, refusing to accept that an issue being raised is not valid in the context of a specific proposal, or repeatedly changing the exact nature of the complaint or issue they are raising or raising unrelated concerns.

These kinds of behaviours can detract from engaging constructively with others and place a significant burden on those trying to undertake good practice in stakeholder engagement. Dealing with such behaviour requires a disproportionate amount of time and diverts an unreasonable proportion of financial and human resources from any individual, organisation or business. This can be difficult and stressful to deal with when it is impossible to find common ground or a realistic approach to the issues being raised.

What amounts to unreasonable demands will always depend on the circumstances surrounding the behaviour.

3. Unreasonable persistence

Sometimes an individual, organisation or business involved in forest management will be contacted repeatedly about the same or closely related issue. The manner in which these contacts are made may be quite reasonable,

but the persistence of their approach is not – they take up a disproportionate amount of time or resources, and/or are in exchanges that are unproductive to those involved and ultimately to themselves.

Sometimes this persistence will take the form of serial complaining – lodging complaints about the handling of complaints, often across different organisations or parts of the same organisation.

The defining characteristic is the persistence of approaches over time. Any individual, organisation or business has the right to assess whether that persistence has reached the point of disrupting their ability to undertake their normal work or daily life or is amounting to harassment or unreasonable treatment.

Managing Unacceptable Action: Stakeholders

Should stakeholders have a complaint about the way in which they have been engaged then that should be raised directly with the company or organisation involved.

Details of the complaints process for those companies and organisations who have signed up to these guidelines can be found using the links below:

- Forestry & Land Scotland
 - <https://forestryandland.gov.scot/contact/complaints>
- Institute of Chartered Foresters
 - <https://charteredforesters.org/make-a-complaint>
- Scottish Forestry
 - <https://www.forestry.gov.scot/contact>
- Scottish Woodlands
 - <https://www.scottishwoodlands.co.uk/contact>
- Tilhill Forestry
 - <https://www.tilhill.com/contact-us>

Please note you may need to first identify a regional office for contact.

This list is accurate at time of writing. Please refer to www.confor.org.uk for the latest record of signatories.

Managing Unacceptable Action: Forestry Sector

Those forestry businesses who have adopted this policy will aim to ensure that an individual or organisation is informed immediately if their actions are tending towards unacceptable, and what will follow if they persist.

This will be done in a way intended to defuse the situation while ensuring key issues raised by the stakeholder are acknowledged, and the aim will be to bring the tone of communication back to a more reasonable level.

Proposed approach to responding to unacceptable behaviours

STAGE 1

- Initial communication that behaviours are unacceptable.
- Offer further opportunity for engagement, on basis that unacceptable behaviours are not repeated.
- Seek to de-escalate.

STAGE 2

- Communication and interaction redirected to other senior staff member.
- Request alternative stakeholder representative, if appropriate.
- Offer phone call to resolve matter where appropriate.

STAGE 3

- Contact restricted.
- Issues dealt with through appropriate logs.
- Scottish Forestry informed.

STAGE 4

- Contact terminated for purposes of specific proposal.
- **Physical violence, either used or threatened, will always be reported to the police.**
- Scottish Forestry informed.