



Scottish
Forestry

Coilltearachd
na h-Alba

Conflict of Interest Policy

July 2020

Scottish Forestry is the Scottish Government agency responsible for forestry policy, support and regulation

Is e Coilltearachd na h-Alba a' bhuidheann-ghnìomha aig Riaghaltas na h-Alba a tha an urra ri poileasaidh, taic agus riaghladh do choilltearachd



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1. Introduction

Scottish Forestry is an Executive Agency of the Scottish Government. As highlighted in [On Board guidance](#), which sets out the principles of corporate governance and the ethics and standards of behaviour expected from Board members, “public confidence in your public body and its Board members depends on it being clearly understood that decisions are taken in the public interest and not for any other reason. Public bodies should have in place clear rules and procedures for managing conflicts of interests”.

As an Executive Agency, Scottish Forestry has a [Framework Document](#) which sets out its governance arrangements. It must have corporate governance in place which ensures that the public body has proper processes, systems and controls in place. It must have a Management Advisory Board to assist the body deliver its functions on behalf of Ministers and to support the Accountable Officer. Within Scottish Forestry, this comprises the Senior Executive Team and the Strategic Advisory Board.

This Conflict of Interest Policy covers the behaviours, actions and responsibilities both for staff members and for board members.

2. Scottish Forestry’s Purpose and Responsibilities

Scottish Forestry’s purpose is the sustainable management and expansion of forests and woodlands to deliver more for Scotland. It does this by ensuring that sustainable forest management is an integral part of public policy, by protecting and enforcing standards and forestry regulations and by helping to achieve woodland creation targets.

Scottish Forestry awards several millions of funding to land managers and other partners and stakeholders each year to create and manage woodlands, deliver timber transport projects, and to develop other projects. It is essential that Scottish Forestry does this in an accountable and transparent manner. Scottish Forestry must also be seen to uphold its regulatory functions, applying the relevant legislation and standards fairly and impartially.

3. Principles

Central to this policy are our values and behaviours. One set of the core values for Scottish Forestry is “Honesty and Integrity”. This means we:

- take balanced decisions
- are objective in our work and decision making

- are open and honest with each other (internal and external)
- honour our commitments
- stay focused
- take responsibility.

All decisions made on behalf of Scottish Forestry must free from undue external influence.

In addition, staff are expected to follow the [core values of the Civil Service](#): integrity, honesty, objectivity and impartiality. In this code:

- 'integrity' is putting the obligations of public service above your own personal interests
- 'honesty' is being truthful and open
- 'objectivity' is basing your advice and decisions on rigorous analysis of the evidence
- 'impartiality' is acting solely according to the merits of the case and serving equally well governments of different political persuasions

4. Responsibilities of Staff Members

All staff members are expected to follow the standards of behaviours and to implement the values as laid out both by Scottish Forestry and the Civil Service code. This applies to all employees, whether on a permanent or fixed-term contract, and also to other individuals engaged on a temporary basis, whether full-time or part-time.

Your line manager must make you aware of the values as laid out both by Scottish Forestry and the Civil Service code. If you believe that you are being required to act in a way which conflicts with these values, or if you become aware of the actions of others which are not in line with these values, you must raise this by talking to your line manager or another senior member of staff.

Staff should apply the 'objective test' when considering a potential conflict of interest, as outlined in [On Board Guidance](#). This key test is whether a member of the public, with knowledge of the relevant facts, would reasonably regard your interest as so significant that it is likely to prejudice your discussion or decision-making in your role as a member of a public body. The following areas where conflicts of interest could arise must be considered by all staff members:

- Property interests - There is a risk that an actual or perceived conflict of interest may arise if employees live and/or own property close to a woodland creation site and could benefit from the outcome of a particular decision.
- External appointments – Paid or unpaid appointments with another body which potentially have a damaging overlap of interests.

- Business or financial interests – Any business or financial interests which could undermine a staff member's impartiality in investigation or decision making.
- Family members or close associates – It should be considered whether any family member or close associate could have an interest in the outcome of any significant decision-making.
- Political Interests – Staff must disclose any high profile political activity.
- Membership of Organisations and Societies – Employees must declare membership of any professional or social organisations or any non-government organisations whose aims and objectives may conflict with those of Scottish Forestry.

It is essential that if an employee is facing a conflict of interest, that they declare this at the earliest opportunity to their line-manager. If it is assessed that the conflict of interest is material and represents a risk, steps will then be taken to ensure that they are not involved in any relevant decision making processes. That individual employee's responsibilities will be delegated to another member of staff.

5. Responsibilities of Executive and Non-Executive Members

Within Scottish Forestry:

- The Chief Executive, as Accountable Officer, is personally accountable to Scottish Ministers for the performance of Scottish Forestry and delivery of its functions.
- They are supported by the Scottish Forestry Strategic Advisory Group, which comprises the Chief Forester, all Function Heads and three Non-Executives. The Group's role is to support and provide advice to the Chief Executive in order that they can reach robust and well informed decisions.
- The Senior Executive Team comprises all Function Heads. The role of the Senior Executive Team (SET) is to lead SF and oversee the day-to-day management and direction of the agency.
- The Audit and Assurance Committee comprises the three Non-Executives. The Chief Executive and Head of Finance and Business Services routinely attend along with representatives from Internal Audit and Audit Scotland. They support the Chief Executive by providing advice and constructive challenge particularly around risk management, performance, control, governance and associated assurance to support year-end accountability and reporting.
- The Chief Forester is the Head of Profession for forestry. They have the responsibility for the development, communication and promotion of professional standards among forestry staff in SF and Forestry and Land Scotland. They must also explore skills developments and opportunities with wider forestry profession.

As staff members, the SET need to comply with the [Civil Service Code](#). Non Executive Advisers have their own [Code of Conduct](#).

[On Board](#) advises that as a matter of best practice, Scottish Forestry should set up, maintain and make available for public inspection a register of board member interests.

Scottish Forestry has set up this Registration of Interests for Board Members, and is available for inspection by the public [here](#). As required, it covers the following registerable interests:

- Remuneration from employment, self-employment or directorships;
- Related undertakings i.e. certain unremunerated directorships;
- Contracts with the public body;
- Gifts and hospitality;
- Houses, land and buildings that you own or have an interest in which are of significance or relevance to, or bear upon the work and operation of, the public body;
- Shares and securities - holdings in a company or organisation which are of significance or relevance to, or bear upon the work and operation of, the public body; and
- Non-financial interests including membership or holding office in other public bodies, clubs, societies and organisations such as Trade Unions and voluntary organisations.

Board Members should declare any [relevant interests at all meetings](#) they attend; and if it relates to any specific projects they have input to. If a Board Member declares any relevant interests at a meeting, this should be recorded as part of the meeting minutes. They should be excluded from that part of the meeting where there is discussion on matters related to their interests. They should not participate in any specific project work if there could be a damaging conflict of interests.

6. Exceptions

It is essential to recognise that the knowledge, skills and expertise of a Non Executive Adviser in different areas is important in their role. This policy must not stifle their valuable input. It is acknowledged that there may be an overlap in their interests which will not represent a risk to Scottish Forestry. If necessary, the Chief Executive will make a decision on whether they should continue with the meeting and/or project work based on the information presented.