



Higher National Unit specification

General information for centres

Unit title: Forestry: Forest Policy and Law

Unit code: F3YT 35

Unit purpose: This Unit is designed to give the candidate understanding and knowledge of the policy and law in relation to the forest/arboriculture industry in Great Britain.

On completion of the Unit the candidate should be able to:

- 1 Analyse British and European Union forest policy.
- 2 Explain the law as it applies to trees and forestry in Great Britain.
- 3 Evaluate the incentives available to forestry.

Credit points and level 1 HN credits at SCQF level 8: (8 SCQF credit points at SCQF level 8*)

**SCQF credit points are used to allocate credit to qualifications in the Scottish Credit and Qualifications Framework (SCQF). Each qualification in the Framework is allocated a number of SCQF credit points at an SCQF level. There are 12 SCQF levels, ranging from Access 1 to Doctorates.*

Recommended prior knowledge and skills: Access to this Unit is at the discretion of the centre. However, prior knowledge of British forestry would be helpful to the candidate.

Core Skills: There are opportunities to develop the Core Skills of *Communications* and *Information Technology* to SCQF level 5, although there is no automatic certification of Core Skills or the Core Skills components.

Context for delivery: If this Unit is delivered as part of a Group Award, it is recommended that it should be taught and assessed within the subject area of the Group Award to which it contributes.

This Unit is included as a mandatory Unit in the frameworks of the following Group Awards:

- ◆ HND Forestry
- ◆ HND Arboriculture and Urban Forestry

Assessment: The assessment for this Unit could take the form of an essay for Outcomes 1 and 2 and a project assignment for Outcome 3.

Higher National Unit specification: statement of standards

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The sections of the Unit stating the Outcomes, Knowledge and/or Skills, and Evidence Requirements are mandatory.

Where evidence for Outcomes is assessed on a sample basis, the whole of the content listed in the Knowledge and/or Skills section must be taught and available for assessment. Candidates should not know in advance the items on which they will be assessed and different items should be sampled on each assessment occasion.

Outcome 1

Analyse British and European Union forest policy

Knowledge and/or Skills

- ◆ Forest and forestry related policy drivers and influences
- ◆ Forestry development in Great Britain
- ◆ British and European forest and forestry related policy areas
- ◆ Forestry and woodland strategies
- ◆ Sustainable development

Evidence Requirements

Candidates will need to provide evidence to demonstrate their Knowledge and/or Skills by showing that they can analyse British and European forest policy. Candidates must:

- ◆ analyse forestry development in Great Britain from 1919 to the present day. The analysis must include the sources of policy that have influenced development; the role of the Forestry Commission; changing goals and the reasons behind these changes.
- ◆ evaluate the major influences on British and EU forest policy. The evaluation must include the contribution climate change, global issues, multi-purpose forestry, sustainable development and international summits have made to the development of these policies. Candidates must evaluate at least one GB and one EU policy. Explain the major policy drivers and influences on forest policy in Great Britain and the EU. This must include climate change, global issues, multi-purpose forestry, sustainable development, and international summits.
- ◆ evaluate the content and application of one current British forestry strategy.

Assessment Guidelines

The assessment may be a holistic assessment covering Outcomes 1 and 2. See Assessment Guidelines after Outcome 2 for further information.

Higher National Unit specification: statement of standards (cont)

Unit title: Forestry: Forest Policy and Law

Outcome 2

Explain the law as it applies to trees and forestry in Great Britain

Knowledge and/or Skills

- ◆ Common and Statute Law
- ◆ General legal principles as applied to forestry
- ◆ The ownership responsibilities associated with trees and forests
- ◆ The Forestry Acts and forestry related legislation as applied to Great Britain
- ◆ Law as applied to tree felling and tree felling controls
- ◆ Law as applied to dangerous and boundary trees

Evidence Requirements

Candidates will need to provide evidence to demonstrate their Knowledge and/or Skills by showing that they can:

- ◆ explain the law as it applies to trees and forestry in Great Britain. This must include an overview of common and statute law (Forestry Acts), general legal principles and ownership responsibilities.
- ◆ explain briefly the forestry related legislation as it applies to trees and forestry in Great Britain in relation to:
 - tree felling and its control
 - grant aid to forestry
 - forestry related land sales
 - recreation
 - conservation
 - the Forestry Commission
 - dangerous trees
 - boundary trees

Assessment Guidelines

The assessment could be a holistic assessment covering Outcomes 1 and 2. This could be an essay, which analyses current policy and how the law can be applied to ensure policies are achieved.

Higher National Unit specification: statement of standards (cont)

Unit title: Forestry: Forest Policy and Law

Outcome 3

Evaluate the incentives available to forestry

Knowledge and/or Skills

- ◆ Current forestry incentive schemes and initiative processes
- ◆ The role of regulatory and other relevant statutory bodies
- ◆ Consultation procedures and approaches
- ◆ Links to overarching policies and cross compliance requirements

Evidence Requirements

Candidates will need to provide evidence to demonstrate their Knowledge and/or Skills by showing that they can evaluate incentives available to forestry. Candidates must:

- ◆ evaluate the current forest incentive scheme. Candidates must weigh up the strengths and weaknesses of the incentive scheme.
- ◆ evaluate the role of one regulatory body and one other statutory body in relation to incentives. Candidates must highlight the benefits and constraints that result from the involvement of these bodies.
- ◆ explain the links between incentives, policy and cross compliance requirements. Candidates must show how policy and cross compliance requirements might impact positively or negatively on incentive schemes.
- ◆ evaluate the application, processing and consultation approach and procedure for the current incentive scheme. Candidates must describe the process and procedure and give an evaluation of whether this is having the desired results to enable objectives of the scheme to be met.

Assessment Guidelines

Outcome 3 could be assessed by a practical exercise that follows a given or agreed current grant incentive application through its compilation, consultation and approval stages. Normally, information for this assessment will be provided. However, a distance-learning candidate could get approval from the tutor to use a project they are working on or have information about, which is close to their location.

Administrative Information

Unit code: F3YT 35

Unit title: Forestry: Forest Policy and Law

Superclass category: SM

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Higher National Unit specification: support notes

Unit title: Forestry: Forest Policy and Law

This part of the Unit specification is offered as guidance. The support notes are not mandatory.

While the exact time allocated to this Unit is at the discretion of the centre, the notional design length is 40 hours.

Guidance on the content and context for this Unit

This Unit is a mandatory Unit in the following SQA Group Awards:

- ◆ HND Forestry
- ◆ HND Arboriculture and Urban Forestry

The Unit could be undertaken as a stand-alone Unit by candidates who are in employment or by full time students who are taking one of the Higher National qualifications indicated above.

The content of this Unit should provide the candidate with the necessary knowledge and skills to have an understanding of the current and past policy that underpins British forestry; an overview of law relevant to British forestry; and the role and application of incentives to British forestry.

The following support notes cover the mandatory requirements of the Unit and recommended aspects that could be covered in teaching and learning.

Outcome 1

- ◆ sources of policy
- ◆ expressions of policy
- ◆ policy drivers
- ◆ european forestry development
- ◆ history of forestry development in Europe and Great Britain
- ◆ the role and place of forestry in Britain today
- ◆ the Forestry Commission — reasons behind its creation
- ◆ the changing purpose and goals of forestry in Britain
- ◆ the move away from the strategic reserve; the introduction of multi-purpose forestry
- ◆ the global dimension
- ◆ the recognition of sustainable development and the potential contribution of forestry
- ◆ the Rio Earth Summit
- ◆ the development of national strategies
- ◆ the Scottish Forestry Strategy and other UK strategies
- ◆ the community forestry dimension — community engagement, consultation, woodland in and around communities
- ◆ the emphasis on the delivery of public benefits
- ◆ the climate change agenda and the role of forestry

Higher National Unit specification: support notes (cont)

Unit title: Forestry: Forest Policy and Law

Outcome 2

- ◆ sources of legal principles — the body of law and its varying origins
- ◆ the idea of common law, statute law, the use of legal precedent and case law; the meaning of nuisance, negligence, prudence, reasonable standard and the differing standard of proof; law as applied to boundaries — standard considerations
- ◆ law as applied to dangerous trees
- ◆ law as applied to damage to cross boundary property involving trees
- ◆ professional liability and responsibility — the need to grasp the circumstances where it is appropriate/inappropriate to give professional advice
- ◆ the key pieces of forestry legislation — particular emphasis on the forestry acts
- ◆ the powers and duties of the forestry commission
- ◆ the key forestry related pieces of legislation; the role and significance of European directives
- ◆ felling licences
- ◆ tree preservation orders
- ◆ potentially damaging operations
- ◆ town and country planning legislation
- ◆ conservation areas

Outcome 3

- ◆ the role of incentives
- ◆ historical dimension — dedications schemes and covenants
- ◆ the changing emphasis and character of Forestry and Woodland Grants
- ◆ the link to forest policy and strategy
- ◆ the administrative and consultation processes applied to incentive/grant schemes
- ◆ the changing aims and goals associated with grant schemes — greater emphasis on the delivery of wider public benefits
- ◆ the role and influence of the Common Agriculture Policy and its review and modification — the place of land management contracts and modulation
- ◆ the role and use of Locational Premia and Challenge Funds
- ◆ the use of long-term forest plans
- ◆ the link to Indicative Forestry Strategies

Guidance on the delivery and assessment of this Unit

The delivery of the Unit should be determined by the background knowledge and experience of the candidate — however it is reasonable to anticipate that the candidates will come from a diverse range of backgrounds and therefore an inclusive teaching approach should be adopted.

One approach could be to provide initial information and guidance and support to candidates through formal time tabled lecture classes. This could include use of handout and support information, with clear guidance on additional information sources. It is likely that many candidates will be able to make use of existing experience and this could be used as an additional information source. Use can be made of follow up tutorials to confirm candidate progress and identify any areas of additional support.

Higher National Unit specification: support notes (cont)

Unit title: Forestry: Forest Policy and Law

It may be possible for a candidate to make use of directed learning and self-study and have assessment on demand, although it may have to link into the normal assessment timetable and arrangements. With appropriate supervision and testimony arrangements, it is also possible for candidates to undertake assessments at sites remote from the learning centre.

The assessment could take the form of a holistic essay for Outcomes 1 and 2 that should bring out the candidates' knowledge of current Scottish forestry policy, namely the Scottish Forestry Strategy and its main areas of emphasis plus the relevant legislation in place. Other UK forest strategies could be used with agreement with the tutor.

Outcome 3 could take the form of a project based on the production of a current grant application as it applies to woodland establishment, namely the current Forestry Commission grant incentive scheme. The candidate could compile the application with given information and outline the progress and consultation steps of the application through to its approval. The application packs and the forms could be compiled from web page files where available.

Opportunities for developing Core Skills

Core Skills may be developed during delivery and assessment of this Unit. It is envisaged that *Communication* and *Information Technology* to SCQF level 5 will be the most likely Core Skills to be developed. Opportunities to develop communication skills could be given through reading and producing work for formative and summative assessment. *Information Technology* skills could be developed by candidates carrying out research and producing work.

Open learning

All Outcomes are appropriate for open and distance learning approaches, and it would be good practice to provide candidate packs and tutor input and support at all stages. Centre devised supervision agreements should detail any conditions to ensure authenticity of evidence.

Candidates with disabilities and/or additional support needs

The additional support needs of individual candidates should be taken into account when planning learning experiences, selecting assessment instruments, or considering alternative Outcomes for Units. Further advice can be found in the SQA document *Guidance on Assessment Arrangements for Candidates with Disabilities and/or Additional Support Needs* (www.sqa.org.uk).

General information for candidates

Unit title: Forestry: Forest Policy and Law

This Unit is designed to provide you with general background knowledge on the historical development of British forestry and an understanding of the current policy and strategy affecting British forestry and the influences of the wider European and global perspective. It will allow you to develop a fuller understanding of the key influences; the main initiatives; the lead organisations; and the implementation of the agreed policies — with particular emphasis on the role and use of incentives. You will also be able to develop an outline understanding of law as it is applied to trees and forestry.

The Outcomes that you will acquire on completion of the Unit are as follows:

Outcome 1 will give you an understanding and knowledge of forest policy and strategies in Britain and in particular Scotland and set it within a European and global context. You will also have an awareness of the historical context of forestry development in Britain. You will have an understanding of the main forestry initiatives in Britain; the lead organisations and the link to relevant overarching and crosscutting policies.

Outcome 2 will give you an outline understanding of the law as it applies to trees and forestry. You will have a basic understanding of key legal principles and concepts. This will allow you to understand the law as it applies to tree felling and the control of tree felling and woodland creation.

Outcome 3 will give you an understanding the role and application of forest incentive schemes. You will understand the aims and goals associated with incentive schemes and the links to policies and strategies.

Overall, the knowledge and skills acquired in this Unit will help you understand and evaluate the factors that influence and direct forestry in the Great Britain.

For candidates already in employment this Unit provides an opportunity to extend existing knowledge and skills and lays a sound grounding for further study in forest management.

This Unit will give you the opportunity to develop your *Communications* and *Information Technology* Core Skills to SCQF level 5 through the research and work you undertake during the study of this Unit.

For Outcome 1 and 2 of this Unit you may be assessed through an essay. Outcome 3 may be assessed by a practical assignment in which you will be asked to produce a grant application.