



COETIROEDD  
GWELL  
I GYMRU



BETTER  
WOODLANDS  
FOR WALES

Grantiau a chymorth  
i greu a gwella coetiroedd

Grants and support for creating  
and improving woodlands

## FRAMEWORK AGREEMENT – Schedule 3

# Disputes Process

## Purpose, Definitions & Values

This document outlines the arrangements for dealing with disputes within the Better Woodlands for Wales (BWW) scheme. The Disputes Process covers all situations where two or more parties disagree or argue about any element of the BWW scheme. For the Disputes Process to be effective it is important that it is:

- Fair
- Transparent
- Expedient

## Disputes Process

Forestry Commission Wales (FCW) is responsible for running the Disputes Process and ensuring it meets the values listed above. There are six stages:

**Validation:** In all cases, when a dispute is referred to FCW, the FCW Operations Manager will determine whether or not it falls within the remit of the BWW Disputes Process. This will include determining the facts by speaking to the parties. The BWW Disputes Process will only be used for resolving disputes which relate to:

- The interpretation of official BWW documents produced by FCW.
- Payments, contractual issues or delivery of services between FCW and another party.

FCW will not get involved and will not use the Process for resolving disputes between:

- Any other parties (not FCW) relating to payments, contractual issues or delivery of services.

Other disputes have their own existing process and will not therefore be valid for consideration under the BWW Disputes Process. Situations, which already have a defined process, are:

- Felling Licence Applications
- Felling Licence Enforcement cases
- Illegal Felling cases
- Environmental Impact Applications
- Grant Reclaim cases

**Determination:** Once the dispute has been deemed valid for consideration under the Process, FCW will determine what action to take. In all cases, except where a dispute directly involves the conduct of the Operations Manager, the Operations Manager will determine the action. Where the dispute relates to the conduct of the Operations Manager, the Head of Grants and Licences in Wales will handle it. In determining action, the Operations Manager will identify and review previous disputes involving the party or parties, refer to any contracts that are in place, and look at previous similar cases.

**Action:** The Operations Manager will take necessary action to resolve the dispute. This could involve mediation or ruling in favour of one party. Additionally, the Operations Manager will ensure that FCW take action to minimise the risk of a similar dispute occurring in future. This could involve updating guidance, issuing additional guidance or rulings and or identifying and implementing new training.

**Recording:** All disputes will be recorded against the case (Management Plan, Felling Licence etc).

**Feedback:** In all cases the parties will receive feedback from the Operations Manager on the ruling and what action has been taken.

**Monitoring:** Recording disputes in G&L Online system will allow them to be monitored. Monitoring will be done annually and will seek to identify trends and point to BWW process improvements. It will also help to assess the effectiveness of the actions taken.