

Forestry Commission Scotland
231 Corstorphine Road
EDINBURGH
EH12 7AT

APPLICATION TO BECOME A MEMBER OF THE NATIONAL FOREST LAND SCHEME EVALUATION PANEL

These notes provide candidates with information on the appointment of members to the National Forest Land Scheme Evaluation Panel. Paragraph 15 gives information on how to apply for the post. **Please note that applications need to be received at the address given in paragraph 16 not later than noon on 12 March 2009.**

BRIEF BACKGROUND TO FORESTRY COMMISSION SCOTLAND

1. Forestry Commission Scotland serves as the Forestry Directorate of the Scottish Government. Its mission is to protect and expand Scotland's forests and woodlands and increase their value to society and the environment. The Scottish Government's vision for forestry is outlined in the Scottish Forestry Strategy 2006.

The strategy has three outcomes:

1. Improved health and well-being of people and their communities
2. Competitive and innovative businesses contributing to the growth of the Scottish economy
3. High quality, robust and adaptable environment

2. The first outcome has a number of associated objectives including assisting community participation. These has been further articulated as two specific actions:

1. Enhancing engagement with communities; and
2. Encouraging community ownership and management

3. To facilitate this FCS has developed a clear statement on its commitment to working with communities (www.forestry.gov.uk/communitiesscotland). FCS has a number of delivery mechanisms to support these commitments including the National Forest Land Scheme.

NATIONAL FOREST LAND SCHEME (NFLS)

4. The NFLS provides a mechanism whereby communities or housing bodies can apply to buy national forest estate land (land managed by FCS on behalf of the Scottish Ministers), even where the land has not been declared surplus or for sale. If the group can demonstrate that transfer of ownership would deliver significant public benefits, and can meet the scheme criteria relating to community support or housing need. The scheme has been used by community groups to purchase woodlands and has also enabled Housing Associations to purchase land for affordable housing. The NFLS is closely aligned to the Community Right to Buy. To date 26 applications to the NFLS have been approved.

5. The scheme is discretionary with the Director, FCS deciding whether or not to approve applications after considering the recommendations of the NFLS Evaluation Panel. The Evaluation Panel will have seven members including a chair. Being composed of at least two representatives of the three elements of the Scottish Forestry Strategy – business development, health and well-being, and high quality environment.

6. The role of panel member includes reviewing all papers relating to NFLS applications, visits to the site of applications is optional and the panel will meet no more than 4 times a year. The position is remunerated and appointment is on the terms and conditions associated with being an “Official Post Holder” (refer to Annex1). Payment will be at the rate of £220.00 per day. Members’ travel and subsistence, and additional childcare expenses will be paid. The Chair will be paid for any additional work they are required to carry out. Panel members will be remunerated for associated site visits and where applications are formally considered by the Panel by email/telephone as well as at meetings. The time spent on Panel business will depend on the number of applications received under the Scheme.

7. Panel members must act with honesty and integrity, provide impartial advice, and be committed to the principles of public service (for details refer to: http://www.civilservice.gov.uk/Assets/cs_code_tcm6-2444.pdf)

KEY RESPONSIBILITIES

8. The successful applicant will be a member of the National Forest Land Scheme Evaluation Panel, which is responsible for:
- Reviewing papers relating to an NFLS application, and to provide recommendations on suitability against the criteria of the scheme to the Director, Forestry Commission Scotland.

KEY QUALITIES

9. The successful applicant will:

- have an understanding and experience of one or more of the following:
 - Land management
 - Rural development
 - Sustainable development
 - Community development
 - Financial management
 - Housing
 - Commercial Forestry
 - Renewable Energy
 - Land reform
 - Conservation
- understanding of the Scottish Forestry Strategy and National Forest Land Scheme;
- understanding of the role of Forestry Commission Scotland;
- be committed to the principles and values of public service and perform their duties with integrity.
- have good communication skills.

10. PERSON SPECIFICATION

QUALIFICATIONS, EXPERIENCE, SKILLS AND ABILITIES

	ESSENTIAL
Experience	<ul style="list-style-type: none"> • Experience and knowledge of one or more of the following: <ul style="list-style-type: none"> - Rural development - Land management - Sustainable development - Community development - Financial management - Housing - Commercial Forestry - Renewable Energy - Land reform - Conservation • Understanding of the Scottish Forestry Strategy and National Forest Land Scheme • Understanding of the role Forestry Commission Scotland
Work with other people	<ul style="list-style-type: none"> • Work as a team member, valuing the views, experience and perspectives of others, while providing constructive comment • Contribute to a sense of common purpose and direction
Communication	<ul style="list-style-type: none"> • Clear, concise and persuasive communicator • Active listener, while tactfully questioning and challenging proposals and direction • Share ideas, knowledge and experience
Deliver Results	<ul style="list-style-type: none"> • Demonstrate drive and commitment • Work with Panel members to ensure effective delivery of duties
Learn and apply	<ul style="list-style-type: none"> • Use initiative, suggest change and improvement where possible • Take a broad view when offering advice and be prepared to be flexible to achieve results

Terms of Appointment

11. The appointment will last for 3 years, with the possibility of renewal.
12. The position is remunerated and appointment is on the terms and conditions associated with being an “Official Post Holder” (refer to Annex1). Payment will be at the rate of £220.00 per day. Members’ travel and subsistence, and additional childcare expenses will be paid. The Chair will be paid for any additional work they are required to carry out. Panel members will be remunerated for associated site visits and where applications are formally considered by the Panel by email/telephone as well as at meetings.

13. The time spent on Panel business will depend on the number of applications received under the Scheme. It is likely that the Panel will meet no more than 4 times per year. In addition, individual members may volunteer to undertake associated site visits.

How to apply

14. Please include in your application:
- a brief covering letter stating why the appointment interests you;
 - a completed application form and current CV; and
 - completed Equality and Diversity Monitoring form.

15. Applications should be sent to:

Bob Frost
Forestry Commission Scotland
231 Corstorphine Road
Edinburgh
EH12 7AT

Or

bob.frost@forestry.gsi.gov.uk

16. Closing date: 12 March 2010

Applications should arrive no later than noon on 12 March 2009.

The Forestry Commission is committed to providing equal opportunities for all sectors of the community, irrespective of age, disability, ethnicity, gender, marital status, religion, sexuality and transgender.

Annex 1: FORESTRY COMMISSION INFORMATION NOTE

HM REVENUE AND CUSTOMS AUDIT: NEW ARRANGEMENTS FOR PAYMENT OF FEES FOR OFFICE HOLDERS OF THE FC.

The Forestry Commission has been subject to an audit by the Revenue and one of the areas audited was the Commission's treatment of fees for external committee members.

The Revenue has ruled that the appointees to these FC committees are '*office holders*'. Please see the attached Revenue guidance, which explains the statutory background on office holders.

Payments to 'office holders' are automatically chargeable to Schedule E as employment income and are also subject to Class 1 National Insurance Contributions. Revenue has advised that there is a requirement to make such remuneration to individuals via PAYE (i.e. the Commission's payroll system) in order that the statutory deductions for income tax and NICs are made at source. The Commission cannot ignore this ruling and unless you can provide the documentation requested on a Code NT status (applicable for Directors of Limited Companies), we are obliged to begin payment of fees via our PAYE system without delay. The Revenue has made clear that failure to do this may result in a financial penalty and further tax bill for the Forestry Commission.

'Office holders' are NOT employees of the Forestry Commission. 'Office holders' have a distinct legal status from that of employee. In the public sector office holders are generally those individuals appointed to official, public or statutory roles that are independent from the person appointed, and likely to continue beyond the current appointee's term. For this reason, office holders are not issued with a contract of employment and are not eligible for any employee benefits/terms.

Office holders are appointed to their office as individuals- the FC does not and could not appoint firms, other bodies etc to an 'office'. This would clearly be impossible. We are not proposing to put any company onto PAYE, simply those individuals whom we have appointed to our 'offices' and whose fees would normally be subject to normal tax/NIC deductions.

The Revenue has advised the FC that obtaining a Code NT in respect of a Director of a Limited Company is procedurally correct but has to be sought by the office holder or their company from the appropriate Tax Inspector. Code NT confirmation will enable the fees that would be due to the individual office holder to be deferred to the company as company income, and would avoid them having to be taxed at source via FC PAYE.

In an effort to resolve this, HMRC has now suggested that company or personal Accountants who are unclear about the process or wish to discuss this further should contact the Revenue officer who carried out the audit of the FC.

Please contact Phil Morgan, Compliance Inspector, HMRC, on 029-2032-6934 or email him on Phillip.Morgan@hmrc.gsi.gov.uk

HR, Forestry Commission, August 2007