

WES Breach Policy

This policy will be considered in relation to all environmental and wildlife crimes, including breaches of national and international legislation and willful criminal acts. This policy is applicable to all WES associated estates including: Level 1 (also known as WES Supporters); Level 2 (full accreditation); and any additional landholdings which are under the same ownership as a WES accredited estate.

1. Suspension

- a. WES reserves the right to suspend either accreditation, a pending application, or supporter status immediately, in the following circumstances:
 - i. WES is notified of, or becomes aware of, a police investigation, as denoted by the issuing of a crime reference number, pertaining to an unproven accusation against an estate or its employees;
 - ii. WES is notified of, or becomes aware of, an ongoing prosecution against an estate or its employees;
 - iii. WES is notified of, or becomes aware of, a successful prosecution against either an estate or its employees, in any of their current or previous positions, including with different employers, within the previous five years;
 - iv. WES is notified, or becomes aware of, a breach of legislation pertaining to any of the following: environmental matters, habitat and wildlife management matters, land management matters;
 - v. WES is notified or becomes aware of restrictions implemented by SNH on the use of general licence.
- b. In the event that accusations, of criminal behaviour, are made against an estate or its employees, but the Police do not issue a crime reference number, WES will not suspend accreditation or supporter status, but reserve the right to undertake a site inspection to determine full compliance with codes of best practice referenced in the application form.

2. Lifting of Suspension – Successful Prosecution

- a. In the case of a Landowner's successful prosecution, WES accreditation will not be reinstated, on any of the landholdings under the ownership of the convicted landowner, for five years following the spent conviction. In the event the landholding(s) change(s) hands, WES accreditation may be re-applied for with immediate effect, provided any other incriminated individuals are no longer associated in any capacity with the estate(s). Five years following the spent conviction, the landowner may re-apply for WES, provided that WES deems that adequate actions, which both demonstrate remorse and a change in attitude, have taken place. Adequate actions will be discussed on an individual basis. No other individual may apply for WES accreditation on the convicted landowner's landholding(s) during the aforementioned timeframe, whilst the same landowner remains as owner.
- b. In the case of an individual's successful prosecution, unless that individual is the landowner, WES accreditation, or supporter status, will be reinstated six months following the individual's dismissal, provided appropriate actions have been taken by the estate to both condemn the individual's actions and rebuild public trust. WES reserves the right to extend the six-month reinstatement period until it is satisfied appropriate actions have been undertaken, therefore protecting WES's integrity.
 - i. Appropriate actions include:

1. Providing written and/or verbal statements to local and/or national press condemning the actions and apologising unreservedly;
 2. Conducting an internal investigation to establish whether management processes are fit for purpose and to identify failings;
 3. Holding relevant educational workshops for employees;
 4. A review of internal reporting procedures to ensure members of staff feel confident in reporting concerns.
- c. If the landowner is successfully prosecuted twice within the space of ten years, WES reserves the right to exclude his or her landholding(s) for an extended period of time from WES.

3. Lifting of Suspension – Unsuccessful Prosecution or Not Proven Verdict

The following policy recognises that for a case to be brought to prosecution, there must have been sufficient evidence to prosecute in the first place.

- a. In the event of the unsuccessful, or not proven prosecution of an individual or a landlord, WES would lift the suspension within six months of the court decision, provided there have been no historical prosecutions (successful or otherwise) and the estate has:
 - i. Demonstrated that it has conducted an internal investigation to establish whether management processes are fit for purpose and to identify failings;
 1. WES would expect, as part of this investigation, that serious consideration be given, to the individual's employment status with the estate;
 - ii. Held relevant educational workshops for employees;
 - iii. Undertaken a review of internal reporting procedures to ensure members of staff feel confident in reporting concerns.
- b. If there have been historical prosecutions (successful or otherwise) against the landowner or their employees, WES reserves the right, dependent on the circumstances, to extend the suspension period to twelve months following the court decision referenced in clause 3.a of this document.

4. Lifting of Suspension – Open Investigation

- a. In the event that Police investigating an accusation, against an estate or its employees, do not find sufficient evidence to prosecute within twelve months of the accusation being made, WES would lift the suspension unless, WES is notified, or becomes aware, of successful historical prosecutions pertaining to the current landlord or the estate's current employees (either in their current post or previous posts). In such an event, WES would look to lift suspension after two years of the accusation being made provided that the estate has:
 - i. Conducted an internal investigation to establish whether management processes are fit for purpose and to identify failings;
 - ii. Held relevant educational workshops for employees;
 - iii. Undertaken a review of internal reporting procedures to ensure members of staff feel confident in reporting concerns.
 - iv. Continued to comply with codes of best practice during the two-year investigation.

5. Other Considerations

- a. No amount of accreditation fees will be refunded. Accreditation fees will not be collected from suspended estates if they remain suspended on the date when accreditation fees become due. Following the lifting of the suspension, estates will be invoiced for the annual fee, in advance, within four weeks of the lifting of the suspension.
- b. Landowners and employees of WES accredited estates must not at any point, discuss in public, including on social media, details of any live criminal investigations.