Generic Scheme

ASSURED LAND-BASED CONTRACTOR

Version 9: 1 January 2021

National Association of Agricultural Contractors

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NAAC Assured Land-Based Contractors Scheme
Generic Base Standard

Contractor Guidance Notes
VERSION 9
1 January 2021

1. Aims

The aim is for the NAAC to produce a professional, practical and achievable, independently audited assurance scheme for land-based contractors.

Quality control and traceability are essential elements of the assurance chain and the NAAC has taken a proactive role in establishing an independently audited quality standard for land-based contractors. This will be known as the Assured Land-Based Contractor Scheme. This scheme will assist in promoting professionalism amongst land-based contractors and will encourage high standards of safe working practices within the industry, ensuring that customers get the level of service they deserve. It will offer purchasers and consumers genuine assurance about the activity of contractors. Contractors will only be certified if they can meet the appropriate standards.

2. Scope

This generic base standard applies to all land-based contractors. It will operate in conjunction with sector-specific standards. Contractors should also carry out a review of procedures at a minimum interval of twelve months.

3. Objectives

The scheme will establish a framework of good and safe working practices to be verified by independent external assessors that will enable members of the scheme to produce a high quality, traceable service to meet the requirements of any national quality assurance program. The scheme standard requirements and operating procedures will be kept under review and updated on a three-year cycle.

4. Requirements

All clauses of this standard are compulsory requirements of the scheme. They have to be met in full at all times for sites to be granted or to retain their certification. Contractors must also comply with national law.

5. Auditing

To fulfill the requirements of the Mobile Feed Mixing and Processing and Verified Seed Schemes, an annual audit must take place. The annual audit will include a visit to the contractors' base/office and out on-site in the first year, in the second and third the contractors' base/office only. This regime will run on a three-year cycle. For the Agricultural Operations Scheme and Potato Harvest Application Treatment Scheme an annual audit of the contractor's base/office will take place.

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Standard Contents

No.	NAAC Generic Base Standard	Guidance for Contractors
G. 1. Insurance Cover		
G 1.1 REVISED	There must be Employers Liability insurance with a level of cover of not less than £10 million.	The assessor will ask to see proof of your insurance cover, which should be on public display. If your current policy expires within two weeks, the inspector may ask to see evidence of insurance renewal.
G 1.2	The contractor must have current Public Liability / Products Liability insurance with a minimum level of cover of: • not less than £1 million in one claim or series of claims arising out of any one event; • unlimited in respect of public liability for any one period of insurance. This insurance must provide an indemnity in respect of liability in accordance with an activity of the Insured.	The assessor will ask to see proof of your insurance cover. If your current policy expires within two weeks, the inspector may ask to see evidence of insurance renewal. Evidence of indemnity in respect of liability in accordance with an activity of the Insured must be available (this may be in the form of the policy document or a letter from the insurance company/agent).
G 1.3	Where the delivery of any part of the service is subcontracted, the insurance must be extended to include the subcontractor, or the subcontractor must have their own insurance in place before the service is delivered.	The assessor will ask if any part of the service has been subcontracted and the seek proof that insurance was in place.
G 1.4 NEW	If a contractor gives formal professional advice (eg FACTS or BASIS), then adequate professional indemnity insurance must be in place.	The assessor will ask to see proof of insurance cover, if required.
G. 2. General/Personnel		
G 2.1	The current version of the NAAC Assured Land-Based Contractors Scheme – Generic Base Standard and relevant sector specific standards must always be readily accessible and available.	The assessor will make a visual check.
G 2.2	There must be a system of recording the daily whereabouts of employees.	The assessor will ask to see proof that you know the whereabouts of employees - this can be a movement sheet or work diary held by a responsible person. *(Ideally, a method of communication should be in place to maintain contact/be informed of a change in plan eg mobile phone, radio). There will be flexibility to allow a last-minute change of plan.*

G 2.3	There must be a documented policy/plan detailing what action is to be taken in the event of an employee failing to check in as expected. This policy/plan must be reviewed at least annually.	The assessor will ask to see your plan*. This can be quite simple and incorporate a list of emergency contact numbers including next of kin.
G 2.4 **REVISED**	Personnel files must be maintained for all employees, self-employed, and agency staff. For employees, this file must contain all relevant employment documentation, including a written statement of terms and conditions of employment, plus any opt out agreements choosing to work more than the average 48 hour/week signed by employees and employer. Illegal labour must not knowingly be employed. For self-employed and agency staff, this file must contain at least a CV type document. The file should include a record of an individual's health and safety responsibilities, as detailed in G 5.2.	The assessor will ask to see your records*. For those in employment for longer than a month the inspector will check for a National Insurance number (for UK workers) and details of employment terms if overseas workers.
G 2.5 REVISED	All operatives must be trained, qualified and competent to carry out the operations for which they are employed (eg appropriate driving license, certificates of competence etc). Written records of training must be kept, including in-house training. Photocopies of all mandatory certificates must be held in the office and should be made available to customers on request. Records of refresher training/CPD should be kept, including expiry dates. *Training can be in-house and should cover areas such as:* • *health and safety;* • *an understanding of operations;* • *the need for accuracy in use of equipment;* • *record keeping;* • *specialist machinery and operations.* *Instruction and training must be given and recorded prior to an operator being asked to use machinery/equipment, which is unfamiliar, and before any new task is undertaken.*	The assessor will ask to see your staff training records*. These must be applicable to the activity the operator is carrying out. Training may include in-house training, if carried out by a suitably qualified and experienced trainer. Training records must include mandatory certificates of competence for all sprayer and forklift operators within the business (where applicable). Where fertiliser advice is given by the contractor or by a third party on behalf of the contractor then the advisers must be Fertiliser Advisors Certification and Training Scheme (FACTS) registered and records kept.
G 2.6	A member of staff must be designated for each customer site visit to take responsibility for health and safety, personnel management and quality control on-site.	The assessor will ask who would normally be in charge at a farm visit. This may be the owner-operator (if single operator) or a responsible member of staff.
G 2.7 **REVISED**	For operations where more than one person is involved, there must be an organisational chart detailing all persons working and the tasks that they are authorised and responsible to perform.	Keep a copy of your up-to-date organisational chart* ready for inspection.
G 2.8	A designated person with awareness and understanding of HACCP (Hazard Analysis and Critical Control) must take	The assessor will ask to see your organisational chart (refer G 2.7) and

	responsibility for quality control and produce, approve, implement and review a written Quality Control plan. This person must be at a managerial level and their duties must be incorporated in his/her job description (refer G 6.1)	training records (refer G 2.5).
G. 3. Vehicles/Machinery/Equipment		
G 3.1 REVISED	All vehicles/machinery/equipment must be checked regularly, as a minimum before the start of each day's work, to ensure it is maintained in a safe and serviceable condition. After the visual check, a signature should be recorded on a 'vehicle checklist'. *(See: Farm Vehicle Health Check Scheme Checklist)*	A member of staff will be asked to outline the checks that are routinely undertaken. These should include safety (e.g. wheel nut torque, all guards intact and securely in place, checking that no maintenance or repairs are on-going, lubrication and wearing part checks.) The assessor will ask to see the Vehicle Check List. *(Vehicle Health Check Scheme Checklist is a useful guide)*
G 3.2	Vehicles/machinery/equipment must not be used when in an unsafe condition and faults must be recorded in the logbook. Appropriate repairs/corrective action must be taken before the machine/equipment is signed off as safe to use. Vehicles/machinery/equipment are deemed unsafe if they affect: • Driver safety • Passenger(s) safety • Operator(s) safety • Customer safety • Public safety • Animal health • Quality of service All minor faults, which do not affect safety, should be reported and corrected as soon as possible.	A member of staff will be asked for an outline of the process followed when a named machine/piece of equipment becomes faulty or unsafe. The assessor may ask to see your logbook*. (*Unsafe conditions and faults must be recorded, and the vehicle/machinery/equipment immobilized eg remove key.)*
G 3.3	Vehicles/machinery/equipment must be serviced in accordance with manufacturer's recommendations. Service records must be kept. *(Where available a legible version of the manufacturer's handbook should be made available to the operator in a language understood by the operator).*	The assessor will ask to see your service records* of vehicles/machinery/equipment.
G 3.4	Where appropriate, all vehicles used on the public highway must be roadworthy, taxed and insured and have service/testing record.	The assessor will ask to see evidence of current road tax (or exemption), insurance, vehicle servicing/testing records where appropriate (MOT

		certificate, or for agricultural vehicles/agricultural engines this may be a record of regular in-house servicing).
G 3.5	When traveling in, or operating, a vehicle or machine on the road, the driver, operator or passenger(s) must always wear any seatbelt provided by the manufacturer. *(Wherever practical, based on a risk assessment, the driver, operator or passenger(s) should also wear a seat belt where fitted when traveling in, or operating, a vehicle or machine off-road.)*	The assessor will ask a member of staff if seatbelts are routinely used on the road. They may observe drivers and passengers of vehicles leaving your premises.
G 3.6	Each individual machine must be permanently identified (eg registration number or serial number) and a register of machines must be kept.	The assessor will ask to see your machinery register*.
G 3.7	Machinery must be suitable for its purpose and be maintained in a clean condition and in a good state of repair. Records of cleaning must be kept.	The assessor will ask to see your cleaning records*.
G. 4. Road Safety		
G 4.1	When transporting mounted or trailed equipment the rear lights on the tractor must be in full view from the rear or, there must be lights mounted on the trailed/mounted implements that can be clearly seen from the rear.	The assessor will ask how this is achieved.
G 4.2	The contractor must inform the police or obtain a vehicle dispensation if transporting vehicles with or without mounted/trailed implements that are greater than 3metres in width. Over 4.3metres wide requires the contractor to notify the Secretary of State. *(Contractors must ensure that the dispensation covers all the areas that they service, each constabulary has different dispensations. The dispensation should be carried in the vehicle).*	If applicable, the assessor will ask to see up-to-date dispensations covering all the areas that the contractor services.
G 4.3	Any projection of a load/implement more than 305 mm at either side of the vehicle must be marked with marker boards or tape.	The assessor will ask whether marker boards or tape is used.
G 4.4	Agricultural vehicles must use amber beacons in compliance with regulations. *If the vehicle is not capable of a speed of 25mph they MUST be fitted with and use an amber warning beacon when driven on an unrestricted (speed limit over 50mph) dual carriageway road. The beacon must be visible around the vehicle. When the vehicle is used on any other type of road, the fitting and use of such a beacon is at the discretion of the users.*	The assessor will check available vehicles.

G 4.5	If the contractor is carrying out a roadside operation (such as hedge cutting) and visibility is an issue to other road users then it is recommended that road signs are used to warn other road users that work is being carried out on the roadside.	The assessor will ask if road signs are used.
G 4.6	It is an offence by Section 148 Highways Act 1980 to leave any deposits on the highway. Contractors must clean any deposits left on the road caused by the operation carried out by them. *Refer NAAC Business Guide 2: Mud on Road and Queuing.*	The assessor will ask how this is achieved. This process must be outlined in the quality control plan refer A 6.1.
G. 5. Health and Safety		
G 5.1	Every contracting business must have a relevant written, signed 'Health and Safety Policy', to cover the requirements of the Health and Safety at Work etc. Act 1974. Contractors must ensure that all their employees (and any subcontractors) read and understand the requirements of this policy. A copy of this policy must be made freely available to all employees. (*Ideally employees should be issued with a copy of the policy).* This document must be reviewed regularly (at least annually) and revised in the light of business, equipment or legislative changes. The policy should at least; • identify the person who holds full and final responsibility for health and safety; • who will deputise for him/her in case of absence; • who is responsible for reporting incidents/accidents/ill-health to HSE; • the person(s) responsible for checking the condition of fire extinguishers, work equipment and vehicles; • the person(s) responsible for the first aid kits and equipment (ie the 'Appointed' Person) (all these may be the same person, but the policy should identify this). • state clearly that everyone involved in the business has a personal responsibility for ensuring the health, safety and welfare of him/herself and of others affected by their work activities. • be signed by the person holding full and final responsibility for health and safety in the business.	The assessor will ask to see your written Health & Safety Policy and will check for evidence that the policy is freely available to all staff and that it has been reviewed within the last 12 months. *
G 5.2	As part of the Health and Safety Policy, individual responsibilities for health and safety should be discussed and agreed with all staff.	The assessor will look for evidence that individuals have been appointed to take responsibility for health and safety, this should be logged in the personnel file

		(refer G 2.4) *.
G 5.3	There must be written risk assessments, as required by legislation. These documents must be reviewed regularly (at least annually) and revised in the light of business, equipment or legislative changes.	The assessor will ask to see your risk assessments*.
G 5.4	All employees should be trained to carry out a visual site risk assessment, particularly if they are working on a site with which they are unfamiliar. The customer should be asked to provide information to help with this process. Employees should be given a standard checklist of actions and questions to ask on arrival/or before arrival at a customer's site (particularly if this is the first site visit). This should include location of hazards (eg power lines, areas out of bounds, one-way systems, children), first aid facilities, fire fighting equipment and information about other workers, contractors, visitors on site *(See: HSE's Farmwise)*.	The assessor will ask a member of staff to outline the questions that are routinely asked on arrival at a customer's site. The inspector will ask to see the standard checklist* that employees use.
G 5.5	If, following an on-site visual assessment of risk, the employee considers that there are still significant risks, i.e. a risk to the: • Driver • Passenger(s) • Operator(s) • Customer • Animal health • Environment • Public • Quality of service He/she must not start work (or must stop if work has already started). The operator must consult their manager or supervisor and/or the site owner/manager/foreman and decide ways by which the risks can be satisfactorily controlled. His/her manager or supervisor must agree these changes before work restarts. If the operator considers that the risks are still unacceptably high, their manager/supervisor must visit the site and resolve the situation.	The assessor will ask a member of staff to outline what would happen if they felt that they were being asked to work in an unsafe environment.
G 5.6	Written COSHH assessments, as required by the Control of Substances Hazardous to Health Regulations, must be prepared, before working with, or exposure to, hazardous substances. Where they exist, the manufacturers' Product Safety Data Sheet (PSDS) must also be available. These documents must be reviewed regularly (at least annually), revised in the light of business, equipment or	If applicable, the assessor will ask to see the list of the COSHH assessments and may ask to see an example*.

	legislative changes and made available to all operators and, if required, made available to medical professionals.	
G 5.7	Suitable personal protective equipment (PPE) and respiratory protective equipment (RPE) must be provided to contractor's employees where risk assessment identifies that this is required to control risks to acceptable levels. The employer must also provide: • Information and training in its use, care and maintenance; • The correct fitting PPE and RPE • Suitable facilities to maintain and store PPE and RPE (and 'street clothes'); • Replacement items of PPE and RPE available; • PPE and RPE must be inspected and maintained regularly and a written record of this be kept for a minimum period of five years.	The assessor will look for evidence that suitable PPE and RPE is available, where necessary, stored correctly and well-maintained. You may be asked for records of inspection and maintenance*.
G 5.8	A designated person (or their nominated deputy) must undertake an annual inspection of: • First Aid Kits – condition, contents and expiry dates; • Vehicles; • Work Equipment. In addition to a monthly check by a designated person (or their nominated deputy), a competent person (qualified engineer) must undertake an annual inspection of fire extinguishers, in accordance with BS 5306-3:2009 BS 5306-3:2009. A written record should be kept of all checks.	The designated person (or their nominated deputy) must be the same as that identified in the health and safety policy. The assessor will check this in your Health and Safety Policy (refer G 5.1). The assessor may ask to see a record of checks of equipment*.
G 5.9	An assessment of first aid needs must be done to determine if a fully qualified, trained first aider is required. As a minimum, there must be an appointed person for first aid within the business, the appointed person is responsible for looking after first-aid equipment and facilities and calling the emergency services when required. Guidance can be found at can be found at: http://www.hse.gov.uk/pubns/indg214.pdf	The assessor will ask to see a record of the appointed person for first aid. If there is a requirement for a fully qualified first aider at work, then the assessor will ask to see the up-to-date certificate.
G 5.10	On each self-propelled machine (tractors, sprayers, combines, processing vehicles etc) there must be a first aid kit, including eye irrigation equipment (within its expiry date). A record of its location must be retained in the office and all staff must be made aware.	The assessor will make sure that there is at least one first aid kit on each self-propelled machine (tractors, sprayers, combines, processing vehicle etc) and that staff are aware of its location.

G 5.11	At least one fire extinguisher must be kept on each self-propelled machine (tractors, sprayers, combines, processing vehicle etc). A record of its location must be retained in the office and all staff must be made aware. A record of extinguisher maintenance and inspection should be retained.	The assessor will make sure that there is at least one fire extinguisher on each self-propelled machine (tractors, sprayers, combines, processing vehicle etc) and it is clearly visible and a record of the location is kept in the office.
G 6.0. HACCP		
G 6.1	A designated person (Refer G 2.8) must take responsibility for quality control and produce, approve, implement and review a written Hazard Analysis and Critical Control Plan (HACCP). The quality control plan must contain: • details of the whereabouts of various documentation or record keeping systems; • identification of any hazards that must be prevented, eliminated or reduced to acceptable levels; • information on any critical points in the operation that could give rise to hazard and undue risks, together with controls • details of cleaning operation protocols, to include machinery and equipment; • a summary of the operational procedures in place to ensure the desired quality of service.	The assessor will ask to see your organisational chart (refer G2.7) and training records (refer G 2.5). The inspector assessor will ask to see your written Quality Control Plan*.
G 6.2	The designated person in G 6.1 must record any departure from procedures agreed in the Quality Control plan.	If you change your procedures keep a record*.
G 7. 0 Workshop Safety		
G 7.1	The workshop floor must be kept tidy to reduce/eliminate the risk of tripping.	The assessor will make a visual check of the workshop.
G 7.2	Gas bottles must be kept in a secure upright position using a chain or strap. A trolley must be used to transport bottles. *(Acetylene gas bottles must have flash back arresters)*	The assessor will ask to see where the gas bottles are stored.
G 7.3	Air pressure systems (such as compressors) must be inspected annually by an independent certified engineer.	The assessor will ask to see inspection certificates for air pressure systems.
G 7.4	Workshop electric systems must be Residual Current Device (RCD) protected.	The assessor will see if the electric systems are RCD protected.
G 7.5	Regularly inspect the wiring and condition of all portable tools. Inspections should be carried out in-house every 6 months. Electrical equipment including portable electric tools must comply with the 'Electricity at Work Regulations 1989'. Evidence of compliance must be provided ie. inspection and	The assessor will ask to see the inspection records for the portable equipment*.

	testing records. *The frequency of inspection and testing depends upon the type of equipment and the environment it is used in.*	
G 7.6	All tools/machinery with moving parts must be guarded.	The assessor will check all guards on moving machinery.
G 7.7	Any lifting equipment such as chains and straps must be tested annually to ensure they are fit for purpose. The annual test must be carried out in accordance with the Lifting Operations and Lifting Equipment Regulations (LOLER). *See: Lifting Operations and Lifting Equipment Regulations (LOLER)*	The assessor will ask to see inspection certificates for equipment.
G 8. Fuel and Oil Storage		
G 8.1	Where required by legislation fuel tanks must be bunded in case of leaking. *(for more information on fuel storage requirements see Defra Protecting our Soil, Water and Air, A Code of Good Agricultural Practice for Farmers and Landowners)*	The assessor will ask to see the contractor's diesel tanks.
G 8.2	An absorbent material must be kept by the fuel tanks (including mobile fuel tanks) in case of a spillage/leak.	The assessor will check to see if there is an absorbent material by the fuel tanks.
G 8.3	All pipe work and taps on mobile fuel storage tanks (i.e. bowsers) must be kept locked when not in use.	The assessor will ask to see mobile fuel storage.
G 8.4	Oils must be stored within an area that is lockable, e.g. within a lockable workshop.	The assessor will ask to see where the oil is stored.
G 8.5	Anti-freeze must be stored within a secure area.	The assessor will ask to see where the anti-freeze is stored.
NEW G 8.6	Diesel exhaust fluid (DEF) e.g. AdBlue etc, must be stored in either polythene, fiberglass reinforced plastic or steel-based metal alloy tanks.	The assessor will ask to see where the DEF is stored.
G 9. Emergency Action Plans		
G 9.1	The contractor must have an emergency action plan in place for each site/depot and it must be readily available to all staff. (the emergency action plan must include: • Contractors yard/depot address and telephone numbers; • A list of any hazardous substances and their location; • Location of fire extinguishers, spillage kits, washing facilities, mains water supply, surface and foul water	The assessor will ask to see the emergency action plans for the contractors' yard/depot*.

	drains and access points and gas and electricity isolation points; • Location of assembly or evacuation point. Contact details for the local authority/environmental health, doctor, local police, electrical company, gas company, water company, emergency waste disposal company).	
G 10.0 Biosecurity		
G 10.1 **REVISED**	Contractors must follow up-to-date Defra and Government guidance on biosecurity; the contractor must follow the farms/customers biosecurity policy if it is more stringent than Defra's biosecurity policy. See Defra Biosecurity guidance for livestock	The assessor will ask how this is achieved. A copy of the Defra guidance should be kept.
G. 11. Complaints/Incidents Procedure		
G 11.1	Every contracting business must have a complaints procedure. This will involve a system of reporting, investigating and responding promptly and efficiently to all internal and external complaints.	The assessor will ask to see records and how any corrective action is implemented*. The complaints record should include a place to note corrective action.
G 11.2	All accidents must be reported and recorded. A procedure should be established to investigate all accidents, to minimise any risk of the same accident occurring again.	The assessor will ask to see records and how any corrective action is implemented*. *(Personal details entered in the accident book should remain confidential. Each page of your accident book should be able to be removed and stored in a secure location).*

APPENDIX

Operating Procedures

Certification to these standards is conditional on a successful initial assessment visit and surveillance assessments thereafter. The certification system is an independent third-party system for determining conformity with product standards. The certification system requires examination of product, the production process, the production environment, and assessment of the quality management system. Acceptance after initial assessment is followed by ongoing surveillance. The certification system is linked to a Certificate of Conformity, documentation, and where appropriate approved scheme marks. The mark is the property of NAAC and is issued, under licence, through SCI.

APPLICATION

1. Contractors wishing to be certified to the Standards should join online (go to www.naac.co.uk/albc for link to application form).
2. Contractors should normally make an application in respect of all their enterprises which they run as a single business. However, this is not compulsory.
3. Contractors should complete the online form in full and submit with payment.
4. By joining the Scheme, contractors agree to be bound by the Scheme standards and operating procedures and SCI Certification Obligations and Rules. The scheme owners reserve the right to alter the standards and operating procedures for schemes where, at their absolute discretion, they consider it necessary to do so and changes will be notified.

MEMBERSHIP

5. New Applicants – SCI will contact the applicant to arrange the audit. Audits will be booked within a maximum of 14 calendar days of the application being received. Assessments will be carried out against the standards in force at that time. Fees must be paid on application and renewal, prior to the audit taking place.
6. Renewal for Existing members – Renewal of Certification will be conditional upon the receipt of the appropriate fee, and confirmation that the contractors will continue to follow the Standards and operating procedures. On renewal, an annual audit will take place within 8-14 months of the previous audit.

INDEPENDENT ASSESSMENT

7. Routine surveillance assessment will be carried out annually.
8. Once the application or renewal has been accepted, arrangements will be made within 14 days for an assessment visit to be booked.
9. Assessment visits will normally be by appointment with the contractor. However, SCI reserves the right to make short notice or unannounced visits.
10. All participants agree to give employees and agents of SCI reasonable access to their business and relevant sites to carry out the assessment visits required. Failure to do so will result in the suspension of membership. Reasonable notice will be given of any routine assessment visit.
11. Once the assessment visit has been completed, SCI will either issue the applicant with a 'notice to remedy' for non-conformances or forward the assessment report for certification.
12. Certificates may be granted to participants who have had an assessment against the appropriate NAAC ALBC Standard and have closed any non-conformances identified at the assessment.

Non-conformances may be closed by submission of documentary evidence or by revisit. Non-conformances must be closed within 3 months of an initial assessment or 28 days for any subsequent annual assessment.

13. The contractor should inform SCI once any non-conformance(s) has been remedied and submit documentary evidence. SCI may then arrange for a site revisit in circumstances where product integrity may be compromised. The costs associated with these procedures, including any additional visits, will be borne by the contractor, but will be kept as low as reasonably possible.
14. Assessors may refuse to carry out an assessment in the presence of a third party who they believe will, intentionally or otherwise, influence its outcome in an inappropriate manner.
15. Certificates will be issued when the contractor meets the certification requirements. Certificates are not transferable and remain the property of SCI. Once a Certificate has been issued, a contractor may promote themselves as 'assured' and will be included in the List of Assured Contractors on the NAAC website: https://www.naac.co.uk/listofalbc/

SUSPENSION/TERMINATION OF MEMBERSHIP

16. Failure to supply satisfactory documentary evidence within 3 months of the initial assessment or 28 days of a surveillance assessment or pass a revisit where necessary will result in the contractor being suspended, and the database altered accordingly, until accepted back into the scheme by a revisit or the end of the scheme year at which time they will be deemed to have lapsed. All revisit costs will be borne by the contractor.
17. SCI reserves the right to suspend or withdraw certification when it considers that it is necessary to do so, such as in the event of a serious food safety issue or the Scheme being brought into disrepute. The suspension will remain in force until

either the contractor is accepted back into full membership (by revisit or submission of documentary evidence) or until the end of the scheme year when membership will lapse.

APPEALS

18. In the event that a contractor feels he/she has been incorrectly assessed during an assessment visit, he/she has the option to ask, within 14 days, for a re-assessment by another assessor appointed by SCI. If the contractor's complaint is upheld, there may be no cost for this and any suspension of membership that may have been imposed will immediately be lifted. If the findings of the original assessment are corroborated, or if it is clear that the company has taken action in the interim that will materially affect the outcome of the re-assessment, the cost of the visit will be borne by the contractor. Any requests for re-assessment visits will be undertaken as soon as possible by SCI.

19. If a contractor still feels that he/she has been incorrectly assessed following the procedure outlined in the above clause, he will have the option of having their appeal heard by a panel convened for this purpose by SCI. A contractor may either put their own appeal to the panel or nominate someone to do so on their behalf. In the latter case the contractor will still be expected to attend the panel session. Both parties will endeavour to keep costs to a minimum. In the event that an appeal to the panel is upheld, all costs reasonably incurred by the appellant will be met by SCI. If an appeal is turned down, any costs reasonably incurred through the operation of the panel will be borne by the contractor.

USE OF TRADEMARK AND/OR LOGO

20. Contractors certified to the standards shall be permitted to indicate that they hold a certificate and, for that purpose only, shall be permitted to use on stationery, publicity materials, exhibition stands and signage, 'Trade Mark' and/or the Assured Land-Based Contractor 'Logo' in accordance with any directions given from time to time by the Company with regard to the use of the Trade Mark and/or the Logo. Certified participants agree to observe all such directions. The Assured Land-Based Contractor Logo may only be used by contractors who are audited and certificated under the ALBC standards (as in points 1-17 above).

21. The above consent, in so far as it applies to use of the Trade Mark, is limited to using the entire designation "Assured Land-Based Contractor" and, in so far as it applies to using the Logo, is limited to using the Logo in an identical form to that used by the Company. The consent is personal to the certified participant and may not be transferred or licensed to any other person.

22. Certified participants shall not use (or authorise or license others to use) the Trade Mark and/or the Logo in any way outside the scope of the above consent and they shall not use or authorise or license others to use any name, mark, sign or device confusingly similar to the Trade Mark and/or the Logo nor file or cause to be filed any trade mark or company name registration applications containing or confusingly similar to the Trade Mark and/or the Logo. The certified participant will not oppose or cause any opposition to be filed to any trade mark applications filed by the NAAC, register the Trade Mark and/or the Logo anywhere in the world nor otherwise cause any question to be raised concerning the company's ownership of the Trade Mark and the Logo.

23. NAAC reserves the right to withdraw from any certified participant the permission granted hereunder, after giving one months' notice or upon immediate notice if the certified participant fails to observe the directions of the Company with regard to the use of the Trade Mark or the Logo or if certification is suspended or terminated for whatever reason.

CONFIDENTIALITY

24. For the purposes of paragraphs 24, 25, 26 and 27 all references to agents of NAAC refer only to those persons appointed, employed or contracted by NAAC to provide computing and/or database services or in connection with such services as are required to maintain the database referred to in paragraph 24.
Details of registered participants are held on a database. Where an enquirer is able to quote the name and address or name and registration number of a certified participant NAAC or its agents will confirm the member's status as follows: 'Full Member' or 'Suspended Member'. The date of the last assessment visit may also be given. Subject to paragraph 24 no other specific information will be given without the permission of the certified participant.

25. NAAC and its agents reserve the right to also release information from its database about the certification status of a member to a person (for example such as Red Tractor) with a legitimate interest in knowing that information if proof of certification might be in the member's interest. The member accepts that information about his lack of certification status may be revealed under the provisions of this paragraph.

26. NAAC may produce and publish statistical reports drawing upon aggregated Scheme data so that individual data cannot be traced back to individual applicants or members.

27. Membership data may be retained on the above-mentioned databases and will be treated as specified above for a reasonable time after a person has ceased to be a member of NAAC or one of its land-based contractors' schemes.

DISCLAIMER

28. Under no circumstances will NAAC or its employees or agents (e.g. SCI) be liable for any losses, damage, charges, costs or expenses of whatever nature (including consequential loss) which any contractors may suffer or incur by reason of or arising directly or indirectly out of the administration by NAAC or its employees or agents or the performance of their

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