Terms of Reference

FSC Standards Development Group for the participation in the FSC International Generic Indicators and development of an FSC Australia - National Forestry Standard pursuant to FSC STD 60-006

Date: 27 February, 2014

This final version has been agreed by the SDG on 27th February, 2014

1. Background and primary objectives of the Standards Development Group

In August 2013 FSC Australia initiated the establishment of the Standards Development Group (SDG) as the first step in its national standards development process. Following the publication of selection criteria and initial Terms of Reference a chamber membership driven process established nominations for each of the seats. Where individual seats were contested by more than one applicant, a ballot was created for members to vote on the final composition of the group. The group was established in October 2013.

The following Terms of Reference represent an updated version of the initial Terms of Reference (ToR).

The FSC Australia Standards Development Group will:

- Develop an FSC Australia - National Forestry Standard (FSCA NFS), to be created pursuant to FSC STD 60-006 see http://au.fsc.org/national-standard-development.300.htm; and
- Provide feedback to FSC International on behalf of the FSC Australia membership on the Second Draft of the International Generic Indicators (IGIs) for the revised FSC Principles and Criteria (FSC-STD-01-001 Version 5);

The ToR are subject to change at the discretion of the SDG. For the SDG to make changes to the ToR there shall be a motion passed achieving consensus as per Section 5. A motion within the SDG to change the ToR should only be put forward once all other alternative options have been considered.

In making amendments to the ToR the SDG may seek input from FSC Australia and shall submit all changes to the FSC International Policy and Standards Unit.

These ToR conform to and build off FSC-STD-60-006 Process requirements for the development and maintenance of National Forest Stewardship Standards
2. **Roles and Responsibilities of the SDG**

The primary role of the SDG is the drafting the FSCA NFS for final approval by FSC Australia and FSC International. Process:

- Engaging stakeholders in their respective representative capacities and ensuring their perspectives are fed back to the SDG.

- Seeking advice from FSC International Policy & Standards Unit, FSC Asia Pacific Regional Office, other Network Partners, and/or relevant technical experts on aspects of the IGIs as they relate to the FSCA NFS.

- Reviewing, considering and providing feedback on stakeholder comment received through consultation processes.

- Participating in stakeholder outreach and information-sharing forums.

- Facilitating membership and stakeholder engagement which may include face-to-face and on-line facilitated stakeholder engagement to gather feedback, and seeking expert advice.

The SDG is also responsible for:

- Reviewing and proposing revisions to the IGIs on behalf of the Australian membership according to these ToR, FSC-PRO-01-001 (Version 3-0), FSC-STD 60-006 and the approved Work plan for the development process.

- The development, implementation, and amendment of a workplan to deliver the primary objective of the SDG. This workplan will be consistent with the Standards Transfer Workplan approved by the FSC International Policy and Standards Unit in October 2012, and consistent with FSC-STD-60-006 (V1-2) *Process requirements for the development and maintenance of National Forest Stewardship Standards*. In particular, the Workplan will include details of:
  - Timelines
  - Budgets
  - Consultative Forum
  - Technical Experts
  - Terms of Reference

SDG Members will consult with stakeholders through consultative forums as outlined in FSC-STD-60-006.

The SDG will be aided by an Experts Working Group (EWG) formed of those with the skills required to input into the response to the IGIs and development of the FSCA NFS. The EWG can include members and/or independent experts in a given field from outside the membership.

As the FSCA NFS evolves, guidance may be sought from FSC International as to how the standard development process should be managed. Subsequent instructions or directions must be adhered to by the SDG.
3. Development of FSC International Generic Indicators

The FSCA NFS development process runs parallel to, and is informed by, the development of the International Generic Indicators (IGIs). The IGIs will undergo public consultation in early 2014 to be finalised in mid to late 2014. The SDG interacts with IGIs in two key ways:

- Collating feedback from the FSC Australia membership about the IGIs for the revised FSC Principles and Criteria (FSC-STD-01-001 Version 5); and,
- Producing a position paper outlining areas of consensus and areas where contention still exists.

This process will ensure strong consideration of the Australian context in the development of the final IGIs, which directly impacts the final FSCA NFS.

The FSCA NFS the IGIs serve as a baseline for developing individual indicators. The process for using the IGIs as guidance is detailed in FSC International’s transfer procedures. This transfer process allows for four possible ways of dealing with each individual IGI:

- Adopt the proposed IGI word for word;
- Adapt the proposed IGI to the national situation, whilst retaining the elements and the baseline expressed in the International Generic Indicators, and justify this change;
- Propose a new indicator and justify why required.
- Drop a proposed IGI may also an option, but all elements of the criterion must be covered by at least one indicator.

The FSC IGI website www.igi.fsc.org provides more information about this process and will be continually updated as documents, resources and other information becomes available.

4. Structure of the SDG

The SDG is composed of nine FSC Australia members and is chamber balanced. It operates independently with no conflict of interest created with respect to the composition of the FSC Australia Board and the SDG. Employees, members or representatives of organisations that are represented on either the SDG or the FSC Australia Board cannot also be represented on the other. SDG Members are appointed to represent and consult with all stakeholders relevant to their chamber outlined in FSC-STD-60-006.

Where, for any reason, a SDG position is vacated, the process for filling the position on will follow the same process as the original selection process. The nominee must meet the skill requirement of the vacated position. The original Selection Criteria will be used to fill the position. Any changes to the Selection Criteria will be developed and agreed via consensus by the SDG. The original process applications and the Selection Criteria are contained in the original Terms of Reference and communications held by FSC Australia.

An Independent Chairperson and the Deputy CEO – Policy of FSC Australia, also support the SDG. Both roles participate in the SDG’s work and deliberation but do not have voting rights.

Duties of the Chairperson:

- Chair in-person and online meetings of the SDG with an objective of establishing consensus positions on standard content.
- Work with the Deputy CEO to facilitate preparation of meeting agendas, supporting documentation and required reports.
- Mediate where necessary between SDG members on matters of policy and standard’s content.
• Attend some stakeholder consultation sessions with members of the SDG and Deputy CEO.
• Liaise with the Chair of FSCA’s Board of Directors from time to time.
• Speak on behalf of the SDG where an independent voice is required.

Duties of the Deputy CEO:

• Work with the Chairperson to prepare documents and agendas for in person and online meetings.
• Coordinate the SDG process and provide administrative support to the SDG.
• Manage FSC Australia’s support of the stakeholder engagement process and consultative forum.
• Manage records, reports and external communications of the SDG.
• Maintain the standards development budget and expenditure.
• Provide technical support to the SDG regarding FSC processes and requirements.
• Manage drafts of the FSCA NFS under direction from the SDG and Chair,
• Document meetings and decisions as per Section 11 of these ToR.

5. Quorum and Decision-making of the SDG

Policy and standards decisions of the SDG shall be made by consensus. Consensus, as defined by FSC-STD-60-006, shall be “general agreement in favour of the motion, with the absence of sustained objection from any member of the Standards Development Group”.

A quorum shall be represented by at least two members from each chamber. Furthermore:

• Each member of the SDG has the responsibility to operate responsibly, in good faith, and in accordance with the Terms of Reference and applicable procedures, including effective representation of chambers and regions. The Chairperson ensures that all members of the SDG have the opportunity to express their opinions and concerns, striving for consensus in all deliberations and decision-making.

If member(s) are not present for a decision, then a provisional decision may be made, subject to participation by the absent member(s). Quorum is required for any provisional decisions, and full member participation is preferred.

• If consensus cannot be achieved, then the decision shall be taken by voting. In the case of a vote, agreement by 6 of the 9 chamber seats of the SDG members, including at least two SDG members per chamber, shall be considered a decision. If a decision cannot be reached by voting, then the arguments for and against the issue shall be documented and all outstanding concerns of individual SDG members shall be included in the final report that accompanies the final draft of the FSCA NFS presented to the FSC Policy and Standards Unit.

• If a final draft cannot be agreed on within the time specified as per the Standards Development Group’s work plan, advice of the FSC International Policy and Standards Unit shall be sought as to how to proceed.

• Expert recommendations from appointed technical experts will be considered and if such recommendation is not followed, the rationale for this decision by the SDG will be documented and justified.

• When impasse issues arise that cannot be resolved by the SDG, they will be addressed through the consultative process, with options and perspectives circulated for consultation. The SDG will then work to resolve the issues based on comments received. If the issue is highly technical in nature, additional research/
investigation on that issue might also be sought to provide additional information for making informed decisions.

The SDG will be supported by the Deputy CEO – Policy and a technical writer in the drafting of the standard. The SDG shall make the decision to recommend the final draft of the FSCA NFS to the FSC Australia Board of Directors for final approval.

6. Relationship with FSC Australia

FSC Australia, as a National Office of FSC, is accountable to FSC-PRO-60-001 FSC Network Procedure which defines its roles and responsibilities. This includes the responsibility to “Coordinate the development and ongoing management of the national FM standard in accordance with FSC-STD-60-006”. As such, FSC Australia, under guidance from its Board of Directors, is responsible for the overall coordination of national standards development, primarily through the allocation of funds and resources as well as approval of the final FSCA NFS draft to be submitted to FSC International.

However, the independence of the SDG in making policy decisions regarding the content of the FSCA NFS is vital. Thus, the FSCA Board of Directors shall not seek to intervene or influence the SDG’s policy decision-making process and must accept decisions made by the SDG that are in line with these ToR and any other relevant FSC processes and policies.

Correspondence and reporting between the FSC Board of Directors and the SDG will be primarily through the Deputy CEO and CEO. Direct communications between the Chair of the SDG and the FSCA Chair will be used only when an issue is deemed to warrant escalation. This will occur only after usual lines of reporting are exhausted, either through the Deputy CEO or the CEO of FSC Australia.

Approval of the final draft by the FSC Australia Board of Directors shall be considered based on whether the intent of FSC’s guiding policies for standards development processes have been met. The SDG will provide a report outlining the process followed for developing the standard to this end.

7. Work plan and time commitment

The SDG will develop and agree on a Workplan, incorporating the FSC PSU approved standards transfer Workplan and consistent with relevant FSC standards.

It is envisaged that the standards development process will run until December 2015 with the majority of work to be completed by July 2015. However, this date may change depending on the progress of the standard development, funding and external processes.

It is envisioned that the total time commitment required across the length of the process will be three to four days a month, with some months being less and others more. Some travel within Australia to cities and regional areas will be required.

If for any reason a member of the SDG or the Chair has concerns regarding the time being spent on this process they should approach the Deputy CEO or Chair so that the issue can be included for group discussion and appropriate measures can be taken. Such measures may include alteration of project timelines and allocation of duties.

8. Budget

FSC Australia allocates a portion of its Policy and Standards Budget to cover the expenses of the SDG activities, which shall include stakeholder engagement, the expert working group and SDG participation. The SDG will be responsible for recommending expenditure in line with the
agreed Workplan for approval by FSC Australia.

An expenses policy has been developed to cover the following:

- Covering travel and accommodation.
- Honorarium for SDG members.
- Policy for per diem and meal expenses.

Where the SDG deems that it is appropriate for expenses to be covered for particular stakeholders or experts the same policies apply.

9. Languages

The working language for the Standards Development Group will be English.

10. Confidentiality

Discussions and drafts of the FSCA NFS are considered confidential and SDG Members resolve not to speak to any media or any external stakeholders about this process or its products until the FSCA NFS has been made public by FSC Australia, unless otherwise agreed by a decision of the SDG.

The SDG operates according to Chatham House Rules. So, while members of the SDG have full authority to share the non-confidential substance of discussions and papers, they shall not report or attribute neither the comments of individuals nor their affiliations outside of meetings, whether conducted face to face or virtual.

11. Record of Meetings and Correspondence

The Deputy CEO – Policy shall be responsible for drafting minutes of all meetings of the SDG (i.e. face-to-face, video or teleconference, this includes situations where discussions are held, but there is not a quorum). All records must be kept in accordance with section 16 of FSC-STD-60-006, and be held by FSC Australia at the conclusion of the standards development process.

The SDG Chair will set clear protocols for communication channels, minute taking and record keeping in compliance with this standard.

12. Consultative Forum

The SDG shall be responsible for setting up a Consultative Forum for the standards development process in line with the requirements of FSC-STD-60-006.

The role of the Consultative Forum shall be to ensure that all stakeholders who may be affected by the implementation of the standard have the opportunity to comment formally during the standard development process. FSC Staff will support the development of a Consultative Forum and stakeholder engagement.

Membership of a Consultative Forum shall be open to any stakeholder on request. The Consultative Forum shall at a minimum include individuals and/or organizations reflecting the full range of stakeholders affected by the standard(s) under development at the national level.
The Consultative forum shall be consulted and kept informed at each stage of the standards development process with their comments being addressed and recorded.

13. Communication Plan and Transparency

Input received on through the Standards Development Process will be made public and posted on the FSC Australia website. Input content will not be attributed to its source unless attribution is requested by that source. Anonymous input will not be considered, nor published. Comments will be responded to a Summary of Comments that highlights feedback received and how it was addressed through the decision making process.

Various drafts of the FSCA NFS will be posted on the FSC Australia website with links distributed directly to FSC members, certificate holders, certification bodies and the general distribution list, which includes a range of stakeholders.
We, the undersigned, representatives of, FSC Australia members elected to the Standard Development Group, endorse and commit to these Terms of Reference. Signed on Friday 28, February 2014.

Tim Anderson
Individual Member (Social)

David Blair
Individual Member (Environment)

Aidan Flanagan
Institute of Foresters (Social)

Peter Grist
Australian Forest Products Association (Economic)

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The Wilderness Society Inc.(Environment)

Amanda Naismith
New Forests (Economic)

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