

FSC® TERMS OF REFERENCE

Technical Working Group for Project Certification



**PROJECT
INFORMATION**

Project Title:	Revision of the Project Certification Standard
Project Manager:	Lucia F. M. Massaroth – Program Manager Chain of Custody
Contact:	FSC International Center Policy and Standards Unit Charles-de-Gaulle-Str. 5 53113 Bonn, Germany
	 +49-(0)228-36766-53
	 +49-(0)228-36766-30
	 l.massaroth@fsc.org

WORKING GROUP INFORMATION

Type of Working Group:	Technical Working Group
# of WG members:	0
# of Technical Experts:	5
Coordinator:	Lucia F. M. Massaroth
Working language	English (other languages may be supported as needed)

Part I –Terms of Reference

1 Background of the Project

FSC-STD-40-006 V1-0 EN FSC Chain of Custody Standard for Project Certification specifies requirements for FSC certification of projects (e.g. buildings, boats, etc.) that use FSC certified wood materials/products.

Since the standard was approved on July 1st 2006 (more than 8 years ago), the FSC Chain of Custody (COC) and FSC Trademark standards have been updated. This means that terminology and procedures within FSC-STD-40-006 are no longer in line with current FSC certification requirements. Feedback has been received from project certificate holders that the standard is unclear in places and in need of revision. As other related standards progress, it is becoming increasingly unworkable and is hindering the development and promotion of FSC project certification.

Also, FSC has never developed accreditation requirements for project certification. For this reason, in addition to revising FSC-SDT-40-006, the working group responsible for this revision process is also required to develop accreditation requirements for Project Certification to be incorporated into *FSC-STD-20-011 V2-0 Chain of Custody Accreditation*.

Considering that the project certification standard is a purely technical document (it does not include social and environmental requirements), a Technical Working Group of five (5) members (Technical Experts) will be established.

2 Set up of the project

FSC will establish a **Technical Working Group** consisting of 5 Technical Experts to deliver on the tasks and responsibilities outlined in these Terms of Reference (TOR).

In addition to the TWG, the following bodies are involved in the project, established in line with FSC-PRO-01-001 V3-0:

A **Coordinator** who is a PSU staff member, is appointed by the Policy Director, to administer the process and to manage the TWG and the Consultative Forum. The Coordinator is responsible for ensuring that the TWG operates responsibly and in accordance with its terms of reference and the applicable procedures. The Coordinator is also responsible for coordinating with PSU staff and seeking other expertise as necessary.

A **Steering Committee** (composed of the FSC Director General, the Policy Director and the Coordinator, and others on invitation) which provides oversight on all phases of the process until the final decision by the FSC Board of Directors. Liaisons from the FSC Board of Directors and the Policy and Standards Committee will be invited to the Steering Committee, though they do not have a decision-making role on the Steering Committee.

A **Consultative Forum** is a self-selecting group of interested/affected members, certificate holders, certification bodies and other stakeholders interested in providing ongoing, direct and meaningful input into the process.

3 Objectives of the Technical Working Group

The Technical Working Group is expected to revise the standards FSC-STD-40-006 V1-0 and corresponding accreditation requirements for certification bodies (to be incorporated into FSC-STD-20-011 V2-0).

4 Tasks and responsibilities of the Technical Working Group

The members of the TWG will work together throughout this process, discussing issues and interacting with each other as a group in and outside of meetings as necessary and/or required by the process coordinator.

In particular, the members of the TWG shall:

- Revise the current version of FSC-STD-40-006 and based on the initial research information provided by the project coordinator, discuss and recommend whether major changes are necessary to the existing requirements.
- Analyze whether and how the FSC Online Claims Platform might be used to facilitate and improve quality of FSC project certification.
- Analyze and identify opportunities to align FSC project certification with other initiatives (such as LEED certification, Public Procurement policies) applicable to the construction sector in different countries/regions.
- Analyze the interaction between project certification and the FSC Trademark Service Provider (TSP) to determine whether projects should qualify for TSP or project certification.
- Analyze the existing FSC trademark rules applicable to project certification and provide recommendations to the working group responsible for the FSC trademark standard revision on potential/needed improvements to the trademark rules applicable to projects.
- Analyze, discuss, and develop new accreditation requirements for project certification.
- Seek comprehensive advice on the development and outcome from the FSC Global Network, FSC Board of Directors, FSC accredited certification bodies, FSC certificate holders, other FSC stakeholders and/or relevant Technical Experts.
- Provide detailed input into the development of draft versions.
- Reviewing and advising on comments received during public consultation.
- Participating in stakeholder outreach and information-sharing forums, as possible.
- Decide when a draft is ready for public consultation;
NOTE: this does not require a consensus decision of the WG on the content, but consensus (or alternatively a majority decision) that a draft is ready to be submitted for stakeholder consultation.
- Recommend that the final draft is ready to be submitted to the FSC Board of Directors for approval.

5 Selection of the members of the Technical Working Group

A call for expressions of interest, supported by CVs, will be launched to the public for identifying the candidates of the Technical Working Group.

Members of the Technical Working Group will be selected according to the following criteria:

- a) Ability to provide specific technical input on project certification, FSC chain of custody certification, FSC accreditation and/or construction sector;
- b) Up-to-date knowledge and experience of FSC's systems and procedures;
- c) Understanding of the potential impact of a normative document on affected stakeholders;
- d) Understanding of and support for FSC's mission and vision;
- e) Desire to seek and reach consensus on controversial issues;
- f) Ability to review and comment on documents submitted in the working language(s) agreed for the TWG;
- g) Track record on successful working groups is an asset;

h) Gender balance and balance of geographical regions, where possible.

Applicants, who do not get chosen, will be invited to participate to the Consultative Forum.

6 Deliberations and Decision Making

In order for the TWG to meet and deliberate, there must be quorum, defined as a minimum of three (3) TWG members. The Coordinator will strive to select meeting dates and venues that allow for full participation of all Working Group members.

NOTE: a neutral facilitator may be appointed for each working group meeting to support the Working Group in running a successful meeting.

All TWG members must participate in each point of 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.

The TWG shall strive and make every effort possible to take decisions by consensus (see Glossary). If consensus cannot be achieved, then the decision shall be taken by voting.

In the case of a vote, agreement amongst at least 66% of the TWG members (3 members in the case of a 5 member TWG) shall be considered a positive decision.

If a decision cannot be reached by voting, then the arguments for and against the issue shall be documented and the issue shall be forwarded to the Steering Committee for resolution.

In all cases, outstanding concerns of individual TWG members shall be documented and presented to the FSC Board of Directors in the final report that accompanies the document presented for decision.

The Coordinator, FSC Staff, Steering Committee members and any other supportive personnel shall not participate in any decision-making.

The TWG shall make the decision to recommend the final draft of the normative document to the FSC Board of Directors for approval. Formal decision-making authority on the approval of FSC normative documents rests with the FSC Board of Directors.

If the TWG is not able to agree on a final draft within six (6) months after the final round of public consultation, the Steering Committee shall take a decision on how to move forward with the process.

7 Work plan and time commitment

The TWG will conduct most of its work via e-mail or similar means of electronic communication (e.g. Go-to meeting conference), and through one-on-one calls with the Coordinator when required. Two face-to-face meetings are envisaged: A kick-off meeting and a meeting after the first public consultation to revise the proposal. Optionally, there may be a third face-to-face meeting after the second public consultation.

The TWG will be established after the approval of this TOR. The expected start-date for the Technical Working Group is September 2015, with a targeted completion by November 2016.

An estimated time table is provided in Annex 2. The timetable and the detailed work plan will be updated as necessary.

8 Expenses and Remuneration of the WG

FSC is an international not-for-profit membership organization with limited funding. Participation in the TWG takes place on a voluntary non-paid basis.

If required, FSC covers reasonable travel and accommodation expenses related to the workplan upon submission of the respective invoices and receipts, and if expenses are agreed upon in advance.

9 Confidentiality and conflict of interest

Technical Working Group members as well as all supportive staff shall sign a confidentiality and non-disclosure agreement with FSC at the beginning of their work.

All documents prepared by or presented to the TWG are assumed to be public unless identified otherwise by FSC and agreed by the TWG.

The TWG operates according to Chatham House Rules. So, while members of the TWG 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.

The default approach of the TWG is that the non-attributable content of discussions and papers is not confidential, unless so specified.

Members are expected to declare any conflicts of interest, where they arise. This will cause the person(s) to be excused from the discussion and to abstain from participating in decision-making.

10. Language

The working language of the TWG is English. Language support to Spanish is provided on request.

All drafts for public consultation, as well as other documents, as requested and as possible, should be translated into Spanish. Documents may also be translated into other languages if requested by the Working Group and depending on resource availability

Part II –Principles for an effective process

Effective WG meetings

- Established solid foundation at the start (objectives, roles, timetable, etc)
- Agreed meeting protocols
- Detailed agendas provided before and at meetings; meeting materials provided well in advance of meetings whenever possible to ensure that members have sufficient time to review.
- Clear decision making structures, e.g., Use of decision-making matrix based on criteria that need to be considered and scenario-testing
- Simple, logical discussion format, e.g., commencing with clarifying the issue(s) the requirement is meant to address before starting to comment on the specific requirement
- Regular, ongoing temperature checks on points-of-agreement
- Decision point, end of day and end of meeting summaries
- Development of workplan during the first meeting to guide process
- Use of PSU and technical experts in drafting the documents to support WG's role and task
- Decision on use of sub-groups, break-out groups in meetings, etc.
- Temperature check from stakeholder groups before a final draft is recommended to the FSC Board for approval.
- When impasse issues arise that cannot be resolved by the WG, they will be addressed through the consultative process, with options and perspectives circulated for consultation. The WG 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 called upon to provide additional information for making informed decisions.
- Straw poll of the WG before going to decision-making.

Effective communications and representation of stakeholders

WG members are expected to consult with other colleague(s) to ensure a wide range of views are sought.

To support stakeholder engagement, the Coordinator will also:

- Implement a communications strategy to ensure ongoing and meaningful stakeholder engagement
- Proactively push communication towards those who self-declare their interest, or otherwise may be impacted by the standard/policy, via email news briefs to the self-selecting Consultative Forum as well as the FSC mailing lists (Network Partners, Members, etc.)
- Make available for all interested parties via the website:
 - Background documentation and references
 - WG agendas
 - WG minutes (non-attributable)
 - Signed off internal documents and drafts of the WG
 - Attributable comments of stakeholders on draft documents (unless requested otherwise in writing)
- Use tracking/document handling software tools to facilitate dialogue amongst stakeholders as part of the consultation process.
- Seek FSC-related forum to provide updates and solicit input on the documents, for example at Network Partner meetings, regional FSC meetings, global meetings, etc.

Annex 1: Glossary

For the purpose of this document, the terms and definitions given in *FSC-STD-01-002 FSC Glossary of Terms*, and the following apply:

Chamber balanced WG: a group of selected FSC members with professional experience in the field of question, to advise and provide content related input to the development or revision process of a FSC normative document, equally representing the perspectives of the social, environmental and economic chamber of the FSC membership (and 'southern' and 'northern' perspectives in case of a Sub-chamber balanced WG).

Chatham House Rule: *"When a meeting, or part thereof, is held under the Chatham House Rule, participants are free to use the information received, but neither the identity nor the affiliation of the speaker(s), nor that of any other participant, may be revealed"*. The Chatham House Rule has the aim to encourage openness and the sharing of information at meetings.

Consensus: general agreement, characterized by the absence of sustained opposition to substantial issues by any important part of the concerned interests.

NOTE: Consensus should be the result of a process seeking to take into account the views of interested parties, particularly those directly affected, and to reconcile any conflicting arguments. It need not imply unanimity (adapted from ISO/IEC Guide 2:2004).

HCV Framework: The High Conservation Value Framework is a national interpretation of FSC Principle 9. It is a normative document annexed to the National Forest Stewardship Standard or Locally Adapted Standard specifying the location, management, maintaining, monitoring and restoring of HCVs and it is used for conformity assessment by the CABs.

Intact Forest Landscape: According to Global Forest Watch: a territory within today's global extent of forest cover which contains forest and non-forest ecosystems minimally influenced by human economic activity, with an area of at least 500 km² (50,000 ha) and a minimal width of 10 km (measured as the diameter of a circle that is entirely inscribed within the boundaries of the territory).

Technical consultation: targeted internal consultation to receive feedback on a FSC normative document during the drafting or re-drafting stage before the document is released for public consultation.

Technical Experts: a group of selected experts with professional experience in the field of question, to advise and provide content related input to the development or revision process of a FSC normative document.

Annex 2: Estimated Timelines

Phases of the project	2015										2016											
	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	
Research on project certification																						
Call for WG members																						
Setting up the WG																						
Kick off meeting																						
Development of draft 1 of FSC-STD-40-006 and accreditation req.																						
First public consultation																						
Evaluation of comments																						
Second meeting of the WG																						
Development of Draft 2 of FSC-STD-40-006 and accreditation req.																						
Second public consultation																						
Evaluation of comments																						
Development of Final Draft																						
Final approval																						