



TERMS OF REFERENCE FOR REVISION OF 'REQUIREMENTS FOR DEVELOPMENT AND MAINTENANCE OF FOREST STEWARDSHIP STANDARDS'

Terms of Reference and Operating Rules

V1-0

22 April 2022



Title:	Terms of Reference for Revision of 'Requirements for development and maintenance of Forest Stewardship Standards'
Dates:	Approval date: 22 April 2022
Timeframes:	Transition period: Not Applicable
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Working Group Summary

Type of Working Group:	Technical Working Group
Number of Technical Working Group members:	4
Process leads:	Cynthia Penalosa, Process Coordinator Taruna, Process Supervisor Responsible Director: System Performance Director
Working language	English

Process Summary

Process title:	Revision of a) FSC-STD-60-006 V1-2 Process Requirements for the development and maintenance of National Forest Stewardship Standards, b) FSC STD-60-002 V1-0 Structure and Content of National Forest Stewardship Standards, c) FSC-PRO-60-006 V2-0 Development and Transfer of National Forest Stewardship Standards to the FSC Principles and Criteria Version 5-1, and d) FSC-PRO-60-007 V1-2 Structure, Content and Development of Interim National Standards
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A. PROCESS INFORMATION

1. Background of the Process

At its 91st meeting in March 2022, the FSC Board of Directors (BoD) approved the revision of FSC's four standards and procedures regulating the content and process requirements for the development and maintenance of the FSC Forest Stewardship Standards (FSS). These are:

- a. FSC-STD-60-006 V1-2 *Process Requirements for the development and maintenance of National Forest Stewardship Standards*,
- b. FSC-STD-60-002 V1-0 *Structure and Content of National Forest Stewardship Standards*,
- c. FSC-PRO-60-006 V2-0 *Development and Transfer of National Forest Stewardship Standards to the FSC Principles and Criteria Version 5-1*, and
- d. FSC-PRO-60-007 V1-2 *Structure, Content and Development of Interim National Standards*.

These four documents are referred as 'Requirements for development and maintenance of FSS' (also referred as 'requirements' for purpose of this Terms of Reference (TOR)).

Rationale of the revision: to a significant extent, the aforementioned documents are outdated, incomplete and inconsistent. The structure of the documents results in the overlap of some of the contents and hinders effective use and maintenance of FSS. Their status and content do not contribute to the streamlining of policies and standards towards outcome orientation.

The period of validity for all four documents has expired¹. Several factors and processes drive the revision of these requirements, including FSC Global Strategy and the current general rules for the revision of normative documents.

The FSC Global Strategy requires outcome orientation, streamlining² and data driven approach to be incorporated in the requirements for FSS development. In addition, regular review process conducted by Performance and Standards Unit (PSU), the Forest Management Community (FMC) and other stakeholders have found 53 specific issues to be addressed. The content of documents is not fully consistent with what a standard (STD) or a procedure (PRO) shall contain, following the PSU-PRO-10-207 V1-0 EN *Document Control Procedure*. Additionally, the requirements are not aligned with at least 12 other FSC Normative Documents, 2 interpretations and 6 Advice Notes.

In December 2021, the Policy and Standards Committee (PSC) recommended the revision based on the Review Report³ and agreed that these four documents should be merged into one or maximum two normative documents.

During preparation for the revision process, PSU team has further identified the opportunity to merge process requirements for the development and maintenance of FSS (FSS process) with process requirements for the development and maintenance of CW risk assessments (currently in FSC-PRO-60-002 and subject to a separate, ongoing revision process). PSU will continue to explore the feasibility of this merger and will approach the Policy Steering Group (PSG), as well as relevant decision-making bodies for inclusion of the Controlled Wood aspect in this revision process based on the result of the ongoing proof of concept for merging the requirements.

¹ In 2009 the FSC-STD-60-006 was amended with a period of validity ending in April 2014. Periods of validity of FSC-STD-60-002 and FSC-PRO-60-006 ended in January 2015 and June 2020, respectively. In 2020, the FSC-PRO-60-007 was amended with a period of validity ending in October 2021.

² Goal 1.2 of the Global Strategic Plan 2021-2026, and more in specific, to the streamlining of policies and standards towards outcome orientation aiming at making the requirements more efficient, effective, outcome-oriented and risk based.

³ The PSU Review Report was developed according to FSC-PRO-01-001 V3-1.

2. Objective of the process

The objectives of the revision of the 'Requirements for development and maintenance of FSS' are to:

- improve the quality of the FSS, their relevance, understandability, completeness, simplicity, user-friendliness and consistency with other applicable requirements within the FSC Normative Framework;
- incorporate outcome orientation (including monitoring and evaluation as well as data requirements) in the FSS process;
- increase the efficiency, quality, and reliability of FSS processes.

3. Working bodies

PSU will establish a Technical Working Group (TWG) to conduct the revision according to these Terms of Reference (ToR).

The FSC bodies involved in the process⁴ are listed below:

Working bodies*	Name
Technical working Group	4 individuals selected according to this ToR
Process lead, (Process Coordinator)	Cynthia Penaloza
Process lead, (Process Supervisor)	Taruna
Facilitator	TBD
FSC Policy Director	Joanna Nowakowska
Policy Steering Group (PSG)	FSC Director General, representatives of senior management team and selected regional directors.
BoD/PSC Liaison Person	TBD

**Refer FSC-PRO-01-001 V3-1 for more information on role of above positions.*

⁴ Established in line with FSC-PRO-01-001 V3-1

B. TECHNICAL WORKING GROUP INFORMATION

4. Tasks and deliverables of the Technical Working Group

4.1. Tasks

The task of the TWG is to provide comments on and the recommendations to the contents of the revised requirements, including:

NOTE: The TWG will not be involved in drafting the requirements.

- a. Provide comments on the adequacy, feasibility, implement-ability, clarity, etc., of presented draft requirements.
- b. Propose innovative ideas and provide suggestions to improve and standardize the FSS development process to ensure relevance, effectiveness, speed, user friendliness, and enabling outcome orientation.
- c. Ensure alignment of the revised requirements with Secretariat's other work on delivery of the FSC Global Strategy and other normative requirements.

NOTE: Examples of the above include data and technology, monitoring and evaluation, other normative revisions and documents⁵ (e.g., FSC-PRO-01-001 Development and revision of FSC requirements FSC-PRO-30-006 Ecosystem Services Procedure, FSC-STD-20-007 Forest Management Evaluations, etc.).

- d. Provide recommendation on incorporating new and revised IGIs into the existing FSS and dropping a Principle and Criteria during the FSS development.
- e. Provide recommendation on how stakeholder comments received during the revision should be addressed.
- f. Subject to all above, address shortcomings of the current requirements, including but not limited to:
 - a. Inconsistencies, gaps, and redundancy within and between the documents,
 - b. The lack of clear roles, responsibilities and decision making across documents,
- g. Assess and provide recommendation on PSU proposed merged structure of the revised requirements, with an aim to develop a well-defined and user-friendly structure.
- h. Adhere to collaboration rules and process set up determined by the process coordinator and defined in this ToR.
- i. Familiarize themselves with material provided by and within timeframes specified by the process coordinator. (E.g., *TWG members are required to examine the issues identified by PSU and those received during public consultation of PSU review report before the onset of the TWG meetings*).
- j. Collaborate throughout the process by the means of exchange with each other both during and outside the TWG meetings.

⁵ FSC-PRO-60-010 Incorporating a risk-based approach in National Forest Stewardship Standards
FSC-STD-01-003 SLIMF Eligibility
FSC-STD-20-007 Forest Management evaluations.
FSC-PRO-30-011 Continuous Improvement Procedure.
FSC-PRO-01-001 The development and revision of FSC Normative Documents.
FSC-STD-30-005 FSC standard for group entities in forest management groups
FSC Monitoring and Evaluation strategy

4.2. Deliverables

- a. Comments on the first draft of the revised requirements for development and maintenance of the FSS provided and the agreement or objection to the launch of the 1st public consultation provided.
- b. Provide support in analysis of comments received during the 1st public consultation.
- c. Comments on the second draft of the revised requirements for development and maintenance of FSS provided and the agreement or objection to the launch of the 2nd public consultation provided.
- d. Provide support in analysis of comments received during the 2nd public consultation.
- e. Comments on the final draft of the revised requirements for development and maintenance of FSS provided and the agreement or objection to submit the final draft to PSC for recommendations and BoD for approval
- f. Addressing comments received from PSC and/or BoD relevant to the FSS processes requirements.

5. Required Skills

5.1. Technical Skills

- a. Knowledge and experience in FSC's Forest Stewardship Standard development processes (e.g., through involvement in processes to develop or revise FSS at national and/or regional level);
- b. Holistic knowledge about sustainability standards and certification systems, with expertise in at least one of following: standard-setting, assurances and integrity system, monitoring & evaluation, developing/implementing sustainability code of conducts or theory of change.
- c. Up-to-date knowledge on FSC's strategy and priority areas.
- d. Knowledge and experience in standard setting processes of other voluntary certification standards like MSC, ISO standards, ISEAL, etc.,
- e. Understanding of the implement-ability and potential impact of the revised requirements on forests, and affected stakeholders, e.g., standard developers.
- f. Good spoken and written English language skills.

5.2. Soft Skills

- i. Ability to work together in a diverse group of people with different background, multicultural environment.
- ii. Clarity in expression (verbal/written).
- iii. Constructive approach and demonstrated willingness to resolving disagreements.
- iv. Resilience to seatbacks.
- v. High level of motivation to complete the tasks.

5.3. Contribution

- a. Commitment and capacity to deliver high quality of agreed deliverables.
- b. Timely provision of required contribution (in minimum 90% of agreed cases).
- c. Solution-oriented mindset and responsiveness to requests raised by process lead (process coordinator or supervisor).
- d. "Out of the box" thinking, to bring ideas from outside of the FSC and the certification world.
- e. Consideration of and unbiased presentation of views of various groups of interests.

5.4. Engagement

- a. Regular attendance (minimum 90%) to meetings and webinars conducted in the revision process.
- b. Overall conduct, respecting rules of engagement and operations with other TWG members and PSU and adhering to confidentiality specifications.

6. Structure and Accountabilities

The TWG will comprise of 4 persons. Appointed TWG members are expected to adhere to the specifications of this ToR and operate in accordance with the timelines indicated in the estimated work plan (Annex 2).

Appointed TWG members are expected to work in close collaboration with process coordinator and other TWG members to submit quality deliverables. They are also required to engage constructively to support resolution of disagreements and overcome obstacles in the process.

The Process coordinator will strive to select meeting dates and venues that allow for full participation of all TWG members. Process coordinator will monitor and regularly report on TWG performance to the PSG.

7. Work Plan and Time Commitment

The TWG will be established in June 2022. The expected start date of TWG engagement is 1st July 2021, with a targeted completion by the end of 2024. An estimated work plan is provided in Annex 2. The timetable and the work plan may be adapted depending on how revision process advances.

PSU and TWG will conduct most of the work via meetings (face to face or via zoom or MS Team). The estimated number of meetings for 2022 is as follows:

- a. 2 TWG meetings (face to face or virtual).
- b. Optional 1 additional virtual TWG meeting depending on needs.
- c. Virtual meetings every 2 weeks (of 2-4 hours each) as per work plan in Annex 2;
- d. Additional virtual meetings may be scheduled as necessary.
- e. One-on-one calls with the TWG members as per needs.

Additionally, TWG members are expected to participate and engage in public consultation webinars and other relevant events (e.g., discussions during General Assembly).

A similar number of meetings is expected to happen in 2023 and in 2024.

8. Expenses and Remuneration

The TWG is expected to work on a voluntary non-paid basis. FSC will cover justifiable and documented travel and accommodation expenses related to the work plan, upon submission of the respective invoices and receipts, and if expenses are agreed upon in advance.

If required, a stipend can be granted by FSC on a case-by-case basis and upon approval from responsible director.

9. Confidentiality and Conflict of Interest

TWG members shall sign a confidentiality and non-disclosure agreement with FSC by 30th June 2022.

Per default, all content of discussions prepared by or presented to the TWG are considered confidential, unless otherwise specified by FSC IC. TWG 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 is English. All drafts for public consultation will be translated into Spanish.

C. OPERATING RULES

11. Deliberations and Decision Making

Formal decision-making responsibility of the TWG is to recommend to the PSG when drafts are ready for public consultation and when final drafts are ready to be sent for decision making by the FSC Board of Directors. Fulfillment of tasks specified in section 4 is a prerequisite to the decision making.

All TWG members must actively participate in the decision making. If any of the member(s) is absent during decision making, then a provisional decision may be made by remaining members of the TWG. If the absentee member fails to respond or object to the provisional decision within a timeline, as agreed with process coordinator, then provisional decision taken will be deemed final.

Quorum⁶ 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 Annex 1: Glossary). In case of outstanding concerns or lack of consensus on the final draft, process coordinator or supervisor will submit the concerns to PSG for advice on how to proceed. Such concerns will be documented and presented to the FSC Board of Directors at the time of decision making, together with the final draft.

The process leads (process coordinator and process supervisor), FSC Staff, PSG members and any other observers will not participate in decision-making. However, the inputs from PSU shall be duly considered.

The process coordinator will approach PSG and FSC BoD (for consultation drafts and final draft respectively), if decision made by TWG members have serious operational implications and/or are not aligned with the ongoing work on delivery of the FSC Global Strategy and/or its priority areas.

⁶ A quorum of 3 people is required for decision making

D. APPOINTMENT OF TECHNICAL WORKING GROUP MEMBERS

PSU will invite applicants to send applications for joining the TWG.

While evaluating applications of the candidates, PSU will consider the past documented performance of the applicants in other FSC processes. In addition to ensuring a balance of stakeholder interests, PSU also strives to have enough geographical diversity and gender balance in the composition of TWG.

Upon recommendation from PSU, PSG will decide on the appointment of the members of TWG. The TWG is accountable to FSC International Center gGmbH.

TWG members may be asked to leave the group if they do not fulfill their duties as outlined in the section B and D of this ToR.

The term of TWG members ends with the approval of the final draft(s) of the deliverables by FSC Board of Directors.

Further Informaton:

For any further information or questions on these terms of reference and revision process, contact: Cynthia Penalzoza, Process Coordinator at c.penalzoza@fsc.org .

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:

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) (Source: *FSC-PRO-01-001 V3-1 EN*).

FSC Certification Requirements: all normative rules and regulations applicable to the certification of forest management organizations and/or chain of custody organizations. Source: FSC-STD-20-001 V4-0.

FSC Normative Framework: the collection of FSC Policies, Standards, and Procedures (= normative documents) which are mandatory for certification bodies, certificate holders, and applicants (and any other party as specified in a document's scope) to be followed. Includes Advice Notes where these still exist (stand-alone or compiled in Directives) (Source: *FSC-PRO-01-001 V3-1*).

Guidance: technical information outlining some means of compliance with the requirements of a normative document. Guidance in the FSC system is considered to be informative only. Source: FSC-PRO-01-001 V3-1

Procedure: describes the processes used to meet requirements of FSC's Policies and Standards. Procedures establish clarity, accountability, and responsibility, provide specific controls for risk management, define expectations for work processes and products, and may serve as training tools (Source: *FSC-PRO-01-001 V3-1*).

Review: Activity of checking a normative document to determine whether it is to be reaffirmed, revised or withdrawn (Source: *FSC-PRO-01-001 V3-1 EN*)

Revision: Introduction of all necessary changes to the substance and presentation of a normative document (Source: *FSC-PRO-01-001 V3-1 EN*).

Technical Working Group: 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 of a FSC normative document (Source: *FSC-PRO-01-001 V3-1 EN*).

For any additional term, kindly refer to *FSC-PRO-01-001 V3-1 EN*.

ANNEX 2: ESTIMATED WORK PLAN

Proposed activity	2022												
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	
1. Approval of ToR by PSG													
2. Call for TWG applicants													
3. Appointment of TWG members													
4. TWG Kick-off meeting+ 1 st TWG meeting								1					
5. Bi-weekly TWG catch-ups (to develop draft 1, 2-4hr)									2		2	1	1
6. Developing draft 1-0 by PSU													
7. TWG meeting (2-3 working days)										1			

Note: The number inside the coloured cell refers to the number of meetings, catch ups, drafting sessions or public consultation events.

Proposed activity	2023				2024			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
7. TWG meeting finalization Draft 1-0	1							
8. Finalization and TWG recommendation of Draft 1-0								
9. Public consultation Draft 1-0								
10. TWG meetings and bi-weekly catch-ups	TBD	TBD	TBD	TBD	TBD	TBD	TBD	
11. Developing draft 2-0 by PSU	TBD	TBD	TBD	TBD				
12. Public consultation Draft 2-0								
13. PSU Revised final draft development sessions								
14. Finalization and TWG recommendation of final draft for BoD approval								
15. Report and revised final draft is submitted to the BoD								
16. Revised final draft is approved by BoD and published								

Note: The number inside the colored cell refers to the number of meetings or catch ups. "TBD" means: to be determine. Additionally, this work plan is subject to change during the revision process.



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