

TOR Reference No.: 2016/19	Author(s): Han de Haas and Paul Meerman
Version: 0.2	Date: November 2015
TERMS OF REFERENCE FOR WORK UNDER THE AUSPICES OF IMPEL	

1. Work type and title:

Modelling Certification – Public Supervision interaction

1.1 Identify which Expert Team this needs to go to for initial consideration	
Industry	<input type="checkbox"/>
Waste and TFS	<input type="checkbox"/>
Water and land	<input type="checkbox"/>
Nature protection	<input type="checkbox"/>
Cross-cutting – tools and approaches -	<input checked="" type="checkbox"/>
1.2 Type of work you need funding for	
Exchange visits	<input checked="" type="checkbox"/>
Peer reviews (e.g. IRI)	<input type="checkbox"/>
Conference	<input checked="" type="checkbox"/>
Development of tools/guidance	<input checked="" type="checkbox"/>
Comparison studies	<input type="checkbox"/>
Assessing legislation (checklist)	<input type="checkbox"/>
Other (please describe):	<input type="checkbox"/>
1.3 Full name of work (enough to fully describe what the work area is)	
<p>Following the IMPEL project Working together; public and private supervisor assessing EMS /CMS, public and private stakeholders will develop a model for the use of private management system certification by public supervisors.</p> <p>The model will enable public supervisors to decide whether private certificates reflect effective compliance management in regulated companies. The model will be developed by using iDEPEND, a tool developed in the IMPEL project Choosing Appropriate Interventions.</p>	
1.4 Abbreviated name of work or project	
Modelling Certification – Public Supervision interaction	

2 Outline business case (why this piece of work?)

2.1 Name the legislative driver(s) where they exist (name the Directive, Regulation, etc.)

RMCEI & planned MCEI regulation, EMAS Regulation & review.

2.2 Link to IMPEL MASP priority work areas

- | | |
|---|-------------------------------------|
| 1. Assist members to implement new legislation | <input type="checkbox"/> |
| 2. Build capacity in member organisations through the IMPEL Review Initiatives | <input type="checkbox"/> |
| 3. Work on 'problem areas' of implementation identified by IMPEL and the European Commission. | <input checked="" type="checkbox"/> |

2.3 Why is this work needed? (background, motivations, aims, etc.)

The vision of this project is to make clear under what conditions private certificates are reliable enough for public supervisors as an indicator that the given regulated company has an effective compliance management system (CMS). Doing so, private certificates could substantially contribute to the assessment of CMSs, thus making public CMS supervision more efficient.

In the earlier project IMPEL project (2011, 2013-2014) about compliance assurance through company compliance management systems, CMS Supervision has more conceptually been explained. In 2014, under IMPEL auspices, a practical Guidance for CMS supervision is delivered. A major question still to be addressed was whether private certification of management systems can be used for assessment of CMSs. It was recognised both in scientific research and practice (SNIFFER, Letter Dutch Minister of Economic Affairs January 2015) that private certification is vulnerable for positive bias and that public supervisors have reasons to be reluctant relying on it. Therefore, we have initiated a dialogue between private stakeholders involved (certifying bodies, certified companies and accreditation bodies) and public supervisors to discuss this issue and explore ways to solve this deadlock.

2.4 Desired outcome of the work (what do you want to achieve? What will be better / done differently as a result of this project?)

The result of the project is a model developed in iDEPEND, which explains the factors influencing the value of private certification as an indicator for effective compliance management.

2.5 Does this project link to any previous or current IMPEL projects? (State which projects and how they are related)

Projects Compliance assurance through Company Compliance/ Environmental Management Systems (CMS/EMS), Working together; public and private supervisor assessing EMS /CMS and Choosing Appropriate Interventions.

3. Structure of the proposed activity

3.1 Describe the activities of the proposal (what are you going to do and how?)

- Project meetings with participation of universities, private certification parties (accreditation and certifying bodies), multinationals/ company associations

- A workshop with participation of private certification parties (accreditation and certifying bodies), multinationals to develop the model for certification-public supervision interaction.

3.2 Describe the products of the proposal (what are you going to produce in terms of output / outcome?)

A report describing the model developed and guidance for use.

3.3 Describe the milestones of this proposal (how will you know if you are on track to complete the work on time?)

- Two project meetings
- Workshop.

Presentation interim results in Expert Team Cross Cutting, Autumn 2016

3.4 Risks (what are the potential risks for this project and what actions will be put in place to mitigate these?)

4. Organisation of the work

4.1 Lead (who will lead the work: name, organisation and country) – this must be confirmed prior to submission of the TOR to the General Assembly)

Han de Haas, Province of Noord-Brabant, The Netherlands
Paul Meerman, Omgevingsdienst Midden – en West Brabant, The Netherlands

4.2 Project team (who will take part: name, organisation and country)

01-03. The Netherlands: Han de Haas + Paul Meerman + Martin de Bree (consultant)
04. Sweden: Lina Segrell
05. UK/England: Duncan Giddens
06. UK/Scotland: Susan Hunter
07. UK/Northern Ireland): Joanna Livingstone
08. Portugal: Bibiane da Silva
09. Germany: Georg Schmid Dreschler
10. Germany: Mark Modlich (DAU)
11. Denmark: Birgitte Holm Christensen
12. *To be decided: new participant?*
(13. Romania: Valentin Beloui)

4.3 Other IMPEL participants (name, organisation and country)

Involvement of EU CIE DG Environment

4.4. Other non-IMPEL participants (name, organisation and country) – on own costs

- European Accreditation Association body country X
- European Accreditation Association body country Y

European Accreditation Association body country Z

- Representatives from Certifying Bodies and their Federations
- Industrial Companies
- Industry Associations

5. High level budget projection of the proposal. In case this is a multi-year project, identify future requirements as much as possible

	Year 1 (exact)
How much money do you require from IMPEL?	15510
How much money is to be co-financed	
Total budget	15510

6. Detailed event costs of the work for year 1

	Travel € (max €360 per return journey)	Hotel € (max €90 per night)	Catering € (max €25 per day)	Total costs €
Event 1	2880 (8*360)	720 (8*1*90)	200 (25*8)	3800
<i>Core team meeting</i>				
<i>Spring 2016</i>				
<i>Tbd</i>				
<i>12 participants</i>				
<i>1 night</i>				
Event 2	5040 (14*360)	2520 (14*2*90)	350 (25*14)	7910
<i>Workshop</i>				
<i>Autumn 2016</i>				
<i>25 participants</i>				
<i>2 nights</i>				
Event 3	2880 (8*360)	720 (8*1*90)	200 (25*8)	3800
<i>Core team meeting</i>				
<i>Autumn 2016</i>				
<i>12 participants</i>				
<i>1 night</i>				
Total costs for all events	10800	3960	750	15510

7. Detailed other costs of the work for year 1

7.1 Are you using a consultant?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
7.2 What are the total costs for the consultant?	[Not known yet]
7.3 Who is paying for the consultant?	We will try Dutch government parties. We are trying to get the Province of Noord-Brabant and IPO (Association of Dutch Provinces) to get these organisations willing to take care of these costs.
7.4. What will the consultant do?	The consultant will support the preparation of the project meetings and the workshop and will be the co-author of the report (working arrangements).
7.5 Are there any additional costs?	<input type="checkbox"/> Yes <input type="checkbox"/> No Namely:
7.6 What are the additional costs for?	
7.7 Who is paying for the additional costs?	-
7.8. Are you seeking other funding sources?	<input type="checkbox"/> Yes <input type="checkbox"/> No Namely: It is contemplated that the costs for traveling and accommodation for the Dutch representation is financed by funds from the Province of Noord Brabant and IPO.
7.9 Do you need budget for communications around the project? If so, describe what type of activities and the related costs	<input type="checkbox"/> Yes <input type="checkbox"/> No Namely: If we need budget we will solve it at our own organisations

8. Communication and follow-up (checklist)

	What		By when
8.1 Indicate which communication materials will be developed throughout the project and when <i>(all to be sent to the communications officer at the IMPEL secretariat)</i>	TOR	<input checked="" type="checkbox"/>	October 2015
	Report	<input checked="" type="checkbox"/>	Sept/oct 2016
	Website report	<input checked="" type="checkbox"/>	Spring 2016
	Newsletter	<input checked="" type="checkbox"/>	Summer 2016
		<input type="checkbox"/>	
		<input type="checkbox"/>	
		<input type="checkbox"/>	
		<input type="checkbox"/>	
8.2 Milestones / Scheduled meetings (for the website diary)	Meetings in April/May and October/November 2016, a workshop in September/October 2016 and working towards the ET Cross crossing meeting in autumn 2016		
8.3 Images for the IMPEL image bank	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
8.4 Indicate which materials will be translated and into which languages	Report in English		
8.5 Indicate if web-based tools will be developed and if hosting by IMPEL is required			
8.6 Identify which groups/institutions will be targeted and how	Accreditation body, inspection agencies Notify by news items, involve them		
8.7 Identify parallel developments / events by other organisations, where the project can be promoted	-		

Remarks

Is there anything else you would like to add to the Terms of Reference that has not been covered above?

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