



Forest Stewardship Council®



Synopsis of consultation comments on the first revised draft *General requirements for FSC accredited certification bodies* (FSC-STD-20-001 D1-0)

Bonn, May 2015.

Synopsis of consultation comments on the first revised draft *General requirements for FSC accredited certification bodies (FSC-STD-20-001 D1-0)*

Consultation period

English: 01 December 2014 – 09 February 2015

Spanish: 15 December 2014 – 25 February 2015

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This document has been prepared in accordance with Clause 5.12 of FSC-PRO-01-001 (V 3-0)¹, and contains an analysis of the range of stakeholder groups who submitted comments, as well as a summary of the issues raised (in relation to the requirements), a general response to the comments and an indication as to how the issues raised were addressed.

Responses to individual stakeholder comments are provided in the [compiled comments document](#).

Contents:

1. Range of stakeholder consultation participants
 2. General comments
 3. Comment summary
- Annex 1: Public Consultation Participants

Note:

Text in black: Stakeholder feedback summary

Text in italics and "Result": PSU comment

Abbreviations used:

ASI – Accreditation Services International (FSC's accreditation body)

CB – Certification Body

CH – Certificate Holder

CW – Controlled Wood

FM – Forest Management

COC – Chain of Custody

PSU – Policy and Standards Unit

SLIMF – Small or low intensity managed forest

WG – Working Group

¹ FSC-PRO-01-001 V 3-0 The Development and Revision of FSC Normative Documents.

1. Range of stakeholder consultation participants

Overall 31 stakeholders provided feedback on the consulted first revised draft (for details see Annex 1). Of the 31 consultation respondents, 9 are CBs (out of 36 FSC accredited CBs), 6 are consultants/ auditors, 7 are certificate holders (6 from Brazil), 3 FSC Network Partners, 2 are environmental members (both representing north and south) and 2 are social members (trade unions), 1 research institute and 1 FSC staff member. Only one comment was provided in Spanish. 22 of the consultation respondents are FSC members:

FSC Membership responses

	Social Chamber	Environmental Chamber	Economic Chamber
South	0	2*	9
North	2	2*	9
Total	2 (9%)	2 (9%)	18 (81%)

*Organizations represent northern and southern sub-chambers

2. General comments

Only some general comments were provided, focusing on the language, length and structure of the revised draft standard. Stakeholders asked to streamline the document, to ensure consistency of terminology and language used, to provide clarification on some clauses (mainly taken from ISO) and to amend the structure of the document in some places.

The draft was carefully screened and amended, to improve integration of clauses directly taken from ISO standards², clarify their meaning and to further eliminate redundancies in the document (e.g. see the revised part 2 on general management system requirements or the revised Annex 2).

The standard was checked for consistent use of terminology. Many of the notes providing guidance on specific requirements were eliminated, or integrated in the actual requirements. The chamber-balanced Working Group (WG) guiding the revision process concluded to only keep guidance that is relevant for the key users of this standard, which are the certification bodies, not other stakeholders.

3. Comment summary

Below is a summary of the key topics stakeholders provided feedback on, together with a PSU response on how the comments were addressed.

1. Impartiality / Conflict of interest

Avoidance of conflict of interest

The first revised draft introduced definitions for conflict of interest, consultancy and impartiality, together with a revised section on impartiality. According to stakeholder feedback more guidance is needed in particular to clarify what is considered consultancy and what not.

The WG concluded that an Annex on avoidance of conflict of interest needed to be developed that clarifies the definition of consultancy and provides guidance on what is considered acceptable and what not (see Annex 1 of Draft 2-0). Concerning the specific question whether CBs are allowed to develop templates for clients that reflect FSC requirements, it was concluded that this should be allowed under certain conditions (Annex 1 of D2-0).

² FSC received formal permission from ISO (DIN) to reproduce wording of ISO standards in the revised draft FSC-STD-20-001.

Certification bodies providing consultancy services to SLIMFs

The first draft asked for stakeholder opinions on whether or not to allow certification bodies to provide consultancy services to small or low intensity managed forests (SLIMFs), as this idea was brought up at WG level.

Stakeholder opinions were divided whether to allow consultancy for SLIMFs or not. 19 stakeholders provided feedback, 6 were in principle in favour (under certain conditions): 2 CBs, 1 Network Partner, 1 environmental member and 2 social members. 13 stakeholders provided comments against this idea: 3 CBs, 1 environmental member, 1 Network Partner, 8 others, among them some CHs. Many arguments in favour and against the proposal were put forward.

In favour #	Against #	Total
6	13	19

The WG acknowledged the concerns raised by many stakeholders, but overall support that this topic is further explored. It was concluded that it will not be possible to develop and test a model that allows consultancy for SLIMFs as part of the revision process of FSC-STD-20-001.

It was agreed to raise this issue in the final report that will be presented to the Policy and Standards Committee and FSC Board, with a request to FSC to prioritize the development and implementation of a strategy for SLIMFs, which should include the development and testing of requirements that allow consultancy for SLIMFs.

Role of Monitoring Organizations in the context of the EUTR

The Policy and Standards Unit (PSU) had proposed to stakeholders to keep the current interpretation on the role of Monitoring Organizations, which specifies that “FSC does not consider it a conflict of interest, if an FSC accredited certification body is also servicing their FSC certified clients as Monitoring Organization in the context of the European Timber Regulation (EUTR), as this service does not cover compliance elements of the FSC standards.” 13 stakeholders provided feedback on this issue: 9 were in favour of keeping the specific interpretation (4 CBs, 3 Network Partners, 2 social members) and 4 were against (2 CBs, one auditor/consultant, 1 environmental member).

In favour #	Against #	Total
9	4	13

As the interpretation is specific to the EUTR, PSU plans to keep it. Guidance provided in Annex 1 should also be applied to Monitoring Organizations, where applicable. Furthermore in the context of Controlled Wood it was concluded that as a principle approach it should be possible to outsource the development of a Due Diligence System (or particular elements) to the “same” CB which is evaluating certificate holders against FSC standards, unless it causes conflicts of interest.

Centralized impartiality committee

Stakeholders were asked whether they support the idea of creating a centralized impartiality committee (operated by the accreditation body), rather than having each CB operate its committee individually. Stakeholder opinions were divided on this topic: 20 stakeholders provided feedback, 10 were in principle in favor of the idea: the 2 environmental members, the 2 social members and 6 certificate holders. 8 stakeholders were against creating a centralized impartiality committee: 6 CBs, 1 consultant and 1 Network Partner.

In favour #	Against #	Total
10	8	18

The arguments against creating such a centralized committee and the practicalities involved in operating it were seen as stronger than the comments provided in support of the idea (for details see the compiled comments document). It was concluded to not further pursue this suggestion.

Timeline for conflict of interest to lapse

Lead auditors and certification decision makers

Only four stakeholders (3 CBs, 1 Network Partner) provided feedback on the proposal to increase the timeline for conflict of interest to lapse for lead auditors and certification decision makers from 2 to 5 years and all were against the increase, arguing that 5 years is too long, whereas 2 years could be too short. It was asked whether FSC has evidence that a 2-year period is not sufficient.

In favour #	Against #	Total
0	4	4

Personnel handling complaints and appeals

More stakeholders provided feedback in this case (13). Overall 8 were in favour of introducing a 5-year timeline: 3 CBs, 1 Network Partner, 2 social members, 1 environmental member, 1 consultant. 5 were against: 1 Network Partner and 4 CBs. A few who were in favour of a longer timeframe for lead auditors and certification decision makers think that the 5 year timeframe for complaints and appeals is acceptable as these are particularly sensitive. It would also be aligned with the length of the certification cycle.

In favour #	Against #	Total
8	5	13

Considering the stakeholder feedback and to ensure alignment of timelines it was agreed to introduce a 3 year timeline for conflicts of interests to be considered lapsed.

This applies to personnel who have provided consultancy for a product in the past and are auditing, reviewing or making a certification decision and for personnel handling complaints and appeals, who have provided consultancy or have been employed by a client. The current timeline of 2 years was not considered sufficient in all cases.

2. Requirements for auditors

Differentiation between auditor, lead auditor and technical experts

The draft introduced qualification requirements differentiating between auditor and lead auditor. The consultation revealed that the terms “auditor”, “lead auditor”, “team leader” and “technical expert” are used differently among CBs. A “lead auditor” can refer to the function of an auditor leading an audit or a job title. The term “auditor” is for example used to refer to “technical experts”.

Considering stakeholder comments and further discussion with CBs the differentiation between “auditor” and “lead auditor” was eliminated in the second draft. Only the term “auditor” and “audit team leader” were kept. The auditor must be qualified according to the current requirements for lead auditors. The audit team leader must be a qualified auditor and is the leader of the audit and the team. The terminology is aligned with terminology used in ISO standards. Requirements for technical experts were included in the second draft to provide clarification on the function of such audit team members.

Auditor rotation – implementation of General Assembly (2014) Motion 66

The first draft contained the exact wording of the Motion on auditor rotation as a requirement. In a consultation note stakeholders were asked whether they support an obligation for auditor rotation after three years for any type of audit, not only for Forest Management (FM) audits as specified in the Motion.

21 stakeholders provided a response: 12 were in favor of extending the Motion to Chain of Custody (COC) and Controlled Wood (CW) audits, mainly the social members, Network Partners and Certificate Holders. The key argument in favor was that a harmonized and consistent approach to auditor rotation is preferable. 9 were against this proposal, mainly CBs, but also an environmental member. It was argued that the Motion should be implemented as it was approved, respecting the decision of the membership.

In favour #	Against #	Total
12	9	21

The Motion is implemented with small wording changes. It is proposed to keep the scope of the Motion unchanged and therefore not to extent it to COC and CW audits. The second draft provides a proposal on how to implement exemptions for regions with very few certificates. It also includes a clarification on how to implement auditor rotation for COC and CW audits.

Auditor registry

According to the current standard, lead auditors shall be registered with Accreditation Services International (ASI). To date this only means that ASI maintains an excel file where auditors are listed. An auditor registry is planned to be established and implemented in the future. This also responds to the General Assembly (2014) Motion 52 on “Training and Qualification requirements for FSC Audit Teams”.

12 stakeholders provided comments: 5 supported the introduction of the registry (3 CBs, 2 of them with the condition that the data is only available to ASI, 1 environmental member and 1 Network Partner). 7 stakeholders were against the registry, including some CBs and the 2 social members.

The main concern was the administrative burden related to data entry. Most CBs do not want to “share” their auditors, because training is costly.

In favour #	Against #	Total
5	7	12

The requirement for an auditor registry will be kept in the standard. ASI will develop a procedure on how to operate the registry and will publicly consult this procedure with stakeholders. The idea to facilitate “exchange” of auditors among CBs by making some of the auditor data available among CBs was dropped.

3. FSC Database of complaints

FSC informed that the Quality Assurance Unit of FSC is planning to create a database that captures all complaints filed and managed in the FSC system, responding to an internal need and a request by many stakeholders. The purpose of the database is for FSC to get an overview of the complaints raised in the worldwide system, to better understand the trends and gaps in the system. A placeholder requirement was included in the draft standard, although details still need to be developed (such as frequency of providing data and type of information). 20 stakeholders provided feedback: 14 supported this plan, among them the 2 social, 2 environmental members, the 3 Network Partners. 6 were against, mainly CBs.

In favour #	Against #	Total
14	6	20

The database will not be developed in 2015 and it is acknowledged that IT barriers need to be overcome to avoid duplication of work for CBs, however it is confirmed that such a Database will be set up in future.

4. Certification history

Most stakeholders in principle agreed to require applicants to disclose current or previous application or certification with FSC or other certification schemes, however it was questioned why they also need to inform about “other certification schemes”.

The Clause is based on the ISEAL Assurance Code requirement 6.1.2, which specifies that information about the same or a different standard system must be disclosed. According to ISEAL the intent of this is that CBs communicate with each other in the case of suspected fraud and to co-ordinate in the case of joint audits. The requirement is kept, but some small wording changes were made.

5. Unannounced/ short-notice audits

1 environmental member supported the systematic use of unannounced/ short notice audits and 2 stakeholders asked for clarification from FSC what should trigger short notice audits. 16 stakeholders made explicit statements against the systematic use of this tool and the specification of criteria at FSC level: 1 environmental member, 2 social members, 6 CHs, 5 CBs and 2 others. It was argued that these types of audits should be risk based. Many stakeholders commented that the related Motion was rejected at the last General Assembly and therefore should not be pursued.

In favour #	Against #	Total
1	16	17

Considering the stakeholder feedback the WG concluded not to introduce any changes to the current requirements. The WG identified the need to ensure that criteria and conditions for conducting short notice audits are harmonized, to eliminate differences in criteria and conditions. PSU was asked to collect information how this is handled at CB level within the next 3 years.

6. Requirements for Subcontractors

Social members questioned why subcontracting was allowed at all and argued that if we allow it, it should not be over-regulated. Several CBs stated that subsidiaries should not be considered as real subcontractors, as those are established to e.g. comply with local legislation in countries regarding personnel employment. Concern was raised about duplication of requirements.

Stakeholders were asked to give feedback whether they supported the deletion of a requirement that limits the number of certificates a subcontractor is allowed to manage. 16 stakeholders provided feedback, 13 were in favor of deleting the

threshold (including CBs, CHs, a Network Partner and an environmental member) and 3 were against the proposal (2 social members and 1 CB).

The WG decided to use the term “outsourcing” rather than “subcontracting” and confirmed that the scope of the requirements is for separate legal entities that implement the certification system (in full or in part) on behalf of the accredited entity. For subsidiaries of CBs it should be easier to conform to the requirements.

The thresholds for bodies providing outsourced services are removed, considering the overall stakeholder feedback.

Annex 1: Public Consultation Participants

Organization	Name	Stakeholder Type	FSC member
Advanced Certification Solutions	Dr. Wolfram R. Pinker	Consultant	Econ-n
Andreas Knoell Consulting	Andreas Knoell	Consultant	
Arauco Florestal Arapoti	Roberto Trevisan / Maria Harumi Yoshioka	Certificate Holder	Econ-s
BAT-kartellet	Camilla Vakgaard	Trade Union	Soc-n
BM Trada	John Lovelock / Rafal Andruszkiewicz	Certification body	Econ-n
Caliper Woodworking Corp	Diane Sinclair	Certificate Holder	
Capital Natural	Ana Dahlin	Consultant	Econ-n
Consultant	CJ Goulding	Consultant	
CMPC Celulose Riograndense	Maurem Kayna Lima Alves	Certificate Holder	Econ-s
CMPC	Augusto Robert	Certificate Holder	Econ-s
FNV Bouw	Coen van der Veer	Trade Union	Soc-n
FSC GD	Thomas Colonna	FSC staff	
FSC Germany	Elmar Seizinger	Network Partner	
FSC Sweden	Lina Bergström / Eva Mattsson	Network Partner	
FSC UK	Rosie Teasdale	Network Partner	
Consultant	Germán Schaub Weidlin	Consultant	
GFA	Matthias Rau	Certification Body	Econ-n
Greenpeace	Judy Rodrigues / Catherine Grant	ENGO	Env-n/s
IPEF - Instituto de Pesquisas e Estudos Florestais	Kaliana Moro Tanganelli	Research Institute	Econ-s
Jörn Ackermann Consulting	Jörn Ackermann	Consultant	
Klabin SA	Ivone Satsuki Namikawa	Certificate Holder	Econ-s
Lwarcel Celulose Ltda	Marcela Trecenti Capoani	Certificate Holder	Econ-s
NEPCon	Tigran Martirosyan	Certification Body	Econ-n
Rainforest Alliance	Alison Lesure / Laura Terrall	Certification Body	Econ-n
SCS Global Services	Vanessa Ellis	Certification Body	Econ-n
SGS South Africa	Gerrit Marais	Certification Body	Econ-s
SGS	Christian Kobel	Certification Body	Econ-s
Soil Association Woodmark	Meriel Robson	Certification Body	Econ-n
TTG Brasil Investimentos Florestais Ltda	Rodrigo Novais de Cachaldora	Certificate Holder	Econ-s
Tüv Nord Cert	Carsten Kahlert / Martin Barnack	Certification Body	Econ-n
WWF International	Gijs Breukink	ENGO	Env-n/s