

International Advisory Panel Terms of Reference

February 2024

Contents

1. Purpose.....	2
2. Remit.....	2
3. Status of the Panel, remuneration and expenses.....	2
4. Membership.....	2
5. Code of Conduct.....	3
6. Meetings.....	3
7. Agendas.....	4
8. Review.....	5

Version Control

Version	Purpose	Date	Next review
0.1	Initial draft for agreement at 28/02/24 Panel meeting	20/02/2024	
1.0	Approved by Panel	28/02/2024	27/02/2026

1. Purpose

1.1 This Panel will complement existing work and provide an opportunity to tap into insights and advice on keeping pace with the European Union and wider international developments. This will help the ESS team identify developing issues and inform and frame advice to the ESS Board, both for specific issues and monitoring more generally.

2. Remit

2.1 The remit of the Panel includes:

- providing advice on international developments in environmental law and regulation
- supporting the ESS horizon scanning function by providing advice on the potential implications of new legislative proposals
- supporting the identification of priority policy or legislative issues where ESS may wish to act

3. Status of the Panel, remuneration and expenses

3.1 The Panel is a non-statutory forum and has no executive powers.

3.2 Membership of the Panel is voluntary, with no fees offered to members. Any expenses will be paid at the same level as those approved for Board members, as set out in Section 15 of ESS' [Standing Orders](#).

4. Membership

4.1 The Panel will normally consist of not more than six members who will be appointed on the basis of their personal experience, not as representatives of their respective organisations.

4.2 The Panel will also include one or more ESS Board members. An ESS Board member will chair the Panel and the ESS team will provide the required secretariat function.

4.3 Members will possess a range of skills, experience and expertise that enables them to contribute independently by providing insights and advice.

4.4 Membership of the Panel is likely to include individuals who have knowledge and experience of one or more of the following areas:

- European, UK and Scottish environmental law
- environmental science, regulation and policy
- the development and implementation of EU environmental policy and legislation

4.5 Any conflicts of interest, either pre-declared, or those that arise during the life-span of membership, will be recorded in the minute of each meeting. Members will be recused from these areas of discussion.

4.6 Membership of the Panel will be reviewed by the Chair and Chief Executive on an annual basis, or as required.

5. Code of Conduct

5.1 We ask members to be mindful of the Code of Conduct ESS Board members work to, as set out in Annex A of the [Standing Orders](#). This also sets out the values and principles that guide the way the organisation carries out its work.

5.2 Panel members are also expected to be mindful of the public sector equality duty, as per the Equality Act 2010, and of ESS' Equality and Diversity Policy¹, in conducting its business.

6. Meetings

6.1 Meetings of the Panel will be held remotely via Microsoft Teams.

6.2 There is no minimum attendance or requirement for the Panel to be quorate, as it is an advisory panel and not a formal decision-making body.

¹ ESS' Equality and Diversity Policy is nearing completion and will be finalised prior to end-March 2024.

6.3 Meetings will normally be attended by the Chief Executive, the Head of Strategy and Analysis, the Head of Policy and Horizon Scanning and the Governance Lead. The Panel may ask any other officials of the organisation to attend to assist with its discussions on any particular matter. The Panel may also invite individuals, bodies or organisations to attend its meetings or part of its meetings.

6.4 The Panel will meet to provide advice to ESS in response to questions and topics relating to international developments, including keeping pace with the EU.

6.5 The meetings will be scheduled to support the ESS team in their provision of advice to the Board. The Panel will meet up to three times a year, with scope for ESS staff to convene additional meetings if the need arises. This may be as a full panel, or via meetings between individual Panel and ESS team member(s) where specific advice or expertise is sought.

6.6 Ordinary meetings of the Panel will be minuted and an anonymised summary of discussions, alongside a list of attendees and any declared conflicts of interest, will be made publicly available on the ESS website within 20 working days. The summary will remain on the ESS website for two years following the date of the meeting, at which point they will be archived.

6.7 Following meetings of the Panel, minutes will be circulated to the Board for information. The Board will also consider oral and/or written updates on the work of the Panel at the next Ordinary Board meeting following a meeting of the Panel.

7. Agendas

7.1 The agenda for a meeting shall be agreed by the Chair of the Panel at least 10 working days in advance of the meeting. It will be circulated to the Panel at least five working days prior to the meeting.

7.2 Any Panel member may propose an item for the agenda contacting the ESS Secretariat, copying the proposal to the Chair, not less than 14 calendar days before the date of the meeting. The Chair of the meeting will consider the request, taking advice from the Chief Executive (or any officer acting on behalf of the Chief Executive) and the secretariat to the Committee. If the Chair decides not to include the item on the Agenda, the member will be advised and the Committee informed during the Chair's opening remarks.

8. Review

8.1 Following establishment of the Panel, and agreement of the final Terms of Reference, this document will be reviewed every two years, or as required.

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