TOR Reference No.: 2016/18	Author(s): Simon Bingham
Version: 3	Date: November 2015
TERMS OF REFERENCE FOR WORK UNDER THE AUSPICES OF IMPEL	

1. Work type and title:

Mapping the regulatory toolkit

1.1 Identify which Expert Team this needs to go to for initial consideration

Industry	☐
Waste and TFS	☐
Water and land	☐
Nature protection	☐
Cross-cutting – tools and approaches -	☑

1.2 Type of work you need funding for

Exchange visits	☐
Peer reviews (e.g. IRI)	☐
Conference	☐
Development of tools/guidance	☐
Comparison studies	☐
Assessing legislation (checklist)	☐
Other (please describe):	☑
	Collection of regulatory practices used to gain or enhance compliance

1.3 Full name of work (enough to fully describe what the work area is)

A project to identify regulatory tools used (the regulatory toolkit) to achieve or enhance compliance

1.4 Abbreviated name of work or project

Mapping the regulatory toolkit

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

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

All EU & local regulation requiring compliance

2.2 Link to IMPEL MASP priority work areas

1. Assist members to implement new legislation	☑
2. Build capacity in member organisations through the IMPEL Review Initiatives	☐
3. Work on 'problem areas' of implementation identified by IMPEL and the European Commission	☑

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

The regulatory toolkit is not commonly known or fully understood in its entirety due to rapid changes in regulatory practice and advancements in technology. This project seeks to identify practices used primarily in Europe but also from around the world (through questionnaires & literature search) so that they may be mapped against the compliance spectrum. This will enhance understanding of all regulators enabling them to apply these new tools and practices appropriately in tandem to aid compliance.

All regulators aim to achieve 100% compliance of their regulated sites yet none have achieved this. Traditional practices such as inspection are the backbone of our toolkit but in isolation have failed to deliver our goal. What additional tools can we use in addition to inspection to achieve utopia?

The proposal is to collect examples of practices and map their use to the compliance spectrum (see SEPA 6Cs) to identify where they are thought to be most effective. This will include conventional tools such as inspection, administrative fines and name & shame etc but will also attempt to map as many of the emerging techniques such as voluntary undertakings, prosperity agreements (used in the Northern Ireland Environment Agency etc), name & fame etc.

Where available case studies will be given for the tools to show they have been used. This project will build on the Choosing Appropriate Interventions projects by identifying in a full a picture as possible what the options are.

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?)

By understanding what options are available regulators will be able to identify the best range of tools for the job in hand. It is truly cross-cutting as it applies to all legislation.

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

Choosing appropriate interventions and all projects describing enforcement or compliance tools; DTRT and all IRIs.

3. Structure of the proposed activity

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

- o   1 project meeting to finalise questionnaire
- o   Amalgamation & fine tuning of responses and literature search. Undertaken by SEPA
- o   Review by project team
- o   A day long presentation/workshop to communicate findings including to Commission representatives.

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

A report with the toolkit mapped out beyond current knowledge. Each tool described and mapped against the compliance spectrum with relevant case studies where available.

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

Project meeting
Workshop likely in tandem with X-Cutting ET Meeting in Autumn 2016.

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

Project manager leaves IMPEL/changes job etc. The project will be transferred to a SEPA employee to manage in conjunction with the project team.

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)

Simon Bingham, Scottish Environment Protection Agency, UK

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

Team leader and a maximum of four other participants - tbc

4.3 Other IMPEL participants (name, organisation and country)

Various at presentation of findings

4.4. Other non-IMPEL participants (name, organisation and country)

Questionnaire to other international regulators & OECD.

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)	Year 2	Year 3	Year 4
How much money do you require from IMPEL?	11965			
How much money is to be co-financed	0			
Total budget	11965			

6. Detailed event costs of the work for <u>year 1</u>

	Travel € (max €360 per return journey)	Hotel € (max €90 per night)	Catering € (max €25 per day)	Total costs €
<u>Event 1</u> *Project Meeting* *March 2016* *TBC* *5* *1 day/2 nights accommodation*	1440 (4*360)	900 (5*2*90)	125 (*5)	2465
<u>Event 2</u> *Workshop* *September 2016* *TBC (likely to be back 2 back with X-C ET Meeting)* *15* *1 day/2 nights accommodation*	5400 (15*360)	3600 (15*2*90)	500 (*15)	9500
<u>Total costs for all events</u>	6840	4500	625	11965

7. Detailed other costs of the work for year 1

7.1 Are you using a consultant?	☐ Yes ☑ No Work to pull project together carried out in-house by SEPA,
7.2 What are the total costs for the consultant?	
7.3 Who is paying for the	

consultant?	
7.4. What will the consultant do?	
7.5 Are there any additional costs?	☐ Yes ☑ 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?	☐ Yes ☑ No Namely:
7.9 Do you need budget for communications around the project? If so, describe what type of activities and the related costs	☐ Yes ☑ No Namely:

8. Communication and follow-up (checklist)

	What		By when
8.1 Indicate which communication materials will be developed throughout the project and when *(all to be sent to the communications officer at the IMPEL secretariat)*	TOR ˅ * Interim report ˅ * Project report ˅ * Progress report(s) ˅ Press releases News items for the website ˅ * News items for the e-newsletter Project abstract ˅ * IMPEL at a Glance ˅ Other, (give details):	☑ ☐ ☑ ☐ ☐ ☑ ☑ ☑ ☑ ☐	01/01/16 - 31/10/16 - - 31/10/16 March 2016 & 31/10/16 31/10/16 31/10/16 -
8.2 Milestones / Scheduled meetings (for the website diary)	Project Meeting Workshop		
8.3 Images for the IMPEL image bank	☐ Yes ☑ No		
8.4 Indicate which materials will be translated and into which languages	Project abstract (dependent on project team members)		
8.5 Indicate if web-based tools will be developed and if hosting by IMPEL is required	No		
8.6 Identify which groups/institutions will be targeted and how	All IMPEL members and members of NEEPA. OECD, INECE, ALERT members via questionnaire		
8.7 Identify parallel developments / events by other organisations, where the project can be promoted	Could promote at the IMPEL tripartite conference proposed for 2016		

˅) *Templates are available and should be used.* *) *Obligatory*

9. Remarks

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

Could also hold at workshop at the IMPEL tripartite conference proposed for 2016

> *In case of doubts or questions please contact the IMPEL Secretariat.*
>
> *Draft and final versions need to be sent to the IMPEL Secretariat in word format, not in PDF.*
>
> *Thank you.*