



# Product Stewardship - Expert Scientific Panel

## Terms of Reference

### 1. Scope

This Procedure sets out the terms of reference for the operation of an Expert Scientific Panel (the Panel) for the Sustainability Waste Alliance (SWA). The Panel is required to provide independent and impartial professional advice on the relevance, robustness and completeness of the information provided to enable verification and certification to occur.

This document should be read in conjunction with the SWA Product Stewardship Scheme (PSS) Process document and SWA PSS Detailed Certification Process Description.

### 2. Purpose of SWA Product Stewardship Scheme

The SWA PSS was established to explore the use of waste-derived materials and industrial by-products for application in road and rail projects. This includes fast-track application into a number of 'Towards100' demonstration projects.

The PSS explores the hazards and risks of a range of products proposed for use in road and rail projects. Specialized skills and knowledge are drawn from a range of technical disciplines (e.g., engineering, environment, chemistry, health) in the assessment process to ensure these new products are safe and will perform effectively through their full lifecycle. The aim is to minimise negative impacts and maximise value.

### 3. Role of the Expert Scientific Panel

The role of the Panel is to provide independent and impartial professional advice on whether the proponent claims are achievable.

The Panel will conduct a gap analysis and identify and recommend additional information to verify the claims being made by the proponent.

### 4. Role of the SWA Innovation Hub

The SWA Innovation Hub will provide support, coordination and documentation to assist the expert scientific panel with their activities. The SWA Principal Advisor – Circular Economy will coordinate research support activities, evaluation criteria, coordinate panel activities and prepare panel draft reports. The SWA Administration Officer will provide administrative support to the Panel including scheduling panel meetings and preparing meeting minutes.

## 5. Expert Scientific Panel Membership Expertise

Panel membership will be sought via public expressions of interest and select invitations and the appointment of members shall be endorsed by SWA.

The Chairperson of the Panel shall be appointed by the SWA Alliance Director.

A person who is currently employed by the product proponent or has been previously involved in the assessment of the product being evaluated is not eligible for appointment as a member of the Panel.

An Expert Scientific Panel meeting shall comprise a maximum of 5 members with a Chairperson, and up to four (4) other panel members.

An Expert Scientific Panel meeting may not proceed unless at least four members are present. An alternate member may be appointed to attend a meeting in place of another where approved by the Panel Chair and the Alliance Director.

The Panel will be multi-disciplinary. SWA shall appoint experts that address all required capabilities to ensure appropriate expertise can be obtained. Members will have appropriate qualifications and substantial experience in one or more of the following nominated areas:

- Environment
- Chemistry
- Engineering
- Public Health and Safety
- Circular Economy
- Road and Rail Infrastructure Design

Membership will be based on qualifications and experience. Members will have direct experience in review or have extensive materials assessment experience. Other qualities of membership include:

- Ability to analyse, evaluate and report on complex issues,
- Ability to work in a multi-disciplinary team,
- Possession of good written and verbal communication and negotiation skills.

Panel members will be appointed following the completion of an expression of interest process or by select invitation. Prospective members will be highly regarded within their field and will be endorsed by two professional referees (independent professional peers) who can attest in writing to the suitability of the candidate for membership of the Panel.

SWA may terminate the appointment of any member of the Panel if it is considered that the member is not providing a positive contribution to the intended function of the Panel, or if the member has not demonstrated a satisfactory level of responsiveness and involvement.

## 6. Panel Chairperson

The appointed Chairperson will have extensive experience in leadership, governance, review and facilitation, and a proven ability to draw meaningful conclusions from the collective views expressed.

The Panel Chairperson is tasked with running panel meetings and is responsible for:

- liaising with SWA Innovation Hub about the operation of the Panel, where required,
- ensuring panel members have been inducted in conjunction with SWA Innovation Hub staff and are briefed about panel operations,
- liaising with SWA Innovation Hub staff regarding expert review preparation by:
  - advising on expertise required for each review,
  - requesting additional panel members where required,
  - advising on any additional briefing material that may be required.
- ensuring that the meeting agenda is followed, and time is well-managed,
- chairing the panel meeting in a professional manner,
- welcoming and introducing the Panel, proponents and any observers present in the meeting,
- facilitating interactive discussion and the participation of all expert scientific panel members, key stakeholders, and proponents, thereby enabling solutions to be brokered collaboratively,
- ensuring that discussions remain focused on the application being considered and that advice relates to matters covered by the relevant Federal, State, and local policies, standards, and specifications,
- clearly synthesising and summarising the consensus view of the Panel at the conclusion of the meeting,
- endorsing the final expert review report post-meeting,
- briefing decision-makers within SWA and the Certification Board on the advice of the Panel.

The Chairperson will disclose any conflicts of interest for the record, excuse themselves where a conflict exists, and act with sensitivity and confidentiality.

## 7. Panel Members

Panel members are required to:

- Provide independent, fair, and reasonable professional advice consistent with relevant Federal, State, and local policies, standards, and specifications,
- Treat all discussions and information about applications with sensitivity and confidentiality,
- Respond to and comment on material presented, providing clear and constructive feedback,
- Disclose any conflicts of interest for the record. Where a pecuniary interest exists, the member must disclose the interest to the Chairperson as soon as practical, and preferably before the meeting, and excuse themselves where a conflict exists.

Pecuniary interests will be recorded in Panel meeting notes.

## 8. Consideration of the Panel

The onus is on the Panel to identify key gaps in information at the outset. Amendments by proponents in response to feedback may be further reviewed in light of the initial issues raised.

Proponents will be invited to attend the Panel meeting to engage in the process of review, present an overview of the product assessment findings to Panel members, and respond to any questions raised. Proponents will be provided with the minutes of the meeting within two calendar weeks.

In the context of a formal referral to the Panel, the views expressed, and recommendations reached will be outlined in any formal report prepared by the SWA Innovation Hub. The panel meeting notes will also be provided as an attachment for consideration by the decision-maker.

The SWA Alliance Director will determine the timing and agenda of the meetings. Referral of a product proposal to the Panel may not be deemed necessary if an application is incomplete or otherwise lacking.

All formal communication with the Panel will be facilitated by the SWA Innovation Hub, who will liaise directly with the Chairperson. Communication between panel members and proponents in respect of an application under consideration is only to occur at a panel meeting. No communication between panel members and the Proponent in respect to an application is to occur outside of panel meetings.

## 9. Meeting Format

The Panel Chairperson will conduct the meeting in accordance with the agenda, following the meeting format outlined below. The recommended meeting duration for each item is 90 minutes, including a briefing by the proponent. A longer duration of up to 2 hours can be allowed for complex applications. Meetings will generally be held online using MS Teams. The format of discussion of individual items includes:

### 1. Panel briefing (based on information available) by the SWA Innovation Hub – 15 minutes

- Overview with specific reference to:
  - Product claims.
  - Information supplied.
  - SWA referral comments.
  - Briefing from relevant government agencies also invited to attend the meeting.
  - Panel pre-review discussion determining key questions to ask / key issues to raise.

### 2. Welcome and Introductions – 5 minutes

- Proponents are invited into the meeting room. Chairperson welcomes them and introduces the Panel. Panel administrative officer assists with proponent setup.
- Recording of any interests.

### 3. Proponent presentation – 15 to 20 minutes

- Proponent provides their claims for the product and a summary of the information to support the claims.
- Team responsible for the test results and other data explains the test processes adopted and key findings.

### 4. Panel questions and clarifications – 5 minutes

- Panel members are able to seek clarification on any points.

### 5. Panel discussion – 5 minutes each (25 minutes total)

- Chairperson invites panel members to provide individual comment on the application,
- Discussion on gaps in information and key findings

## 6. Proponent has right of reply – 10 minutes

## 7. Confirmation of advice/recommendations – 10 minutes

- Chairperson summarises panel comments, identifies gaps, confirms advice and recommendations,
- Chairperson thanks the proponent for participation.

# 10. Panel Report

The SWA Innovation Hub will produce a gap analysis report based on the expert scientific panel evaluation of the approved criteria.

Evaluation criteria shall be broadly as follows:

1. Product regulatory framework (environment)
2. Human health and safety
3. Product performance (engineering)

Each criterion will be discussed and evaluated for gaps in the following way:

	Information satisfies requirements for verification.
	Information satisfies requirements pending some clarification or minor gaps to be addressed.
	Information does not satisfy requirements and significant gaps have been identified.

Specific comments will be provided against each evaluation criteria for proponents to consider.

Each panel report will be compiled in the following way:

- Compiled as a draft during the meeting, using the template provided to enable the intent of recommendations to be generally agreed at the meeting,
- Record conflicts of interest of panel members,
- Record key issues and panel findings,
- The panel report will be referred to the Chairperson for review and ratification,
- The ratified report will be provided to the proponent within 2 weeks of the meeting.

Every proponent will be provided a copy of the panel minutes to assist in the process.

# 11. Recording of Panel Meetings

Administrative support will be provided by the SWA Innovation Hub to the Panel for each meeting convened. An administrator officer will be responsible for taking the minutes.

The Administrator Officer will also be responsible for:

- Scheduling meetings,
- Corresponding with proponents,
- Arranging meeting times and proponent times for each panel meeting,
- Formulating meeting agendas,
- Setting up IT equipment to ensure meetings can be conducted,
- Taking minutes at meetings,
- Liaising with the SWA Innovation Hub in relation to circulating the expert scientific panel report.

- Liaising with the Chairperson regarding final minutes,
- Forwarding final minutes to panel members, proponents, the Alliance Director, and the SWA Chair.

Final minutes will be referred to the Chairperson for review and ratification. Once confirmation is received, minutes are to be forwarded to panel members, the proponent, the Alliance Director and the SWA Chair.

Minutes will remain confidential and will not be made publicly available outside those involved in the process.

## 12. Panel Member Fees

The members of the Panel shall be paid evaluation, preparation and sitting fees for each evaluation conducted and expert panel meeting attended.

Panel members are to be paid per hour up to a maximum of one day as follows:

- 1 hour input to information request and criteria checkpoint (e.g. advise on appropriate specifications)
- 2 hours desktop review of information by way of gap analysis
- 1.5-to-2-hour panel meetings (via Teams or Zoom)
- 1 hour review and respond on panel summary report and interaction with SWA Innovation Hub
- 2 hours to repeat as needed (with 1 hour review and 1 hour meeting)

The Chairperson will receive an above-standard fee due to the additional responsibility of the role. The fees paid to each member shall be market tested to ensure SWA can attract the required expertise to sit on the Panel.

Professional fees can be varied where required by the Alliance Director.

## 13. Code of Conduct

All Panel members are required to abide by the SWA Alliance Principles as listed in the Green Deal Alliance Governance Charter located on the SWA website ([swainnovationhub.org](http://swainnovationhub.org)).