



**Stormwater Quality Improvement Device  
Evaluation Protocol (SQIDEP)**

Independent Evaluators Panel (IEP) Charter

## Stormwater Australia Independent Evaluators Panel Charter

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## 1. Purpose

This charter sets out the role, responsibilities, structure and processes of the Independent Evaluators Panel (IEP) of the Stormwater Quality Improvement Device Evaluation Process (SQIDEP) and which responsibilities are delegated to IEP Members, as well as the membership and operation of the panel.

## 2. Responsibilities

The purpose and function, and major aims and activities of Stormwater Australia (SWA) are set out in Paragraph 3 of the Constitution of the company.

The Independent Evaluators Panel duties will include:

- 2.1. Evaluation of submitted Quality Assurance Project Plans (QAPPs);
- 2.2. Evaluation of submitted Detailed Performance Reports (DPRs);
- 2.3. Preparation of a Summary Report/Verification of Claims;
- 2.4. Meetings with the Claimants to discuss the Evaluation process findings; and
- 2.5. Meetings with the Governance Panel, if required.

The Independent Evaluators Panel reports to the Governance Panel and SWA Board.

Multiple IEPs will be stood up to independently assess submissions under the SQIDEP process pathways.

The individual IEPs will consist of 2-3 Auditors, who will review the submissions independently, and then convene to discuss their findings. Given the inherent environmental variability, there may be differences of opinion, interpretation, relevance, and significance to the Submitted Claims, as determined by the IEP members. Where these are significant and un-resolved from their convened meeting, the IEP will request a member of the Governance Panel to act as mediator for the IEP members, to reach an agreed position on the Claims.

The IEP will then meet with the Submitter to discuss the position reached independently on the Claims and discuss the proposed outcomes for the Verification Report. The options available to the IEP include:

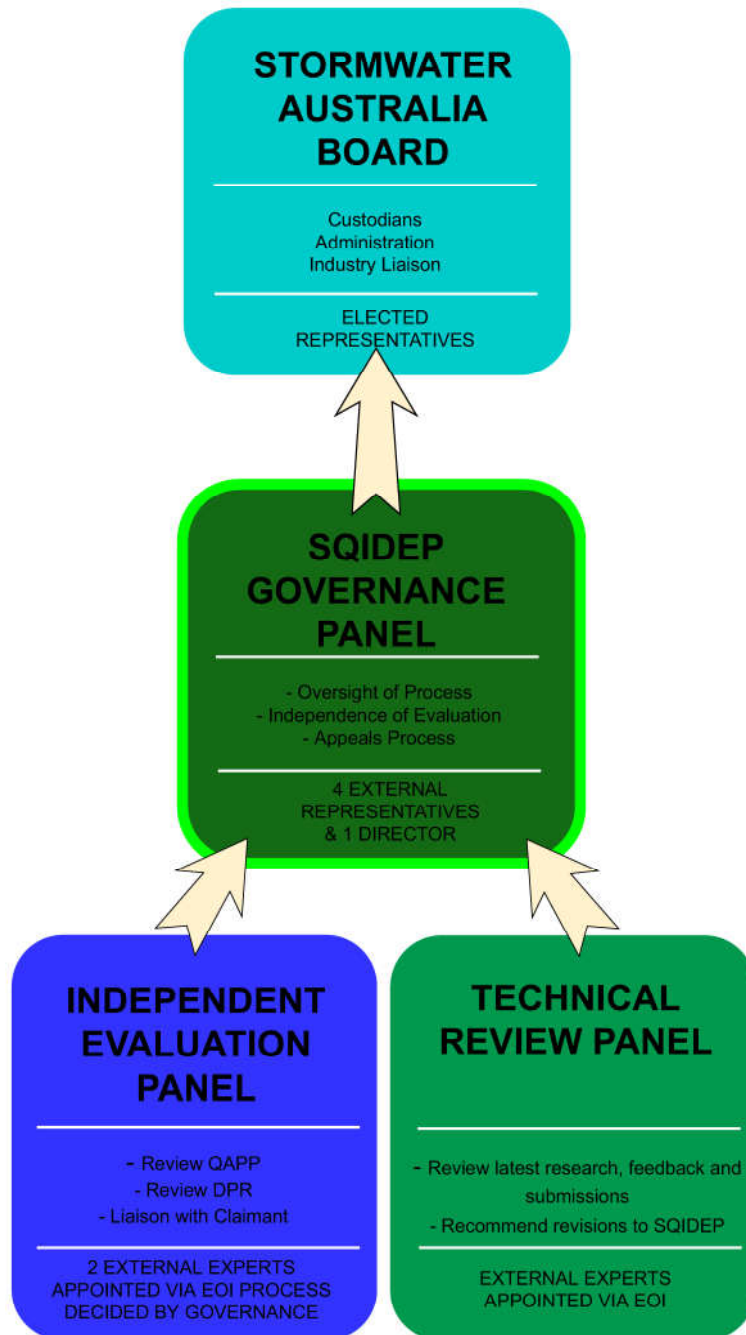
1. Accept the Claims as submitted;
2. Recommend modified Claims; or
3. Reject the submitted Claims.

Following the meeting with the Submitters, the IEP will prepare a Summary/Verification Report to the template provided, in accordance with the above options.

Where the Submitter disputes the recommendations from the IEP verification process, they may elect to enter a Dispute Resolution process. The Governance Panel, or a representative thereof, may be requested to act as mediator in this process. The IEP and Submitters shall present their positions to the mediator and their recommended resolution. Outcomes of this process may be:

1. To uphold the findings of the IEP;
2. To recommend further testing by the Submitter, and delay the Summary/Verification report;
3. To recommend modified Claims agreed by all parties; or
4. To withdraw the application from the SQIDEP Evaluation process.

### 3. Organisational Structure



**Figure 1. SQIDEP Governance Structure**

## 4. Composition, Size and Structure of the Panel

- 4.1. **Composition:** The Independent Evaluators Panel will consist of members with experience in the stormwater industry, field and/or laboratory testing of stormwater.
- 4.2. **Size:** The Broader Independent Evaluators Panel will consist of as many members as may respond to Calls for Expressions of Interest from time to time, with smaller Submission panels (2-3) chosen for evaluation of submitted documents.
- 4.3. **Structure:** The Independent Evaluators Panel members will be selected according to the information provided in their EOI submissions and Referee checks.
- 4.4. **Appointment:** The Independent Evaluators Panel members will be appointed by the Stormwater Australia Board.

## 5. Tenure

- 5.1. The Independent Evaluation Panel members will be appointed to maximum terms of 3 years.

## 6. Independent Evaluators Panel Member Benefits

- 6.1. Independent Evaluators Panel Members will be paid according to the rates nominated in their EOI submissions, or negotiated for each Submission.
- 6.2. Independent Evaluators Panel Members will have their company logo displayed on the SQIDEP webpage and acknowledged as Auditors.

## 7. Appointment and Responsibilities of Chair

- 7.1. The Independent Evaluators Panel shall elect a Chair from its members.
- 7.2. The Chair shall ensure that the Independent Evaluators Panel is considering the right matters, evaluating them without interference, coming to clear conclusions and communicating clearly with the Submitters, and Governance Panel (where required).
- 7.3. The Chair must attempt to recognise when a consensus is emerging, to articulate it and to ensure that decisions/recommendations are clear.

## 8. Secretary/Minute recording

- 8.1. Minutes and Decisions of the Independent Evaluators Panel will be recorded by the Chair, unless agreed otherwise between the members. A template will be supplied.

## 9. Ethical Standards and Legal Duties

- 9.1. Each Independent Evaluators Panel member shall abide by the terms of the Stormwater Australia's Code of Conduct and are expected to uphold the ethical standards and behaviour described in the Code.
- 9.2. The Independent Evaluators Panel will operate in a manner reflecting the obligations, values and agreed behaviours of Stormwater Australia, the Constitution, the Corporations Act and all other applicable laws and regulations.
- 9.3. Where an Independent Evaluators Panel member is found to have breached Clause 9.1 and/or 9.2, the member will be discharged from the Panel, at the discretion of the SQIDEP Governance Panel.

## 10. Conflicts of interest

- 10.1. **Each Independent Evaluators Panel member has a duty not to place themselves in a position which gives rise to, or is perceived to give rise to, a real or substantial possibility of conflict, whether it be a conflict of interest or conflict of duties.** In accordance with the Stormwater Australia's Code of Conduct, each Panel member is required to ensure that the Stormwater Australia Board is notified (whether by formal standing notice or notification to the Company Secretary or Board immediately on becoming aware) of any such conflicts of interest; and
- 10.2. If any matter is or likely to be brought before the Panel which could give rise to such a material conflict of interest, then the panel member:
  - (a) shall disclose this to the Governance Panel and SWA Board;
  - (b) shall not receive any or all of those documents related to a submission;
  - (c) may choose to withdraw from a Panel or Panel meeting for the duration of any discussion; and
  - (d) may choose to return any documents already received.
- 10.3. Where an Independent Evaluations Panel member declares a material conflict of interest, or potential material conflict, it shall be recorded in a register maintained by the Governance Panel and/or Stormwater Australia Board.
- 10.4. Where a Conflict of Interest is recorded by the Governance Panel and/or Stormwater Australia Board, should it decide the Conflict of Interest is significant enough, the Board and/or Governance Panel may decide to exclude that member from further participation in the Independent Evaluators Panel either temporarily or permanently to satisfy any Conflict of Interest is no longer in breach of the Stormwater Australia's Code.

## 11. Confidentiality

- 11.1. Confidentiality will be in accordance with standard Stormwater Australia confidentiality agreements and the Non-disclosure Agreement signed by the Panel Member.

## 12. Review and Access

- 12.1. The Board will review the Charter every three years to ensure that it meets best practice standards and meets the needs of the SQIDEP process and the Board.
- 12.2. The Charter is available on Stormwater Australia's website and/ or copy will be made available on request.

Authorisation & Review			
<u>Version</u>	<u>Approved by</u>	<u>Date Approved</u>	<u>Next Review</u>
I	Board	June 2019	June 2022