

## Terms of Reference

***As agreed in principle by Olympic Board Steering Group, 26 January 2007.  
Proposed amendments 12 December 2007 following disbandment of OPSU to  
reflect GOE taking over role of OPSU.  
Agreed by GOE 22 December 2007.  
Reviewed by OBSG 1 February 2008***

### **Purpose**

This document sets out the terms of reference for the Commission for a Sustainable London 2012 (the Commission) to provide independent assurance to the Olympic Board with respect to the sustainability of the London 2012 Olympics programme and legacy.

For clarity, capitalised terms are defined in Attachment 1.

### **Background**

One of the key commitments that London has made to the IOC and the public is for the London Games to be the most “sustainable Games ever”. The Candidature File has made a number of specific commitments about how this overarching goal is to be delivered and includes a requirement for the London Sustainable Development Commission (LSDC) to independently monitor the sustainability of the London Games in line with accepted public and transparent reporting standards. In order to achieve this and to ensure full independence, a separate commission has been established with a direct reporting line to the Olympic Board, with appropriate engagement with the London Sustainable Development Commission and the UK Sustainable Development Commission, who will provide guidance and a reference point for referring issues outside the scope of these Terms of Reference.

### **Aim**

To provide independent assurance and commentary in order to enable the sustainability objectives of the London 2012 programme to be achieved and to support a sustainable legacy.

### **Goals**

The key goals of the Commission are:

- To provide the Olympic Board and other stakeholders with commentary, supported by objective evidence, to demonstrate whether Key Stakeholders have:
  - Robust plans and processes are in place to deliver SD objectives
  - Objective evidence that SD Objectives are being achieved
  - SD plans and performance to support a sustainable legacy
- To provide a credible point of reference for all stakeholders, with respect to SD assurance issues.

### **Role**

The Commission's role is intended to be at a strategic level, acting as an advisor to the Olympic Board and a "Critical Friend" to Key Stakeholders.

The Commission will operate within the agreed Assurance Framework, which is intended to enable the Commission to provide stakeholders, most notably the Olympic Board, with an independent view on the sustainability status of the Games. This will be achieved through the review of definition, plans and progress with respect to SD objectives. In addition, the Commission will provide a valuable source of expertise and advice to Key Stakeholders, facilitating achievement of a sustainable programme and legacy.

### **Reporting Line and Funding**

The Commission reports to the Olympic Board and is funded by DCMS, the GLA Group, LOCOG and the ODA.

### **Commission Structure**

The Commission will comprise:

- **Chair** – part time remunerated post for a period of 2 years renewable by mutual agreement. The role will be contracted to the GLA and reports to the Chair of the Olympic Board. The Chair will normally be a member of the London Sustainable Development Commission and its Executive Committee.
- **Core Commissioners** – a small group of expert Commissioners remunerated for expenses only for a period of 2 years renewable by mutual agreement. The roles will be contracted to the GLA and report to the Chair. These Commissioners attend monthly meetings, support the governance of the Commission and collectively scrutinise reports, documentation and workplans. The time commitment is expected to be around 20 days per annum.
- **Co-Opted Experts** – The Commission will retain a register of Co-opted Experts to support specific reviews. These individuals can be called upon to lead specific reviews or comment on specific areas of performance. They will not normally be expected to attend Commission meetings, other than to present the findings of a specific investigation. They will be remunerated for expenses only for specific, defined activities. The roles are contracted to the GLA and report to the Chair.
- **Officers** - The roles will be carried out by post holders employed by the GLA and directed by the Chair. These are permanent staff positions dedicated to the Commission.
  - **Team Leader** – To lead a small team providing expert assurance with respect to sustainability of the London 2012 programme. To support the Chair and commissioners. To manage the assurance programme and interfaces with a wide variety of senior stakeholders. To carry out selected assurance activities. This is a senior position broadly equivalent to Civil Service Grade 7.
  - **Senior Assurance Officer(s)** - To work with a small team providing expert assurance with respect to sustainability of the London 2012 programme. To support the Chair and commissioners. To implement the assurance programme and interfaces with a wide variety of senior stakeholders. It is anticipated that at least one senior policy officer will be required but additional officers may be recruited subject to agreed budget.
  - **Project Support Officer** – To manage the administration, budget, media interfaces and support services necessary for the effective operation of the Commission.

## **Term**

The Commission is expected to operate until March 2014 (when the ODA is expected to cease to operate), to ensure that wider legacy benefits continue to be assured post Games. In 2014, transfer of the Commission responsibilities will be reviewed.

## **Key Objectives**

- To develop an assurance programme that will enable timely review of plans, progress and performance in relation to the SD impacts of the London 2012 Programme and legacy,
- To critique the SD strategy and process developed by the Key Stakeholders, providing commentary, recognition of good practice and recommendations for improvement,
- To review and comment on any gaps and opportunities identified in the SD governance arrangements provided by the Key Stakeholders,
- To review and comment on the relevant plans in place to deliver SD objectives,
- To investigate and review specific workstreams that have a high impact on sustainability (these can be SD outcomes such as waste or processes such as design or procurement),
- Where necessary, to commission more detailed reviews on specific SD issues of significant impact or concern,
- To report openly on progress towards, and achievement of, the SD objectives.
- To recognise high achievement and to advise Key Stakeholders and the Olympic Board on areas for improvement.

## **Deliverables**

The Commission will work continuously with Key Stakeholders and Wider Stakeholders to deliver:

- An agreed SD Assurance Framework and associated programme of activities,
- Reports to the Olympic Board (or other bodies at the request of the Olympic Board):
  - Monthly by exception only if an unplanned issue has emerged,
  - Quarterly report with discussion by exception,
  - 6 monthly report with discussion of key risks and opportunities,
  - Annual summary report to be fully discussed with the Olympic Board,
- Information to Key Stakeholders and Wider Stakeholders:
  - Commission reports, management responses and other key documents will be available to Wider Stakeholders and the public at large through an independent website linked to the London 2012 website and other websites hosted by stakeholders,
  - The Commission will publish an annual report following submission to the Olympic Board.

## **Supporting documentation**

These terms of reference are supported by:

- Attachment 1 - Definitions
- Attachment 2 - Operating protocols
- Attachment 3 - Press and Media protocol
- Attachment 4 – Recruitment protocol

Commission for a Sustainable London 2012

Definitions

**Key Stakeholder** means an organisation with accountability for delivering one or more of the Olympic Games and Paralympic Games Objectives. Currently:

- The Olympic Delivery Authority (ODA)
- The London Organising Committee of the Olympic Games (LOCOG)
- The Department for Culture, Media and Sport (DCMS)
- The Greater London Authority (GLA), including the “GLA Family”
- The British Olympic Association (BOA)

**Wider Stakeholder** means an organisation with a legitimate interest in SD aspects of the London 2012 programme or legacy and has a formal or informal relationship with the Commission. These include (without limitation):

- The London Sustainable Development Commission
- The UK Sustainable Development Commission
- The Environment Agency and other statutory bodies
- Relevant government departments engaged through DCMS
- The 5 Olympic Host Boroughs and other appropriate local authorities, engaged through the Nations & Regions group

The Commission will seek relationships with other Wider Stakeholders with a view to receiving advice on SD issues, including, without limitation:

- Professional Institutes
- Universities
- Non-Government Organisations across the SD spectrum
- The general public

**SD Objectives** means the sustainable development objectives defined by the Bid Book, Olympic Programme Objectives and Sub-Objectives, Delivery Plans and programmes developed by the Key Stakeholders.

**Olympic Board** means the Board established by the Secretary of State, the Mayor of London, the LOCOG and the BOA to resolve and determine issues raised by Members of the Olympic Board to ensure the delivery of commitments given in the Host City contract and the Guarantees and generally in relation to the staging of the Games and to ensure a sustainable legacy following the staging of the Games.

**Olympic Board Steering Group (OBSG)** means the Group charged with advising the Olympic Board on overall programme direction and resolving conflict. It comprises the principle responsible officials from DCMS, LOCOG, BOA, the ODA and the GLA.

**Assurance Framework** means the suite of documents describing the high level processes by which assurance will be carried out.

**Material SD Impacts** means the SD impacts defined in accordance with the process set out in the Assurance Framework as Material.

## Attachment 2

### Commission for a Sustainable London 2012

#### Operating Protocols

##### Key Principles

Successful achievement of the assurance objectives depends critically on the way in which the Assurance Framework is applied in practice. The following characteristics of the Commission are essential for successful application:

- **Independence:** The Commission will be independent in its activities from the Key Stakeholders and Wider Stakeholders,
- **Pragmatism:** The Commission will recognise the practical realities and challenges to hosting the Games, and recognise the need to integrate the economic, social and environmental, and other objectives for the Games.
- **Credibility:** The Commissioners and Officers must have an appropriate level of expertise including:
  - adequate professional qualifications, skills and experience to understand the Sustainable Development areas within the scope of assurance;
  - assurance experience, particularly prior experience in delivering sustainability related assurance;
  - experience and skills in working with the type of organisations and industry sectors that will impact the sustainability of the Games; and experience in understanding and incorporating the views of key stakeholders.
- **Openness:** Applying the principle of “No Surprises”, the Commission and its Key Stakeholders will provide full and open access to information and relevant personnel. They will inform each other in advance of progress, analysis, commentary, conclusions and, in particular, any engagement with the press or the public at large, which will be carried out in accordance with the attached Media Protocol

##### Working Arrangements

The Commission will operate in accordance with these Terms of Reference, as approved by the Olympic Board, supported by Key Stakeholders and assisted by the GLA Group and the Government Olympic Executive (GOE) in DCMS.

- **Key Stakeholders.** As needed, the Commission will develop Service Level Agreements with Key Stakeholders based on the following principles:
  - **Confidentiality.** During the course of their investigations, the Commission will have access to confidential information which will be subject to each member of the Commission signing a confidentiality agreement. Public reports will not include any commercially sensitive or confidential information.
  - **Full and open access to information by all parties.** Each party shall provide full and open access to all necessary information requested by the other. This information will normally be available within 15 working days. The commission commits to being responsible in its requests for information in recognition of the workload and priorities of the Key Stakeholders. GOE will be the first point of reference for all requests for information.
  - **Assurance activities.** The Commission will produce a programme of activities in February each year for discussion with Key Stakeholders through the London 2012 Sustainability Group. During the course of the

year, specific assurance activities will be detailed in writing and presented to Key Stakeholders at least 15 working days before the commencement of the activity, unless it is agreed that an Emerging Issue requires urgent attention.

- **Emerging Issues.** From time to time it may be necessary for the Commission to investigate unplanned activities, either at the request of the Key Stakeholders or as a result of issues raised by Wider Stakeholders. In this case, the programme of activities can be varied by agreement with the London 2012 Sustainability Group.
- **Findings.** All findings from assurance activities will be discussed with the Key Stakeholders before a report is presented.
- **Reporting.** Reports will be presented within 15 working days of completion of any assurance activity. The Key Stakeholders concerned with the activity shall deliver a management response within 15 working days of presentation of the report. Both the report and the timely management response will be made available on the Commission's website.
- **Engagement and escalation.**
  - The key communication channel with Key Stakeholders is the London 2012 Sustainability Group, which meets bi-monthly. The senior officer of the Commission will have a regular agenda item on this group to share feedback about the assurance process and to make decisions on activities,
  - Any issues or disagreements between the parties will aim to be resolved in this group before escalation to the relevant Chief Executive, OBSG and ultimately to the Olympic Board,
  - The Chair will have an agenda slot on the OBSG if there are issues of substance to discuss,
  - The Chair will regularly meet informally with the Chief Executives and other senior managers of the Key Stakeholders to ensure that the Commission makes a positive contribution to the London 2012 programme,
  - The Chair will meet the Olympic Board bi-annually or more frequently if there are issues of substance to discuss,
  - The Chair will have access to the Chair of the Olympic Board to discuss urgent and important issues by exception.
- **Communication and publicity.** The Commission will manage its communication and media activities in accordance with the attached Media Protocol with support from an external media agency, the GLA press office and the London 2012 communications team.
- **Government Olympic Executive (GOE)**
  - **Primary source of information.** GOE shall be the first point of reference for provision of information to the commission. Requests directly to the Key Stakeholders will only be made with the consent of GOE.
  - **Specification of information required.** The information required will be specified in the written notification of assurance activities and any follow up activity.
  - **Principle of efficiency.** The Commission will use existing information, reports and documents that are part of the day-to-day activities of the Key Stakeholders wherever possible. In the event that it is deemed necessary to request bespoke reports or information, GOE will endeavour to provide this information.

- **Reporting methodologies.**
  - **Commentary on SD strategies & objectives.** The Commission will be invited to comment on Key Stakeholders documents. Draft documents will usually be made available at least 15 days before publication and the Commission will comment before publication under confidentiality. It will publish views only on documents that are in the public domain.
  - **Monitoring SD Performance.** GOE will provide regular reports to monitor SD performance. These reports will be available to the Commission on a timely basis. The Commission may request specific reports outside the normal scope of reporting. GOE will endeavour to comply with these requests.
  - **Reporting Assurance Activities.** Reports on specific assurance activities will be subject to timely management response before being made available on the Commission website.
  - **Formal quarterly reports** will be presented to OBSG and the Olympic Board.
  - **Annual report.** The commission will deliver an annual report to the Olympic Board for publication after discussion with the Olympic Board.
  
- **Wider Stakeholders:**
  - **Accountability.** The Commission reports to the Olympic Board exclusively and does not have a reporting line to any other body,
  - **Advice.** The Commission will seek advice and guidance from Wider Stakeholders, this may involve attendance by members of the Commission at formal meetings held by Wider Stakeholders or attendance by Wider Stakeholders at Commission meetings.
  - **No representation.** Whilst the Commission will seek advice from Wider Stakeholders, it will not represent their views or position.
  - **Confidentiality.** When engaging with Wider Stakeholders, the Commission will share information that is in the public domain only and will not disclose any confidential information.
  - **Emerging issues.** It is anticipated that the work of the Commission will raise issues that are outside its Terms of Reference. In this event, the commission will refer to the appropriate body and advise Key Stakeholders of the referral.

## **Funding**

The Commission will provide a rolling 3 year business plan for the Olympic Board, who will decide the appropriate level of funding and allocation of funds by the Funding Bodies. The Commission will be adequately funded by a group of bodies to help ensure independence. This is currently:

- The Olympic Delivery Authority (ODA)
- The London Organising Committee of the Olympic Games (LOGOG)
- The Department of Culture, Media and Sport (DCMS)
- The GLA Group (GLA, LDA, TfL)

The Funding Bodies will transfer funds to the GLA to fund the Commission at the start of each Financial Year.

### **“In-kind” resources**

The GLA Group currently provides:

- Recruitment of officers,
- Line management of officers,
- HR management and personal development of the officers,
- Financial administration of salaries, fees, expenses etc.
- Procurement support,
- Provision of Professional Indemnity Insurance for the Chair and Commissioners
- IT and communications equipment and support,
- Legal advice where appropriate (but **not** where this is a conflict of interest for the GLA),
- Public Relations advice and support,
- Press office support.
- Office accommodation,
- Office services,
- Use of meeting rooms and other office facilities.

The Government Olympic Executive will provide:

- Full access to information related to the programme,
- Provision of reports and other information defined by the Assurance Framework,
- Ad-hoc local support (hot desks, meeting rooms, administration support) to enable an element of temporary co-location where appropriate.

### **Recruitment and Employment**

Resources will be appointed in accordance with best public sector recruitment and practice:

- Chair and Commissioner appointments and terminations shall be approved by the Olympic Board,
- Co-Opted Experts appointments shall be approved by the Chair and agreed with Core Commissioners and OBSG,
- Officers will be appointed by the GLA with the endorsement of the Chair.
  - While officers will be permanent post holders in GLA organisation, the primary collective responsibility of all officers will be to the Commission rather than the interests of the Key Stakeholders individually;
- The Commission will manage a budget to appoint resources to provide services as specified in the business plan and agreed with the Olympic Board. Resources will be engaged under contract to the GLA in accordance with GLA procurement procedures. Procurement decisions will be recommended by the Manager and endorsed by the Chair. Approval of contract awards will be in accordance with GLA procedures.

## **Attachment 3**

### **Commission for a Sustainable London 2012**

#### **Media Protocol**

##### **Preface**

The Commission for a Sustainable London 2012 is responsible for providing independent assurance on the London 2012 Olympic Games and Paralympic Games programme.

Affirming its status as an independent body, the commission is jointly funded by the Greater London Authority group (Transport for London and the London Development Agency), the London Organising Committee for the Olympic Games, the Olympic Delivery Authority and the Department of Media, Culture and Sport and reports direct to the Olympic Board.

The media and communications protocol below is designed to ensure the development and maintenance of a mutually beneficial and effective working relationship between the commission and its Olympic stakeholders.

This protocol does not in any way negate the commission's terms of reference, which requires that all Commission reports are to be reviewed by Olympic Board Steering Group for accuracy, but recognises that the final decision to release reports rests with the Commission.

##### **Protocol**

1. The appointed Chair will provide the public face of the Commission for a Sustainable London 2012 and speak to the press and media on its behalf. Exceptionally, the Chair may ask another media trained commissioner to perform this duty he or she is not available.
2. The commission will restrict all public commentary on the London 2012 Games to matters relating to its role of assuring the sustainability of the Olympic Programme.
3. The commission will always keep press and policy staff from the Olympic Stakeholders informed of any planned or formal media and communication activities, in advance. The Chair and/or senior officials from the secretariat will keep its Olympic stakeholders informed by emailing all relevant press and policy staff simultaneously in the first instance.
4. The Commission will:
  - advise in advance on the timing and content of press releases, major upgrades to the website, and articles or other publication materials to be authored by the commission
  - notify in advance on the timing and nature of press and media events
  - as now, actively seek agreement from key stakeholders on other publicity related material, such as the recruitment of staff or commissioners.
5. The commission will inform the relevant press and/or policy staff from the key Olympic stakeholders in advance when it has been contacted for media comment or an interview, particularly on emerging or controversial issues.

6. The Olympic stakeholders will provide reciprocal advice on all of its media and communication activities as pertaining to sustainable development and the Games and/or directly to the Commission for a Sustainable London 2012.
7. When the commission is promoting its work amongst stakeholders (such as professional institutes and environmental and sustainability groups), it will maintain its confidentiality agreements and never purport to represent the views of its Olympic stakeholders.
8. In all of its media and communication activities the commission will remain apolitical and act with integrity.

## Attachment 4

### Commission for a Sustainable London 2012

#### Recruitment Protocol

##### **Purpose**

The purpose of this paper is to propose for the Commission for a Sustainable London 2012 (Commission):

- Principles to inform the membership restructuring process;
- Proposed process for selection;
- Indicative skills required in the Commission.

##### **Membership principles**

The principles that have underpinned consideration of the membership structure are:

##### *Size*

- The Commission will be a working group and therefore size must be limited, while still being able to cover all the key areas of expertise required
- The Commission will comprise a small number of Core Commissioners who support the Chair in providing overall governance and expert commentary, supplemented by a register of Co-Opted Experts, who can be called on to address specific investigations and areas of commentary.

##### *Basis of membership*

- Should be based on individual expertise, not organisational representation

##### *Relationship to LSDC and SDC and other regional and national bodies*

- Existing members of any regional or national Commission or regional roundtable may apply and be subject to the competitive process, but must abide by confidentiality rules

##### *Skills*

- Selection should collectively reflect the SD priorities for the Games as well as overarching expertise required
- There should be a reasonable spread across sectors including government, industry, business, voluntary and community sector, umbrella organisations, academia
- At least one member must bring national/outside London expertise

##### *Selection process*

- All positions will be open to selection, including the current membership (except for the Chair, who has already been appointed following a selection process)
- Positions will be externally advertised

##### *Remuneration*

- There will be no individual remuneration but reasonable expenses will be reimbursed

**Process for selection**

The Chair will head the recruitment panel which will comprise:

- Chair, Commission
- OBSG representative
- Mayor’s Office representative
- Independent member (if not covered by the OBSG representative)
- Commission secretariat (observer)
- Delivery bodies (observer)

The approval process will mirror that for recruitment of the Chair - the preferred candidates will be nominated to the Olympic Board, following consultation with OBSG. The Mayor will be asked to formally appoint the candidates. Co-Opted Experts appointments shall be approved by the Chair and agreed with Core Commissioners and OBSG.

**Advertising**

It is proposed that the positions be advertised in the following way:

- The Guardian newspaper;
- On the GLA website, the Voice and Disability Now, the London 2012 website, and the CSL 2012’s own website;
- In one trade magazine (regeneration and renewal, building magazine, design magazine);
- In addition the Chair will engage with professional bodies and other stakeholders to ensure a wide network of potential candidates is alerted;

The positions will be open for 3 weeks and all Games stakeholders, the LSDC, and the UK SDC will be given advance warning.

**Skills sets**

<b>Content-specific</b>	<b>Overarching</b>
<ul style="list-style-type: none"> <li>• Water</li> <li>• Energy and climate change</li> <li>• Biodiversity</li> <li>• Skills and Employment</li> <li>• Health and wellbeing</li> <li>• Waste/Materials</li> <li>• Access and inclusion</li> <li>• Sport</li> </ul>	<ul style="list-style-type: none"> <li>• Procurement</li> <li>• Assurance</li> <li>• Media and marketing</li> <li>• SD policy/CSR policy</li> <li>• Construction</li> <li>• Regeneration and planning</li> <li>• Community engagement</li> <li>• Innovation – fresh ideas</li> <li>• Local community/east London knowledge</li> <li>• Event hosting and management</li> <li>• National sustainability perspectives</li> <li>• Regional sustainability perspectives</li> </ul>