

THE CAA ENVIRONMENTAL SUSTAINABILITY PANEL TERMS OF REFERENCE

INTRODUCTION

1. The CAA Environmental Sustainability Panel is a specialist, non-statutory body providing expert technical advice to the CAA. The Panel will support and challenge the CAA on the delivery of its Environmental Sustainability Strategy as it develops its policy and position across its regulatory and advisory functions. These functions relate to the safety and security of the aviation sector and protection of consumers who use it, and include supporting and challenging the aviation and aerospace sectors as they manage and reduce their negative environmental impacts, such as emissions and noise, and advising Government.
2. The Environmental Sustainability Panel will act as a 'critical friend' to the CAA, in a similar way as the existing Consumer Panel, providing expert technical advice to ensure that environmental and sustainability issues are considered in CAA policy development to the extent that current legislation requires and allows.
3. The key activities of the Panel are to:
 - provide **expert technical advice** to the CAA to support the CAA's work programme relating to its environmental roles, or on specific tasks as requested by the CAA, including input to the CAA's response to any relevant external consultations;
 - help the CAA to **understand and take account of environmental interests and impacts** in its regulatory policy and framework (although the Panel will not be expected to review or comment on individual regulatory decisions);
 - challenge and support the CAA on its progress towards its strategic focus on improving environmental performance, both within the aviation and aerospace sectors and within the CAA itself, including informing the delivery and future evolution of the CAA's Environmental Sustainability Strategy;
 - **Provide advice, critique and recommendations on the CAA's research** and help identify where further research may be needed to inform the CAA's sustainability agenda.
4. The Panel will not:
 - campaign publicly or deal with individual complaints from the public;
 - represent or correspond directly with air travellers, industry or community groups unless requested to do so by the CAA;
 - be involved in or comment on local issues affecting individuals, such as noise from flight paths.

ROLE OF THE PANEL

5. The CAA Sustainability Panel supports the CAA in delivering its vision and environmental strategy. It will work in partnership with CAA colleagues on a range of targeted projects and issues relating to sustainable aviation, sharing relevant intelligence and technical expertise in areas such as decarbonisation, sustainable aviation fuels, noise and consumer information.
6. The focus of the Panel's work shall be on those activities that fall within the CAA's statutory remit or reasonable influence.
7. The Panel does not have any decision making responsibilities or accountability role.
8. The Panel needs to be informed, in touch and expert. It will need to work in a constructive and collegiate way, both with the CAA and with each other.

9. The Panel will be operational from June 2022 and will have an initial focus which will include:
 - strengthening the CAA's sustainability roles and ambitions through providing technical advice on the delivery and evolution of the CAA's new Environmental Sustainability Strategy;
 - providing technical expertise to support analysis into trade offs between carbon, noise and air quality and other factors from an aviation perspective;
 - informing the CAA's ambition to increase transparency around the publication of environmental performance, including regular reporting on aviation noise in the UK;
 - providing technical advice to support the development of 'Best Practice' guides on managing environmental impacts including noise and carbon.
10. The Panel can also support the CAA by bringing to its attention issues and areas of best practice from other sectors that may be relevant to the CAA's remit.
11. The work plan of the Panel will be agreed annually by both the Panel and the CAA.

STRUCTURE

12. The Panel will consist of the Chair and up to seven other members.
13. Alongside developing a constructive working relationship, the CAA recognises the need to ensure the Panel are independent experts on the issues it is assisting with in order to make a difference. It is important that the Panel Chair has an ability to represent the Panel and to question and challenge the CAA if appropriate. To support this, the Panel Chair will meet with the CAA Board and the CAA Chair and Chief Executive regularly.
14. The Panel has no statutory basis and its governance falls within the corporate structure of the CAA.
15. The Panel will meet at least eight times in the first year following its establishment and thereafter at least six times a year. Panel meetings will normally be for half a day. No deputies will be allowed. The quorum for meetings shall be five members (including the Chair). Members' attendance through telephone or video link is permissible for the purposes of determining a quorum
16. Members should be available for consultation by the CAA on specific issues. Additional work may be required between meetings, which can be carried out by email.
17. The Panel will determine its own rules of procedure. (The CAA's rules on ethics shall apply, and financial arrangements applicable to the Panel shall be handled under the CAA's standing processes.)
18. The Panel will be supported by a dedicated Secretariat and Engagement function based within the CAA Strategy and Policy Group.

TRANSPARENCY OF PANEL MEMBERS'S INTERESTS

19. The Chair and Members needs to be free from conflicts of interests which could have an adverse impact on how they deliver free and frank advice to the CAA. A conflict management process is in place, and conflicts will be recorded as part of this process.
20. Members must declare at each meeting any interests which could influence their advice. The Chair will decide whether a Member must recuse themselves from all or part of the meeting. The Chair must discuss any interests with the CAA to decide if they should recuse themselves from all or part of a meeting.
21. The Chair and Members must declare their membership of the Panel in any bids for CAA grants or contracts. The CAA reserves the right to exclude that bid from its processes, following discussion with the relevant Member.

OUTPUTS AND PUBLICATIONS

22. The Panel will produce an Annual Report for the CAA Board, detailing the work it has carried out in the year and its key achievements.
23. The Panel will work closely with the CAA to ensure its forward Work Programme is aligned with the CAA's strategic ambition in order for the Panel to have the maximum impact.
24. Minutes from Panel meetings, and any other relevant documents, will be made available in a timely manner.
25. The Panel will publish the following on the CAA website:
 - its Annual Report;
 - its forward Work Programme;
 - minutes of Panel meetings; and
 - any other relevant documents to be agreed with the CAA.

APPOINTMENT TERMS

26. The Chair and Members are required to work towards the objectives of the Panel, and not promote their own interests or those of any group or organisation for which they work, or of which they are members. Panel members are not to be direct employees of entities regulated by the CAA, nor have had or currently play an active advocacy role for local issues such as environmental noise around airports. No employee of the CAA may be Chair or a Member of the Panel.
27. The Chair and Members shall be recruited through a process of open competition and encompass a broad range of relevant expertise and experience.
28. Appointment of the Chair will be made by the CAA. Appointment of Members will be made by the CAA on the advice of the Chair of the Panel.
29. Appointments will be remunerated on a PAYE basis for a maximum of 20 days per year. General daily expenses (such as lunch) are included in the daily rate. Members may claim reasonable travel expenses.
30. Appointments will be for a term of up to three years which may be renewed for a maximum of one further term of up to three years.

INFORMATION PROVISION AND CONFIDENTIALITY

31. It is in the interest of both the CAA and the Panel for the CAA to make available to the Panel relevant, timely, and up to date information of relevance to consumer interests. The Panel will respect the status on which all information is provided by the CAA and maintain the confidentiality of all information supplied by the CAA on that basis.
32. However, the CAA is subject to some legal constraints in relation to the disclosure of information it gathers in the course of its work. It is permitted to disclose information about businesses and individuals where this will facilitate the exercise of its statutory functions and this would include putting material before the Consumer Panel so that it may carry out its role in helping the CAA make better regulatory decisions. There may be exceptional cases where the CAA, having applied the relevant legal tests, considers that disclosure cannot be made or redactions need to be applied. This would be where the CAA considers that disclosure would be contrary to the public interest or would cause significant harm to the individual or business concerned. The CAA will therefore provide the Panel with information relating to individual airlines and airport operators where the Panel reasonably requires it to fulfil its role of helping the CAA to carry out its regulatory duties.

33. The CAA may on occasion opt not to disclose information or to redact it where disclosure would be contrary to the public interest or might harm the interests of the business or individual concerned. Panel members will agree to respect and understand the need for confidentiality. They will not disclose any information about a business or individual which is provided to them in the course of acting as a Panel member without the consent of the CAA and then only for purposes related to fulfilling their role as Panel member.

THE CAA'S DUTIES

34. The CAA will:
- Be open and transparent with the Panel as the CAA's work programme evolves in order that the Panel can meaningfully identify and review its priorities and plan its work.
 - Provide the Panel with sufficient notice of the issues that it will require advice from the Panel on.
 - Engage the Panel at early stages of regulatory thinking on areas within their work programme
 - Consider representations made to it by the Panel and provide responses to such representations.
 - Provide the Panel with prompt access to all information which the Panel reasonably requires in order to fulfil its duties. (Where the CAA feels unable to respond to a request for advice it shall provide a reasoned explanation.)
 - Give sufficient prior notice of significant new issues relating to sustainability that the CAA is putting in the public domain ("no surprises").

REVIEW OF THESE TERMS OF REFERENCE

35. The CAA and the Panel will review these terms of reference within six months of the first meeting and thereafter on an annual basis.

Last updated January 2023