

TERMS OF REFERENCE

Groundfish Integrated Advisory Board (GIAB)

Final

1. MANDATE

The Groundfish Integrated Advisory Board (GIAB) is the multi-interest forum for providing advice to Fisheries and Oceans Canada (DFO) on management and policy issues relating to the groundfish fisheries in the Pacific Region. The GIAB addresses issues that affect multiple interests and is not intended to interfere with operational matters within any specific interest group. The Advisory Board's advice will be forwarded to the Department for consideration by the Minister.

The GIAB provides advice on:

- The Integrated Fisheries Management Plan (IFMP);
- Conservation and ecosystem objectives in the management of the groundfish resource;
- Broad policy issues and associated processes relating to:
 - Allocation;
 - Catch Monitoring in support of accountability;
 - Conservation;
 - Data access;
 - Environmental and Habitat impacts;
 - First Nation treaty and harvest agreements;
 - Impacts from, and on, other fisheries;
 - International obligations;
 - Marine planning; and
 - Species at Risk.
- Linkages with other advisory and governance processes/structures as appropriate; and
- Communication activities that assist the Department's efforts to communicate more effectively with the constituencies represented on the GIAB and the public.

2. GUIDING PRINCIPLES

The following principles will be used to guide decisions on how this Advisory Board is structured and operates:

Respect for Process:

All participants will respect the process established for the role and conduct of advisory structures in general and this Advisory Board in particular. The GIAB is not intended to duplicate, supplant or interfere with other consultation processes within Fisheries and Oceans Canada or fisheries related processes associated with domestic or international treaty agreements. The Department should refer stakeholders and other outside parties who offer unsolicited recommendations and advice outside of the established process to the appropriate advisory body contact. The Department will also inform the GIAB of any solicited advice it receives and the appropriate GIAB members of any unsolicited advice it receives.

Transparent:

There should be transparency throughout the process based on open lines of communication and the provision of timely, accurate, accessible, clear and objective information by both the Department and the participants. This information should be available to all participants in the process on an equal basis. Organizers should provide access to agendas and information needed as a starting point for informed discussion well in advance of meetings. In addition, this information will be posted to a public website to ensure accountability to all Canadians.

Accountable:

Participants who are representatives of a constituency are expected to bring to the discussions the general views, knowledge and experience of those they represent, and bring back an awareness and understanding to their constituencies about deliberations of the consultation activity and reasons for decisions taken. All participants share accountability for the success of the process. The Department is accountable to participants for explaining how their advice/input was used and why and how decisions are taken.

Broad Representation:

Representation on the Advisory Board should relate to the mandate and function of the committee. Participation in advisory processes should reflect a broad range of interests in fisheries and oceans issues in the Pacific Region, to the extent possible, so that a diversity of perspectives is involved.

Effective:

All participants should be satisfied that the process can achieve the goals of the mandate. This does not mean that participants will always agree with the final advice, outcome or recommendation. Processes must be cost-effective, and set and respect realistic timeframes.

Efficient:

The size of the Advisory Board must be kept to a number that facilitates consensus-based discussion. Wherever possible, links to other Departmental consultative processes will be made to realize efficiencies in consultation.

Respectful participation:

Participation in advisory committee processes involves responsibilities. Members participate in good faith. Members of the Advisory Board will establish an operating environment that promotes and supports civil and productive discussions.

3. ORGANIZATIONAL STRUCTURE

In order for the Board to provide effective advice in a timely manner to the Department, representation from each interest will need to be limited. While broader participation can continue to take place through advisory committees in distinct fisheries this Advisory Board should be kept to a manageable size. It is the intention of the GIAB to revisit the number of members following the first year of operation to ensure the size is appropriate for carrying out the mandate of the Board.

The Groundfish Integrated Advisory Board structure(s) will be inclusive of the following interests:

Members:

- Coastal Communities
- Commercial fisheries

- Environmental organizations
- First Nations
- Labour
- Recreational fisheries

Participant Observers:

- Government of BC
- Government of Canada

Membership:

Each of the interests noted above will be represented by¹:

- 3 members and 1 alternate representing coastal community interests;
- 7 members and 7 alternates representing commercial interests:
 - 1 member and 1 alternate each for Sablefish, Halibut, Dogfish, Lingcod, Rockfish, Trawl and Processors;
- 3 members and 1 alternate representing environmental interests;
- 6 members and 3-6 alternates representing First Nations interests;
- 1 member and 1 alternate representing the labour interests;
- 3 members and 1 alternate representing recreational interests;

Participation by the federal and provincial government as participant observers will be determined on an as needed basis.

Alternates:

Each of the participating organizations will identify alternate members as indicated above. The alternate member will attend the first meeting of the Advisory Board along with the members, and thereafter they may attend as observers. It will be the responsibility of the member that is unable to attend to ensure that the alternate member is briefed on the issues to be discussed at the meeting to be attended.

Selection of Members and Alternates:

The nomination of members and alternates for each of the designated interests will be as follows:

- Coastal Community representation for the north coast, central coast, and west coast Vancouver Island to be coordinated amongst the Coastal Communities Network and the WCVI Aquatic Management Board;
- Commercial representation will be coordinated by the Commercial Industry Caucus in consultation with industry representatives on existing groundfish advisory bodies;
- Environmental representation by the Marine Conservation Caucus;
- First Nations representation through a process initiated by the First Nations Fisheries Council;
- Labour representation will be coordinated by the UFAWU; and

¹ Each interest will be consulting further with their constituents on membership and therefore these numbers are subject to change.

- Recreational representation by the Sport Fishing Advisory Board (SFAB).

The identification of Participant Observers will be as follows:

- Government of BC will coordinate its representation; and
- Government of Canada representation will be coordinated through the Groundfish Management Unit, Pacific Region, Fisheries and Oceans Canada.

Term of members:

Each member and alternate member will serve at the pleasure of the nominating ‘host organization’.

Each interest will set the length of membership for its members and alternate members, provided that the Board as a whole will revisit the issue of length of membership as part of the review of the terms of reference at the completion of every two years.

Ad-Hoc Working Groups

The Advisory Board may convene ad-hoc working groups comprised of members, alternate members and other perspectives it determines may be required. In all circumstances where the GIAB agrees that an Ad-hoc working group is to be instituted the Advisory Board will develop written terms of reference, including a timeline for the Ad-hoc working group that details the task to be undertaken and reporting requirements. Ad-hoc working groups will report only to the Advisory Board.

If, the GIAB agrees that an ad hoc working group is to be instituted, the advisory board will develop written terms of reference, including a timeline for the working group that details the task to be undertaken and reporting requirement.

Selection of the Independent Chair:

The GIAB will be chaired by an independent person that has the capacity and skills to act as a process chair. This person will not be required to fulfill another function simultaneously. The chair could be a DFO representative, a member of the GIAB², or an external individual.

The Independent Chair will be selected before the first meeting of the Advisory Board by an Ad-hoc Working Group comprised of one member for each interest/participant observer. The Independent Chair will be acceptable to all the interests on the Board.

Roles and Responsibilities

- ***The Advisory Board will:***
 - i. Conduct meetings consistent with its terms of reference, and the committee charter;
 - ii. Establish an annual action plan consisting of a schedule of meetings and anticipated agenda items;
 - iii. Develop advice taking into account Departmental policies, the views of the interests represented on the Board, and supporting data and documentation where possible;
 - iv. Provide advice to the Minister of Fisheries and Oceans and the Department;

² If a member of the GIAB is selected as the chair, an additional representative will be allowed to replace him/her

- v. Fully explore all matters on its agenda in a manner that seeks to understand, and where possible accommodate, the interests of all concerned;
 - vi. Review and provide feedback on records of meetings within a limited timeframe, and accept those records of meetings before those records are made publicly available;
 - vii. Review its terms of reference and engage in an evaluation at the completion of every two years.
- ***The members will:***
 - i. Clearly articulate the interest and concerns of their interest group and incorporate them into the Board's discussions;
 - ii. Contribute to clarifying perspectives and concerns in all discussions by listening carefully, asking pertinent questions and educating themselves regarding the interests of other members whether or not they are in agreement with them;
 - iii. Encourage and allow members to test tentative ideas and exploratory suggestions without prejudice to future discussions;
 - iv. Keep their constituencies informed of the role of the Advisory Board;
 - v. Obtain the input and guidance of their constituencies on the issues of discussion at meetings;
 - vi. Encourage the support of their constituencies for consensus positions developed by the Board;
 - vii. Represent information, views and outcomes of Board discussions accurately and appropriately; and
 - viii. Share responsibility for the success of the Board.
 - ***The Department of Fisheries and Oceans staff will:***
 - i. Respect the process by referring stakeholders and other outside parties who offer unsolicited recommendations and advice outside of the established process to the appropriate advisory body contact;
 - ii. Respect the process by directing any unsolicited advice to the appropriate board members;
 - iii. Respect the process by informing the Board of any solicited advice the Department receives;
 - iv. Provide logistical support for scheduling, preparing agendas, securing facilities, copying materials, managing discussions and drafting summary minutes of Advisory Board meetings;
 - v. Present information to the Board that enables it to engage in informed discussions on the issues for which the Department is seeking advice, or that the Advisory Board has included on its agenda;
 - vi. Identify when issues are impacting upon the Department's legislative, policy or program mandates;
 - vii. Communicate the outcomes of the Advisory Board deliberations, including both common positions and diverging perspectives, to other staff, other programs, senior managers, and the Minister as appropriate; and
 - viii. Provide updates on how the Department responds to the advice received during Advisory Board meetings in a timely, open and transparent manner that outlines the rationale for the Department's response.

- ***The Province of BC will:***
 - i. Respect the process by referring stakeholders and other outside parties who offer recommendations and advice outside of the established process to the appropriate advisory body contact;
 - ii. Identify when issues are impacting on the province’s legislative, policy or program mandates;
 - iii. Communicate the outcomes of the Advisory Board deliberations throughout the provincial ministry; and
 - iv. Respond to questions and requests for information arising from the deliberations of the Advisory Board in a timely manner.

- ***The Independent chair will:***
 - i. Manage the process consistent with the terms of reference and agreed upon agenda; promote interactive dialogue, and enable all perspectives to be heard within the constraints of the time available;
 - ii. Support bringing issues to closure by ensuring that there is clarity on the topics being discussed, a summation of the collective advice of the Board, and acknowledgement of any outstanding issues or concerns;
 - iii. Identify areas where there are conflicts and support processes through which those conflicts can be addressed; and
 - iv. Prior to the conclusion of every meeting, engage the members in the identification of agenda items and scheduling for the next meeting of the Advisory Board.

4. PROCEDURES

The following procedures will assist the Advisory Board in the conduct of its activities and the provision of advice to Fisheries and Oceans Canada, Pacific Region.

Consensus-based Advice

The Advisory Board will strive to develop consensus-based advice on the issues it discusses. Consensus is a process for making decisions, in this case, decisions on what advice to put forward, without the requirement that formal votes be taken. Its main feature is that no common position is claimed unless all members of the group can support the action, or agree not to obstruct it. Consensus does not require that everyone be in complete agreement, but only that all will be willing to accept – consent to – a decision. In reaching a decision no one should feel that her/his position on the matter was misunderstood or that it was not given a proper hearing.

When consensus is not possible, the meeting minutes will reflect the points of views of all the members of the Board, and the Board’s views will be conveyed in a manner that communicates the points of view expressed by all its members.

Agenda Setting/Annual Action Plan

At the first meeting of every fiscal year the Advisory Board will establish an annual schedule of meetings and projected agenda items. The projection of agenda items will constitute the committees action plan for the given fiscal year providing that time will be allocated on each meeting agenda to review the response of the Department to recommendations and advice of the Advisory Board, and any new business that may be identified from time to time.

Six (6) weeks prior to each meeting of the Advisory Board a draft agenda will be circulated containing the proposed agenda items for that meeting. These items may be identified at the conclusion of any previous meeting of the Advisory Board or via communication from any member of the Advisory Board to an Ad-hoc Agenda Selection Working Group comprised of one member for each interest/participant observer. Following a two (2) week comment period a final draft agenda will be circulated four (4) weeks prior to each meeting, noting any agenda item where there may be outstanding concerns. Draft agendas will be reviewed, revised and adopted by the Advisory Board members at the beginning of each meeting.

In the event that unforeseen issues arise after the draft agenda has been circulated these unforeseen issues may be added to the agenda at any given meeting if there is consensus to do so. It is recognized that the members may agree to include these unforeseen issues on the agenda of subsequent meetings or conference calls.

Meetings

The Advisory Board will meet as determined by the annual meeting schedule meetings. The Advisory Board may meet by conference calls as required and agreed upon. Extraordinary meetings not anticipated in the annual meeting schedule may also be convened as agreed upon.

Funding and Costs

The Department will generally only provide funding to cover logistical expenses of meetings, coordinate the distribution of materials, and pay for travel of departmental employees involved in advisory bodies, as needed. All other expenses are the responsibility of committee members. Treasury Board guidelines do provide for Regional Director General discretion in providing funding for advisory committee participants, other than that described above.

Minutes of Meetings

DFO will ensure that a note-taker is present at each meeting of the Advisory Board. Minutes of meetings will be prepared containing a summary of the issues discussed, the wording of consensus based decisions and advice, action items, and an update on actions taken in response to the advice provided by the Advisory Board.

An electronic/email process will be used to review and approve the minutes of meetings as follows:

- i. The minutes of meetings will be distributed to all members within 3 weeks following each meeting.
- ii. All members will have 2 weeks from the date the minutes were distributed to provide initial comments and edits.
- iii. Revised minutes of meetings will be redistributed to all members no later than 2 weeks following the initial comment period.
- iv. Each interest will then have 2 weeks to provide its approval of the minutes of meetings via email.
- v. In the event that there are any outstanding issues with the content of the minutes at this point a final revision of the minutes will be circulated noting what the outstanding issues are, and each interest will have 1 week to provide its approval.

- vi. Final minutes, acknowledging any outstanding issues, will be made available at the next meeting of the Advisory Board as an information item only.

Evaluation/Periodic Review

At the last meeting of every other fiscal year the Board will review the terms of reference and engage in an evaluation of the issues that have emerged throughout the year, how effectively the mandate is being fulfilled, and the effectiveness of the consensus process. This evaluation will be used for informed decisions on continuance of the board into the future.

5. BOARD CHARTER ON WORKING RELATIONSHIPS

In order to establish a working environment that promote and supports civil and productive discussions within the Advisory Board, the members agree to the following ground rules for how they will work together in order to achieve the mandate.

As members of this Advisory Board we will fulfill our responsibilities, improve working relationships, properly manage the process, and achieve the mandate if we:

1. Ensure that the discussions maximize the exchange of information among parties and minimize misunderstandings;
2. Acknowledge that the purpose of dialogue is to understand and to learn from one another;
3. Maintain a respectful atmosphere;
4. Treat everyone as an equal: leave status and stereotypes at the door;
5. Provide all participants with an opportunity to speak and take all perspectives into account;
6. Listen carefully and respectfully to the views of others, and acknowledge you have heard the other, especially when there is disagreement;
7. Express disagreement with ideas, not with personalities or motives;
8. Suspend judgment until understanding is achieved;
9. Identify and test assumptions (including our own);
10. Facilitate agreements across the full spectrum of interests;
11. Look for common ground;
12. Ensure accountability to our constituencies; and
13. Engage in appropriate external communication with the general public and media by describing the process and the views of other representatives accurately, and in a manner acceptable to all representatives.