DISCUSSION PAPER

CERTIFICATION BODIES ON THE BOARD

# The issues

Should certification bodies and similar organizations be permitted to serve on the GSTC Board?

Specifically:

1. **Should the by-laws remain as they are? –or–**
2. **Should the current prohibition on certification bodies be expanded to include accreditation bodies, standards setting bodies, entities that conduct verification but not certification, and those that provide technical assistance? –or–**
3. **On the contrary, should any or all of these entities be permitted to serve on the Board, while excusing themselves from participating in any votes or discussions that might imply a conflict of interest?**

Alternatively:

1. **If certification bodies or others are permitted to serve on the Board, should there be a Board seat reserved for this affinity group, whose members would choose their representative? (In other words, should certification bodies be obliged to elect a single voting representative to sit on the Board and represent their interests.)**

## Current situation

The GSTC By-laws define certification bodies as: “*Organizations that provide sustainable tourism certification services (have the authorization to provide written assurance and logo provision to certify that a tourism product, service, company, process or management system conforms to specific requirements).*”

Board functions include: “*Section 3. 13. Receiving and addressing appeals for the GSTC Accreditation Program, serving as the impartiality committee for the GSTC Accreditation Program, and reviewing and approving the recommendations on the GSTC Accreditation Program by the GSTC Accreditation Board that would change or affect the mandate of the entire council*;”

Board membership eligibility is stated in Section 4: “*All members of GSTC in good standing and compliant with the requirements for membership may be elected to the Board…Since the Board has amongst its responsibilities reviewing appeals from certifications, such organizations that may represent their interests are precluded from serving on the Board. Consultants or individuals representing consulting firms shall be precluded from offering paid services to GSTC while serving on the Board*.”

## Background

There are several member organizations that develop sustainable tourism standards and that certify to their own standard. These are ***certification bodies***, by the definition in our By-laws. Other certification bodies use a standard developed by an independent standards-setting organization. A number of certification bodies are very active in GSTC Working Groups and have expressed interest in serving on the Board.

Additional consideration should be given to ***standards-setting bodies*** that do not certify. Standards-setting bodies develop written standards that may be recognized by the GSTC, independently of whether the standard is used for third-party certification or first-party self-evaluation (such as that of a hotel chain). The decision on whether to recognize a standard is taken by the GSTC Accreditation Panel and is subject to appeal to the GSTC Board.

At present, there are at least two member organizations that conduct ***verification***, but not certification, and that recognize credible third-party certification of sustainable tourism. Verification activities are not subject to accreditation, as they do not follow the rules of third-party conformity assessment, and often provide technical assistance to facilitate the verification of tourism businesses. There have been questions about whether or not it is a conflict of interest for organizations that conduct verification, but not certification, to serve on the Board.

Those entities that provide ***technical assistance*** towards certification (consultancy services) are not eligible for accreditation, and they are not governed by any external standards, except that under international rules they may not certify, be closely related to an entity that certifies, or link their services to eligibility for certification. They are currently eligible for Board membership, but may not do consultancy for the GSTC.

Finally, our current bylaws do not consider the possible membership or Board eligibility of ***accreditation bodies***, none of which currently belong to the organization. There is no membership category that would seem to apply to accreditation bodies.

Reality versus perceptions

The logic behind prohibiting certification bodies from serving on the Board is that they might be asked to participate in appeals of Accreditation Panel decisions, by their own or other certification bodies. Their participation in an appeal would be a clear conflict of interest.

It is critical for entities involved in conformity assessment and related activities to remain strictly impartial. In terms of credibility, it is also important not to affect the *appearance* of impartiality, even where there is no genuine conflict of interest. While a real conflict is fairly easy to demonstrate, it is more difficult to predict which actions could be perceived by outsiders as favoritism or the loss of impartiality, in those cases where there is no real conflict of interests.

To avoid a genuine conflict of interest, certification bodies could be asked to recuse themselves from any decision relating to accreditation or appeals of decisions of the Accreditation Panel. It is a judgment decision that must be made by the Board as to whether their presence on the Board could be *perceived* as a conflict of interest or favoring one certification body over their competitors.

Because verification bodies evaluate businesses and activities, and because they often issue a logo that can be used for promotion, verification can be *perceived* as being similar to certification. However verification does not follow the international rules for third-party conformity assessment and is not eligible for accreditation.

Positions to be discussed

1. In the case of accreditation bodies, it is suggested either:
   1. they be explicitly excluded from membership, as is implicit at present; or
   2. that if permitted membership (which would require adding a new membership category), they would not be eligible for election to the Board.
2. With respect to certification bodies, Board members must decide whether:
   1. to continue the current prohibition on Board membership, or
   2. to allow them to serve on the Board, as long as they recuse themselves from any decision related to appeals on decisions of the Accreditation Panel.
   3. If allowed to serve on the Board, whether there would be a single Board seat reserved for certification bodies, which would choose a representative from among themselves.
3. With respect to entities that develop sustainable tourism standards that might be recognized by the GSTC Accreditation Panel, Board members must decide whether:
   1. whatever decision is made on item 2 be applied to them, noting that this might include large tour operators and hotel chains with in-house standards, or
   2. to treat them separately from the certification bodies, taking into account the possible conflict of interest if they apply for recognition of their standards.
4. With respect to verification bodies that do not certify, Board members should consider that they might or might not develop a verification standard eligible for recognition, and must decide whether:
   1. to eliminate their current eligibility to serve on the Board, or
   2. to continue to allow them to serve on the Board, with conditions applied if they wish to request recognition of their standards.