

Response to Public Comments – TSM Policy Updates 2021

In July 2021, MAC published for public comment a suite of new and revised policies related to its *Towards Sustainable Mining* program. MAC received responses from three individuals or organizations – all current TSM verifiers.

In addition to minor clarifications and corrections on several draft policies, MAC received several substantive comments on the draft revisions to the *Terms of Reference for Verifiers*. The below table outlines some of the key comments received and how MAC addressed these comments in the final version of the [Terms of Reference for Verifiers](#), published in November 2021.

Comments Received	MAC Response
Verifier Training: Given the introduction of a new verifier oversight process, it was suggested that participation in the TSM verifier training program every three years should not be mandatory for verifiers that have undergone the oversight process with no significant concerns identified.	MAC added a new provision that exempts a verifier from repeating the training workshop after three years if no issues are identified with the quality of their verifications during the verifier oversight process. The verifier must also complete the online training modules for any new or revised protocols.
Verifier Experience: It was suggested that MAC clarify requirements related to years of subject matter experience for verifiers as well as the number of completed audits that would be considered equivalent to years of experience.	MAC clarified that verifiers must demonstrate a minimum of five years of experience in auditing and in environmental and social subject matters relevant to the verification or have been involved in a minimum of 10 completed audits related to environmental and social subject matter relevant to the verification.
Verifier Credentials: It was suggested that MAC add the qualification of Certified Environmental Auditor (Quebec Association of Environmental Auditing) to its list of audit designations.	MAC added this qualification to the list of audit designations.
Verifier Engagement with COI: It was suggested that MAC provide clearer guidance around verifier engagement with communities of interest (COI), including the number of COI to be interviewed.	MAC clarified that the verifier must interview a selection of COI representatives to confirm evidence to support Level A or higher results submitted by the company. The verifier will exercise their judgement with respect to which and how many interviews to conduct, with the aim of feeling confident in their verification. The verifier's level of engagement with COI should increase in relation to the level of performance reported by the client. In discussions with the TSM Initiative Leaders, it was agreed that the number of COI to be interviewed is context-dependent and challenging to quantify.
Verifier Engagement with COI: It was suggested that MAC review the process of community of interest identification and outreach to ensure objectivity, transparency, and credibility.	MAC clarified that the client would use existing communications mechanisms to provide advance notice of verification to relevant COI, including an invitation for COI to contact the verifier with relevant information. MAC will also begin posting a list of companies undergoing

	verification on its website, with contact information for each verifier. More detailed guidance is provided in the <i>Verification Guide</i> .
Sampling Procedures: It was suggested that additional guidance on acceptable sampling practices be provided to clarify the extent to which each protocol should be reviewed by a verifier.	MAC opted not to provide additional guidance on sampling, instead maintaining a reference to sampling based on standard auditing practice and professional judgement, with all criteria to be verified during a facility's first external verification.
Site Visits: It was suggested that MAC provide clearer guidance on requirements for site visits.	MAC added additional guidance on site visits to the <i>Verification Guide</i> , maintaining the position that site visits are not a mandatory component of the external verification process, but highly recommended.