



Spongiform Encephalopathy Advisory Committee

Date: 11 Sept 2002

Title of Paper

Scientific Advisory Committees – Reviews and Codes of Practice

Issue

To consider the two recent reports from the Food Standards Agency (FSA) and the Office of Science and Technology (OST) on scientific advisory committees, and identify any action points for SEAC.

The OST published its Code of Practice for Scientific Advisory Committees in December 2001. The FSA published a report on its Review of Scientific Committees (including SEAC) in March of this year. The FSA Board intend to review progress towards achieving the targets set out in its review and the extent to which these have been met by individual committees in November.

Action Required from Committee

Members are asked:

- To note the good practice guidance contained in these two reports.
- To draw to the attention of the Secretariat any points raised in the main bodies of the two reports which should be addressed and which are not specifically addressed in this paper, if they are aware of any such points.
- To note the key action points arising from the paper, as set out in section 4 of this paper, and to comment on whether they are content with this list of action points as the way of taking the recommendations in the report forward.

List of material attached

1. Paper on the two reports.
2. For reference (all members have received these documents previously):
 - Copy of OST Code of Practice for Scientific Advisory Committees.
 - Copy of FSA Report on the review of Scientific Committees
 - Copy of SEAC Code of Practice

SCIENTIFIC ADVISORY COMMITTEES - REVIEWS AND CODES OF PRACTICE

1. Introduction and background to paper

1.1 The purpose of this paper is to look at the recommendations contained in two recently published documents containing recommendations on how scientific advisory committees should function. These are:

- The Office of Science and Technology's Code of Practice for Scientific Advisory Committees – published in December 2001
- The Food Standards Agency's Report on the Review of Scientific Committees – published in March 2002

1.2 Copies of both reports are attached to this paper for reference. There is quite a lot of overlap between the two reports although the FSA report generally contains more specific recommendations than the OST report. The FSA Board will be seeking to be updated on the progress made by individual committees towards implementing the guidance in 6 months time (November 2002).

1.3 This document focuses specifically on those recommendations where the Secretariat has identified a need for further action by the committee or (more often) the Secretariat to fully meet the recommendations set out in the two reports. Recommendations which, in the view of the Secretariat, SEAC is already broadly meeting are not included in the paper. Members are welcome to draw the Secretariat's attention to recommendations not included in this paper which they feel should be considered.

1.4 In section 3, the recommendations from both reports where further action is needed have been collated together by similar subject areas with the source of the recommendation (OST or FSA) in brackets after each recommendation. The Secretariat's comments are given in italics after each recommendation or group of recommendations.

1.5 A summary in section 4, at the end of the paper, sets out the main action points which need to be taken forward in order to implement those recommendations where further action is required.

2. Action required from SEAC

2.1 Members are asked:

- To note the good practice guidance contained in these two reports.
- To draw to the attention of the Secretariat any points raised in the main bodies of the two reports which should be addressed and which are not included in this paper, if they are aware of any such points.

- To note the key action points arising from the paper, as set out in section 4 of this paper, and to comment on whether they are content with this list of action points as the way of taking the recommendations in the report forward.

3. Key recommendations from report for consideration

The Committee's role and remit

3.1 Committees should create periodic opportunities for members to discuss the committee's role, activities and resources, and review these for consistency with the formal terms of reference. Any necessary revisions should then be considered with sponsoring departments. (OST)

3.2 *This is done on an ad-hoc basis. The Secretariat proposes that a regular annual review of current activities should be built into the Committee's business plan.*

Early identification of issues

3.3 In order to provide timely advice to Ministers, committees should ensure that they have mechanisms in place that allow them to consider on a regular basis whether new issues in their particular areas of responsibility are likely to emerge for which scientific advice or research might be needed. (OST)

3.4 *Currently individual departments do continuously review potential new areas and bring these to the Committee's attention. New and pre-publication research results and papers are brought to the Committee's attention as soon as possible. Ongoing research is continuously reviewed. Members are also asked to be proactive in identifying potential issues for SEAC to consider. Should SEAC consider whether a form of formal horizon scanning, or other measure(s), should be incorporated within its current procedures to ensure that emerging issues are identified and brought to the Committee?*

Balance of expertise and appointment of committee members

3.5 The Secretariat of the committee should prepare a membership template setting out the context in which members, including lay members, have been appointed in terms of relevant expertise and/or membership of a particular interest group. (OST)

3.6 *Although a list of members specifying the expertise they bring to the Committee does exist, a formal template matching members to a specific area of expertise does not. This is in part because a number of appointments to the committee were made on an individual basis rather than on the basis of a specifically identified area of expertise. It is proposed that the Secretariat draw up such a template and circulate it to members.*

3.7 The range of expertise required for a particular committee may not become obvious until it has begun its discussions. In such cases the committee should advise the sponsoring department(s) of any gaps. (OST)

3.8 The committee should be given a regular opportunity to review the template. This review should be aimed at enabling members to satisfy themselves, insofar as they are able, that the balance of expertise is adequate to perform the role with which they are entrusted. Any concerns should be raised with the Chair and the Secretariat. (OST)

3.9 *It is proposed that this should be another issue that the Committee should consider as part of a wider formal annual consideration of committee issues. (See above.)*

3.10 Each advisory committee should have at least two non-specialist members, one of whom should have a background in consumer affairs. (FSA)

3.11 *SEAC currently has only one non-specialist member. It is proposed that the need for an additional non-specialist member should be considered as part of a wider review of the current balance of membership on the Committee.*

Responsibilities of chairs and rights and responsibilities of members

3.12 Members joining committees should undergo an induction process. (OST)

3.13 The Food Standards Agency should provide induction for new committee members and this should include training in consumer issues for scientific members, and possibly facilitated sessions in effective committee functioning. (FSA)

3.14 *Induction at the moment is limited to advising members of the content of the SEAC Code of Practice. The Secretariat is aware that a more comprehensive Code of Practice is required. The Secretariat proposes to put together a general induction package for new members based on the recommendations in the report.*

3.15 Chairs of Advisory Committees have responsibility for (OST):

- the operation and output of the committee, including assessing the workload and ensuring that the volume of work does not compromise the rigour of the discussion;
- ensuring that members have any necessary training to enable them to fulfil their role and providing an appraisal of members' performance as necessary;

3.16 At the end of the first year of membership, members should be asked to prepare a report that reflects how they perceive their role within, and contribution towards, the work of the committee (FSA)

3.17 Training in media skills should be offered to Chairs and certain other committee members. (FSA)

3.18 The agency should obtain feedback from committee members on the adequacy of the support and training they receive and should take the necessary action to address any deficiencies. (FSA)

3.19 *Only the issues which require further consideration are included above. The Secretariat will need to develop a simple, non-labour-intensive system for regularly appraising members' performance and obtaining feedback from them. It is proposed, for simplicity, that this should be rolled into a single process. It is proposed that the other two issues: members' training needs and managing SEAC's workload might be issues for the Committee to consider as part of a wider consideration of the running of the Committee.*

Role of the Secretariat

3.20 The Secretariat should draw up appropriate procedures, approved by the committee, of its handling of confidential material so that this can be communicated to suppliers of such information. The procedures should be drawn up in accordance with the principles of openness and transparency of the Code of Practice on Access to Government Information, with the aim of ensuring that material is only withheld from public release for confidentiality reasons when there are justifiable reasons for doing so. (OST)

3.21 Committees should draw up clear guidelines to define what material can justifiably be regarded as confidential (FSA).

3.22 *It is proposed that material should be treated as confidential only if it contains:*

- *Personal information about named individuals*
- *Commercially confidential information which cannot be disclosed for legal reasons*
- *Confidential patient information*
- *Pre-publication research results*

Working practices

3.23 Where the nature of its work may demand a rapid response, the committee should agree any special procedures to be used for producing urgent advice where it has not been possible to go through the normal channels. On such occasions the full committee should be informed as soon as reasonably possible of the advice that has been provided, and be given an opportunity to offer any further comment they may have on it. Where the committee's considered view differs from the advice initially offered, the sponsoring department(s) should be promptly informed. (OST)

3.24 *SEAC has dealt with a number of urgent issues over the past year. These have been dealt with mainly by organising smaller working groups which then report to the main committee. Formal procedures for dealing with such issues do not currently exist. Members are asked whether they would be content to deal with urgent issues either through rapidly convened sub-groups or through the organisation emergency meetings of the full committee depending on the nature of the issue under consideration.*

Dealing with confidential information

3.25 The committee should develop a policy on the handling of confidential information and communicate it to third parties, so that those submitting it know what to expect. (OST)

3.26 Committees should draw up clear guidelines to define what material can justifiably be regarded as confidential (FSA).

3.27 *See notes above on the proposed basis on which information would be treated as confidential.*

3.28 Committees should be prepared to explain publicly why information is being withheld. (OST)

3.29 *The reason for treating certain information as confidential will be clearly defined. (See above)*

Openness

3.30 Committees should follow standard practices in making their documents available, by publishing agendas and committee papers in advance of each meeting, (“well in advance” in main body of text) and minutes and/or summary reports afterwards (FSA)

3.31 Committees should make the agenda available prior to meetings. As a minimum this should be published on their website and a paper copy available on request. (OST)

3.32 *Agendas will be released on the SEAC website prior to the meetings.*

3.33 Committees should operate from a presumption of openness. The proceedings of the committee should be as open as is compatible with the requirements of confidentiality. The committee should maintain high levels of transparency during routine business. (OST)

3.34 All committees should move to a position where they conduct as much of their business as possible in open sessions. (FSA)

3.35 *Open meetings will take place as of September 2002.*

Forward work plan

3.36 Committees should, where possible publish their future programme of work. They should aim to publish an annual report (unless special circumstances of the committee make it necessary to publish more or less frequently) of their activities. (OST)

3.37 Committees should, at least once a year, publish a forward work plan. (FSA)

3.38 *A future programme of work is currently in preparation by the Secretariat. Annual Reports are released on the SEAC website.*

Data that has not been reviewed

3.39 Wherever possible, Secretariats should ensure that committees have access to comments from appropriate external experts before considering novel research which has not been peer-reviewed. (FSA)

3.40 *The Secretariat has done this on an ad-hoc basis. Consideration should be given to formalising procedures for processing pre publication results, which have not previously been subjected to peer review.*

Communication with the public

3.41 Committees should develop a policy for the communication of their work to the public and other interested parties and for receiving feedback. There is a range of mechanisms that can be used such as: open meetings, public consultation, dialogue with interested parties and the calling of outside experts to attend meetings. (OST)

3.42 *Consideration should be given to whether, in addition to holding open meetings and publication of minutes, any further action should be taken to meet this recommendation?*

Communication with the media

3.43 Committees should decide on who should represent them to the media e.g. departmental press officer, independent press officer, Chair. Committees should establish rules of conduct on whether confidential/personal briefings given by members to interested parties are permitted. Such rules of conduct need not affect a member's freedom to represent his or her field of expertise in a personal capacity. The committee's rules however should generally oblige members to make clear when they are not speaking in their capacity as committee members. (OST)

3.44 Committee Chairs should be offered professional advice on publicity and media handling and should normally act as the committee's spokesperson. (FSA)

3.45 *Further advice and training will be provided in this area.*

Information exchange/ international issues

3.46 Committees should be told of the existence of any other relevant committees and have opportunities to exchange information with them. This might involve giving other committees advance notice of significant announcements, copying relevant documents or sharing best practice through joint meetings. Where appropriate committees should develop contacts with relevant European Union and international committees. (OST)

3.47 Where a committee's work is closely related to that of another advisory committee, they need to be clear who has responsibility for what. This should be recorded in writing. They should consider setting up a system of cross-representation so that each committee includes a member of the other, or asking the bodies responsible for appointments to consider doing so. This should have the effect of forging close links between them and avoiding inconsistencies of approach in related fields. (OST)

3.48 Where appropriate, permanent links should be maintained between committees in the form of cross membership through *ex-officio* appointments (FSA)

3.49 *Establishing links with other committees will be considered and taken forward if appropriate.*

3.50 Committees should receive regular updates on the work of their EU and international counterparts. (FSA)

3.51 *The Secretariat will aim to circulate new information from the SSC to members as part of the Committee's information papers. Establishing links with other international counterparts to SEAC will be considered.*

4. Main action points for SEAC arising from these reports

The Secretariat recommend that the following action be taken to take forward the recommendations in the OST and FSA reports:

4.1 SEAC should hold a regular formal annual review of various Committee business issues. This should include a discussion of:

- the Committee's role, activities, resources and terms of reference and whether these are still current and consistent,
- the balance of expertise on the committee – whether all the current areas of expertise still need to be covered and whether there are any areas of expertise that the Committee requires but currently does not have.
- whether an additional lay member is needed
- the ongoing training needs of members and the chairman
- possible approaches to reducing and/or better managing the workload of the Committee, and particularly the workload at meetings.

4.2 The Secretariat will need to develop a specific policy specifying the basis on which material will be treated as confidential in future. The basis on which material should be treated as confidential needs to be clearly defined. It is proposed that the basis of the policy should be as follows. The key areas identified by the Secretariat to date where material should be treated as confidential, are if it contains:

- personal information about named individuals
- commercially confidential information which cannot be disclosed for legal reasons
- confidential patient information
- pre-publication research results
- documents in draft form

4.3 The Secretariat will draft a formal forward Business Plan for the Committee.

4.4 The Secretariat should put together a membership template setting out the context in which members, including lay members, have been appointed in terms of relevant expertise and/or membership of a particular interest group in time for the September SEAC meeting.

4.5 The Secretariat should develop a formal induction process and package of induction material for new members.

4.6 The Secretariat should develop a simple system for regularly appraising members' performance and obtaining feedback from them.

4.7 The Secretariat will aim to circulate papers from the SSC to members in a more coordinated way. It is proposed that efforts to set up liaisons with committees in related areas in other countries will be considered once the new Secretariat is established.

4.8 Members should also consider:

- Whether they are content that current practice successfully identifies all key issues.
- Whether formal procedures need to be developed for dealing with urgent issues, or whether existing practice as set out in section 3 is acceptable.
- Whether there is a need for formal procedures for dealing with and obtaining rapid peer review of pre-publication research results.