

## **SPONGIFORM ENCEPHALOPATHY ADVISORY COMMITTEE**

### **PUBLICATION SCHEME**

PREPARED IN  
ACCORDANCE WITH THE INFORMATION  
COMMISSIONER'S OFFICE "MODEL PUBLICATION  
SCHEME 2009" INITIATIVE

[http://www.ico.gov.uk/Home/what\\_we\\_cover/freedom\\_of\\_information/publication\\_schemes.aspx](http://www.ico.gov.uk/Home/what_we_cover/freedom_of_information/publication_schemes.aspx)

VERSION 3 - DECEMBER 2008

## 1. Who we are and what we do

1.1 The Spongiform Encephalopathy Advisory Committee (SEAC) is a Non-Departmental Public Body (NDPB) appointed by Ministers and sponsored jointly by the Department for Environment, Food and Rural Affairs, the Department of Health and the Food Standards Agency. Its rôle is to provide independent expert scientific advice to UK Governments on transmissible spongiform encephalopathies such as bovine spongiform encephalopathy, Creutzfeld-Jacob disease and scrapie. SEAC's remit is wide-ranging, and covers public health, food safety and animal health issues.

1.2 The committee was formed in 1990 and its terms of reference are as follows:

- to advise on Transmissible Spongiform Encephalopathies (TSEs) at the request of the Department for Environment, Food and Rural Affairs, the Department of Health, the Food Standards Agency, the Scottish Executive, the Welsh Assembly and the Northern Ireland Executive;
- to provide independent scientific advice on food safety, public and animal health issues relating to TSEs taking account of the remits of other bodies with related responsibilities;
- to provide scientifically based assessment of risk from TSEs to public and animal health and food safety taking appropriate account of scientific uncertainty and assumptions in formulating advice; the committee will convey the nature and extent of such uncertainties with the advice;
- to advise on important general principles or new scientific discoveries in TSEs to assist in the identification of new or emerging TSE risks for public, animal health and food;
- to advise on the scientific basis and risks associated with the introduction of new control measures or the reduction, phasing out or withdrawal of current control measures which are in place to protect public health or animal health from TSEs; and
- to identify where research is desirable to reduce the scientific uncertainty and inform the assessment of public and animal health and food safety risks relating to TSEs.

1.3 The present composition of the committee can be found on the SEAC Website (<http://www.seac.gov.uk>). The committee usually meets between two and four times a year to discuss TSE related issues and to provide scientific advice to Government.

1.4 Administration of the committee is carried out by a Secretariat composed of civil servants seconded from the Department for Environment, Food and Rural Affairs, the Department of Health and the Food Standards Agency. For enquiries contact SEAC Secretariat, Area 5A, 9 Millbank, c/o 17 Smith Square, London SW1P 3JR. Telephone: 020 7238 4946 or e-mail: [seacsecretariat@seac.gsi.gov.uk](mailto:seacsecretariat@seac.gsi.gov.uk).

## **2. What we spend and how we spend it**

2.1 SEAC is funded jointly by Department for Environment, Food and Rural Affairs, the Department of Health and the Food Standards Agency in the ratio 47%, 33%, 20%. In Financial Year 2007-8 the total budget was £450K. That funding also covers the permanent secretariat that supports the work of the Committee.

2.2 Rates of remuneration of SEAC committee members is published on the SEAC Website in the document "SEAC Code of Practice".

## **3. What are our priorities and how are we doing**

3.1 The committee is committed to making as much of its work open to public scrutiny as possible. The majority of information discussed by SEAC is in the public domain and the default assumption is that SEAC will discuss requests for advice in public session. Thus the committee conducts much of its business in open meetings; this allows members of the public to observe the committee at work. The agenda and papers for open meetings are made available on the SEAC Website one week prior to each meeting. The draft minutes of each public meeting, together with a brief summary of all the items discussed including those in reserved business session, are made available on the SEAC website as soon as practicably possible after the meeting. A final version of the minutes is agreed at the subsequent committee meeting.

3.2 There are items of business which are urgent enough that they have to be dealt with before the next scheduled meeting. In such cases, SEAC will consider the items in correspondence, using e-mail to share their views and reach a conclusion. Papers for discussion in correspondence will be published on SEAC's Website as these would be for a meeting. Once a conclusion is agreed, it will be published on the Website, along with a summary of the main points made in discussion amongst members.

## **4. How we make decisions**

4.1 The committee is required, in accordance with Government policy on openness, to comply with the Codes of Practice<sup>1</sup> including the Freedom of Information Act 2000 (FOIA) and the Environmental Impact Regulations 2004 (EIR). However, if Departments request that SEAC review confidential information it does so in a reserved business session, where members of the public are not present and a record of the meeting is not published.

---

<sup>1</sup> [Department for Constitutional Affairs - Freedom of Information Act - Secretary of State for Constitutional Affairs' Code Of Practice](http://www.dca.gov.uk/foi/codepafunc.htm)  
<http://www.dca.gov.uk/foi/codepafunc.htm>

[http://www.informationcommissioner.gov.uk/cms/DocumentUploads/EIR/Code of Practice.pdf](http://www.informationcommissioner.gov.uk/cms/DocumentUploads/EIR/Code_of_Practice.pdf)

4.2 Justification for this requires a need to specify the particular harm that disclosure would cause and provide reasons why this overrides the public interest for disclosure, particularly given the increased transparency and confidence arising from public discussion.

4.3 To ensure that the committee adopts a consistent approach the following guidelines apply, also set out in the SEAC Code of Practice. Material can only be considered confidential for consideration as reserved business if it is cited as exempt from disclosure as described in the FOIA Chapter 36 Part II sections 21 to 44. Under the FOIA, except where an absolute exemption applies, material should be disclosed unless the public interest in maintaining the exemption in question outweighs the public interest in disclosure. If the EIR are cited as grounds for any exemptions from open discussion, these apply as described in the EIR Part 3 and are subject to the public interest test.

4.4 For consideration in SEAC's reserved business sessions material could include:

- unpublished research results or reports, intended for publication subsequently;
- draft guidelines;
- commercially confidential information, which cannot be disclosed for legal reasons; and
- confidential patient information or personal information about named individuals.

4.5 If papers contain commercially sensitive information or information about named individuals, the general principle of common law duty of confidentiality will apply, except in cases where the information was provided under legislation which deals specifically with disclosure and non-disclosure.

4.6 In addition, Government rules prevent departments discussing issues surrounding policy development in public during purdah. This is from the date a general election is announced until the election is completed.

## **5. Our policies and procedures**

5.1 There are four types of report on which advice may be sought from the committee prior to publication, unpublished research, draft risk assessments, draft guidelines and draft pre-publication material.

5.2 Premature disclosure of unpublished research may prejudice publication in scientific or medical journals. There is a generic requirement for scientific advisory committees to treat unpublished research in confidence until it has been peer-reviewed and published in the scientific or medical literature, unless the investigators give specific permission for pre-publication release. Following publication, the committee's comments will be released into the public domain.

5.3 Similarly draft risk assessments may, in some cases, be treated as confidential until finalised and published. There may be a delay between SEAC's review of a draft risk assessment and publication of the committee's advice to allow the appropriate Government departments to develop risk management strategies. In these cases, relevant papers, minutes and statements may need to be temporarily withheld, pending publication.

5.4 SEAC may be asked to provide scientific advice early in the drafting process when Government departments revise or produce new guidelines. As Ministers may wish to have the opportunity to consider new or revised guidelines before these are finalised and placed in the public domain, the committee may be asked to provide advice on draft guidelines in confidence.

## **6. Lists and registers**

6.1 The two documents that comprise this category are both published on the SEAC Website. These are the "Register of SEAC Members Interests" and the "SEAC Code of Practice".

## **7. The services we offer**

7.1 Guide to information: SEAC publishes the following documents:

SEAC Meeting Agendas, Papers and Minutes.

SEAC Meeting Summaries.

SEAC Statements.

SEAC Subgroup Reports and Statements.

Register of SEAC Members' Interests.

Terms of Reference of SEAC.

SEAC Code of Practice.

Annual Reports of SEAC.

Press Releases.

7.2 All the documents detailed above are available on the SEAC Website. The information can also be made available in hard copy from the SEAC secretariat (contact details in paragraph 1.4).

7.3 As far as possible, and within Government guidelines, SEAC intends to make information within the publication scheme available free of charge. However, there may be exceptions where a fee may be charged to cover processing costs.

## **8. Review of Publication scheme**

8.1 This Publication Scheme will be reviewed from time-to-time, and at least every two years, in line with new decisions of the Information Commissioner. Thus, this Scheme will be reviewed in or before December 2010.

**SEAC SECRETARIAT**