

Report on the Review of Scientific Committees

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EXECUTIVE SUMMARY

The Board of the Food Standards Agency requested that a Review be undertaken of the role, methods of operation and effectiveness of the independent scientific committees that advise the Agency on food issues. This was conducted by a group led by the Agency's Chairman, Sir John Krebs, which met with key stakeholders and the chairmen of the Agency's advisory committees on several occasions.

The Review has taken into account existing Government guidelines for the operation of public bodies and recommendations from two recent reviews, the Philips Report into BSE and the May Review into the way in which risk is handled by scientific advisory committees dealing with food safety. It has also taken into account the latest version of the *Code of Practice for Scientific Advisory Committees*, which was published by the Office of Science and Technology in December 2001.

The Report addresses how the Agency establishes and supports the committees, the way that the committees conduct their business, and how the advice issued by committees is sought and used in policy-making by the Agency. It makes a total of 50 recommendations covering a wide range of issues, including the need for improvements to the current arrangements for the recruitment and retention of the best experts; increasing the openness of the work of the committees and conducting more business in public; and the possible benefits of establishing a pool of experts who would provide additional expertise that could be called on by the committees and the Agency itself on an *ad-hoc* basis. The Report also proposes initiatives that the Review Group believes will further improve the way in which the Agency is able to draw upon expert scientific advice.

Introduction

▪ the Food Standards Agency

1. The Food Standards Agency was established on 1 April 2000 by Act of Parliament. The main purpose, as set out in the Food Standards Act 1999, is:

“to protect public health from risks which may arise in connection with the consumption of food, and otherwise to protect the interests of consumers in relation to food.”

2. The Food Standards Agency is led by a Board and is accountable to Parliament through Health Ministers. As a UK body it is also accountable to the devolved administrations for its activities within their areas.

3. The Agency’s key role is to protect the interests of consumers and does this by following three core values, namely to:

- put the consumer first
- be open and accessible
- be an independent voice

4. Within this framework of the three core values, the Agency’s principal functions are to provide advice and information to the public and to the Government on food safety from farm to fork, nutrition and diet; protect consumers through effective enforcement and monitoring, and support consumer choice through promoting accurate and meaningful labelling. To carry out these functions effectively, the Agency;

- bases its decisions and advice on the best evidence available
- obtains independent expert advice from its advisory committees
- consults widely before it takes action and makes recommendations unless urgent action is essential
- commissions research to support its functions
- is prompt in making public its advice to the Government

5. In addition to obtaining advice from its advisory committees, the Agency is also able to make use of other sources of expertise, e.g. the Agency’s own in-house specialists, experts in academia and elsewhere,

and EU and International expert committees such as the World Health Organisation/Food and Agriculture Organisation's Joint Expert Committee on Food Additives.

▀ background to the Review

6. The Board of the Food Standards Agency requested that a review be undertaken of the role, methods of operation and effectiveness of the independent scientific committees that advise on food issues, in relation to the work that they undertake for the Agency. The Review was requested, not because there appeared to be any significant shortcomings in the current system, but because the Board wished to ensure that the operation of the various advisory committees was consistent with the remit and values of the Agency, as well as the framework for good practice set out in the code of practice issued by the Office of Science and Technology for the operation of scientific advisory committees.

7. The terms of reference for this Review were:

‘To examine the role, method of operation and effectiveness of the independent expert committees in regard to the work that they undertake for the Food Standards Agency’.

▀ the Review Group

8. The Review was conducted by a group led by the Agency's Chairman, Sir John Krebs. Other members of the Review Group were:

Derek Burke	<i>Former Vice Chancellor of the University of East Anglia and former committee chairman (ACNFP)</i>
Maureen Edmondson	<i>Food Advisory Committee member (up until 31/12/01) with industrial experience</i>
Valerie Howarth	<i>Agency Board member</i>
Andrew Puddephatt	<i>Freedom of information expert</i>
Barbara Saunders	<i>Consumer member of committee (EGVM, former-member of the Food Advisory Committee)</i>
Michael Walker	<i>Agency Board member</i>

9. The group met on three occasions in 2001, during which they held sessions with stakeholders and the Chairs of the advisory committees covered by the Review. These sessions gave the group invaluable feedback on the strengths and weaknesses of the current work of the committees and the scope for improvements. A list of the individuals and organisations who contributed to the review is attached at Annex 1.

▪ **scientific advisory committees which are covered by the Review**

10. This Review relates solely to the way in which the Agency's advisory committees interface with the Agency and the Agency Board. The Review covers the following committees that offer specialist scientific advice to the Agency. Terms of reference and other details of the individual committees can be found in Annex 2:

▪ ACAF	Advisory Committee on Animal Feedingstuffs
▪ ACMSF	Advisory Committee on Microbiological Safety of Food
▪ ACNFP	Advisory Committee on Novel Foods and Processes
▪ COC	Committee on Carcinogenicity
▪ COM	Committee on Mutagenicity
▪ COT	Committee on Toxicity
▪ SACN	Scientific Advisory Committee on Nutrition
▪ SEAC	Spongiform Encephalopathy Advisory Committee

11. Other committees and groups that advise the Agency – such as the Meat Hygiene Advisory Committee and the surveillance working parties – were not directly included in the Review, although some of the more general conclusions of the Review will have implications for their operation. Committees in which the Agency has an interest, but which are the responsibility of other government departments, e.g. Advisory Committee on Pesticides and the Veterinary Products Committee, are outside the remit of the Review. The Review does not cover the Agency's general Advisory committees for Scotland, Wales and Northern Ireland.

12. Four of the committees covered by the Review (COC, COM, COT and SACN) are operated jointly by the Agency and DH (the Department of Health) while ACAF is run jointly with DEFRA (the Department of Environment, Food and Rural Affairs). SEAC is operated jointly by all three Departments. The Review Group's recommendations are relevant to

these committees with respect to their role of providing advice to the Agency on food-related matters. However, we commend our recommendations to other sponsor departments in the hope that they will find them useful in respect of the work that these committees do for them. The remaining committees (ACMSF, ACNFP) are operated solely by the Agency.

▪ existing guidance and recommendations

13. The Review has taken into account existing Government guidelines for the operation of public bodies and recommendations from two recent reviews, the Philips Report into BSE and the May Review into the way in which risk is handled by scientific advisory committees dealing with food safety (see below). It has also taken into account the Code of Practice for Scientific Advisory Committees, which was published by the Office of Science and Technology in December 2001.

The May Review

14. Following the establishment of the Food Standards Agency in April 2000, the then Chief Scientific Advisor, Sir Robert May, assisted by the Chief Medical Officer, Professor Liam Donaldson and the FSA Chairman, Sir John Krebs reviewed the approach taken by advisory committees dealing with food safety. The conclusions were published in July 2000 and were very similar to those in the Philips Report, which are set out below.

Report of the BSE Inquiry

15. Published in October 2000, this Report (“The Phillips Report”) made a series of recommendations concerning the Government’s effective use of advisory committees. These fall into two categories:

(a) what the Government should do:

- Not ask committees to deal with issues beyond their competence
- Not ask committees to make risk management decisions
- Not put issues to committees as a way of avoiding urgent action
- Not be selective in quoting their advice

(b) what advisory committees should do:

- Make clear the uncertainties in their conclusions and the assumptions underlying their advice

- Make clear what evidence they have reviewed and what they are merely quoting
- Be conscious of conflicts of interest (real or apparent)

- **format of the Report**

16. This Report describes the current operation of the scientific committees that provide advice to the Agency and identifies best practice. It also offers some recommendations of best practice for the future working of the committees, in order to ensure that:

- the Agency continues to receive sound scientific advice on which to base its policies
- the Agency is providing the necessary level of support for the operation of the scientific expert committees
- the committees command the respect and trust of those who are affected by the outcome of their deliberations.

17. The Report is organised into three main sections covering how the Agency establishes and supports the committees, the way that the committees conduct their business, and how the advice issued by committees is sought and used by the Agency.

(a) The Agency's responsibilities – establishing and supporting the committees

▪ role of the Secretariat

18. In order to facilitate the best functioning of a committee, it is vital for the Agency to provide an effective Secretariat. The Secretariat is responsible for:

- drafting committee papers and ensuring that questions being put to the committee are expressed clearly
- assembling and analysing information for use by the committee
- organising meetings and other events
- publishing agendas, papers, minutes, reports and other documents
- publishing the outcome of committee discussions and ensuring in particular that the committees' advice is clearly communicated to those who need to act on it
- providing procedural advice and support to the committee chairs.

19. The Secretariat, in collaboration with the Chair, is responsible for ensuring that the committee's workload is controlled and that Members have access to all relevant information on each topic they are dealing with. This relies on having an adequate expertise to understand the issues and support the committees in their work.

20. We **recommend** that each Secretariat should include, or have immediate access to, staff with relevant scientific/technical expertise in order to be able to discharge the above duties effectively, particularly when drafting papers for discussion. This will also allow the Agency to engage with experts on the scientific matters under discussion; maintain awareness of national and international developments in relevant fields; and take forward any recommendations for further research where gaps in knowledge are identified.

21. It is vital that issues can be addressed by the committee without undue influence from any one member. Therefore, we **recommend** that committee papers should be drafted by the Secretariat, drawing on the expertise of members as appropriate.

22. It is the responsibility of the Secretariat, in collaboration with the Chair, to ensure that the proceedings of the committee are properly documented, giving a clear audit trail showing how the committee reached its decisions.

23. The Secretariat should make sure that Members are clear what is expected of them, especially with regard to: (a) declaration of interests; (b) confidentiality of certain information; (c) dealing with the media.

24. The Secretariat has a responsibility to ensure good working relationships are established with other Government departments to; (a) allow efficient co-ordination of work where there are joint Secretariats, and; (b) effective dissemination of information when issues have been discussed that are of interest to other government departments.

25. The Secretariat is also responsible for monitoring follow-up actions arising from the committee's activities and this involves reporting regularly to the committee on issues such as:

- the uptake by the Agency of the committee's research recommendations
- the progress of actions that have been based on the committee's advice
- the emergence of new data that might affect previous advice issued by the committee

26. We recommend that

- each Secretariat should include, or have immediate access to, people with relevant scientific/technical expertise
- committee papers should be drafted by the Secretariat, drawing on the expertise of members as appropriate
- the Agency should continually review the efficacy of the Secretariats, in consultation with the committee Chairs

▪ **appointment of committee members**

27. It is the responsibility of the Agency to ensure that the membership of each committee includes individuals with recognised expertise in each of the areas that are necessary for that committee to discharge its remit.

28. Advisory committees, including those that advise the Agency, are part of the overall machinery of government and fall to be treated in many respects like Non-Departmental Public Bodies (NDPBs). As such, they are subject to various central government rules, and the selection

and appointment of members are covered by “Nolan procedures”¹. Although these procedures strictly apply only to Ministerial appointments, we consider that they should also be followed by all the committees covered by this Review, many of whose members are appointed by the Agency and/or the Chief Medical Officer rather than Ministers. Details of the “Nolan” recruitment requirements are given in Annex 3.

29. Briefly, the main requirements when recruiting members are that vacancies on committees must be advertised openly, and that efforts should be made to ensure that suitably qualified individuals from all sections of the population have the opportunity to apply. We recognise, however, that there are a number of barriers to the recruitment of the best experts to advisory committees. These include:

- the pressures already placed on the time of academics in the UK University system
- the limited numbers of experts in certain scientific disciplines
- members encountering conflicts of interest when advising on certain issues within their field of expertise
- whether the recompense offered for the time spent on committee work is in the appropriate form.

These issues are discussed in further detail elsewhere in this report.

30. The Review Group supports the principle of open competition, but we also recognise that this approach may currently discourage some experts from applying for posts on the Agency’s advisory committees. We **recommend** that the Agency should streamline its procedures, so far as is possible within the Nolan requirements.

31. In addition to publicising vacancies on committees through the usual channels, we **recommend** that the Agency should actively search for suitable experts and encourage them to apply. Additionally we **recommend** that, as recommended in the Phillips Report, the possibility of using learned societies and Research Councils to identify individuals with particular expertise should be explored further with them. These experts could be approached either for potential appointment as committee members through the normal process, or to provide additional *ad hoc* advice on particular topics (see paragraph 35).

32. It is not a pre-requisite that members of committees should be based in the UK and indeed the aim should be to obtain the best scientific advice available regardless of origin. Recruiting experts from other countries has already achieved some success in the case of certain committees, e.g. SEAC and COT.

¹ Code of Practice issued by the Office of the Commissioner for Public Appointments

33. We endorse the conclusion in the Phillips Report that lay members can play a valuable role on expert committees. Non-specialists² perform a vital function in providing a different perspective by, among other roles, challenging assumptions and ensuring that the committee's considerations meet the needs of, and are expressed in terms that can be understood by, consumers generally. We therefore welcome the fact that all of the committees that are the subject of this Review already include consumer experts and/or non-specialist members among their membership. To strengthen the current position, we **recommend** that each advisory committee should have at least two non-specialist members. Wherever possible at least one of these should have a background in consumer affairs.

34. When advertising committee posts, the Agency should provide prospective applicants with an information pack explaining the respective roles of the committee, the Secretariat and the Agency. We also **recommend** that the Agency should specify clearly what is expected of committee members, paying particular attention to the role of non-specialist members.

35. The Agency may occasionally require additional advice on an *ad-hoc* basis, to supplement the expertise among regular committee members. We therefore **recommend** that the Agency should consider establishing an identified pool of internationally-recognised experts, not necessarily based in the UK or Europe, whose expertise would be extremely beneficial to the Agency on an occasional basis. Such experts could include those with highly specialised knowledge, and those with knowledge of the food chain and industrial practices. These individuals could be called upon by the existing committees to provide additional expertise on particular topics. Relevant experts could also be assembled into an *ad hoc* group to advise the Agency on a specific issue that goes beyond the remit of any of the existing committees, e.g. exposure to dioxins generated by funeral pyres during the recent foot and mouth epidemic. They should be offered briefing, support and, wherever possible, training similar to that provided for members of the Advisory committees. This will provide these individuals with an understanding of the work of the Agency and, more importantly, its approach and hence the context in which they are being asked to advise.

2 The Review Group received several comments on the use of the terms "consumer member", "lay member" and "public interest representative". We feel that it is not productive to draw up strict definitions of these roles, which are in any case overlapping. Instead, we have used the term "non-specialist" to encompass all three categories of non-scientific members. Such members should, however, have a range of representative and committee skills.

36. In conclusion, we recommend that

- the Agency should streamline its application procedures, so far as is possible within the Nolan rules
- the Agency should actively search for suitable experts and encourage them to apply
- the possibility of learned societies and Research Councils helping to identify individuals with particular expertise should be explored further with them
- each advisory committee should have at least two non-specialist members, one of whom should have a background in consumer affairs
- the Agency should specify clearly what is expected of all members, focusing particularly on the role of non-specialist members
- the Agency should consider identifying a pool of internationally recognised experts to offer advice on an *ad-hoc* basis.

▪ training and support for members

37. We **recommend** that the Agency should provide a programme of induction for new committee members, in particular, taking account of the needs of non-specialist members. In addition, the Agency should ensure that all committee members are properly supported by their secretariats to ensure they are able to fulfil their obligations as members.

38. Based on experience to date it is evident that Secretariats need to provide additional support for non-specialists to ensure that they can play an effective role, and we **recommend** accordingly. The Agency has already hosted a workshop for consumer and lay members of committees at which they were able to discuss the issues that directly affect them as non-scientific members of advisory committees. It is envisaged that these meetings will become biannual events. We welcome the continuation of this arrangement, provided that feedback from the relevant members confirms that it continues to meet their requirements. It is also important that scientific members of committees receive training in consumer issues to enable them to appreciate the wider implications of the committee's work and we **recommend** that this is offered as part of induction training.

39. Chairs have an important role in communicating the work of their committees. We therefore **recommend** that training in media skills should be offered to Chairs and such other members of the committees that they nominate.

40. The performance of small groups, such as advisory committees, can be significantly enhanced by paying attention to the interactions and processes by which they operate. We therefore **recommend** that the Agency should consider arranging facilitated sessions in effective committee functioning for committee members and this could be part of the induction course offered to new members. Chairs should also be offered training in this area.

41. The Agency should establish a system to obtain feedback from committee members on the adequacy of the training and support they receive, and on how they perceive their position within the committee. The Agency should take the necessary action to address any deficiencies identified.

42. We recommend that

- the Agency should provide induction for new committee members and this should include training in consumer issues and effective committee functioning
- the Agency should provide additional support for non-specialist members
- training in media skills should be offered to Chairs and certain other committee members
- 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

- **monitoring the scope and performance of committees**

43. It is the Agency's responsibility to ensure that there are no gaps between the responsibilities of the various advisory committees, so that all subject areas where the Agency is likely to need advice are adequately covered. There do not appear to be any gaps at present but we **recommend** that the Agency reviews the situation on a regular basis. Should any new issues be identified that are not covered by one of the existing committees, we **recommend** that the Agency takes appropriate steps to address them, such as establishing new *ad hoc* groups, as was done, for example, with the establishment of the *ad hoc* Expert Group on Vitamins and Minerals.

44. In addition to this, we **recommend** that the Agency, in conjunction with the committee Chair, should determine at regular intervals whether each committee continues to fulfil its intended function. This should be done on a regular basis, for instance when the Annual Report is being produced and certainly as part of the existing system of 5-yearly (quinquennial) reviews of Non-Departmental Public Bodies.

45. We recommend that

- the Agency continues to monitor whether gaps develop between the remits of the various committees
- the Agency establish *ad-hoc* groups, as necessary, to examine emerging issues not covered by existing committees
- the Agency should determine at regular intervals whether each committee fulfils its intended function, and whether all the current committees are still needed

▪ **cross-membership of committees**

46. We recognise that it is beneficial for committees who are engaged in related areas to have a certain degree of cross-membership. This will encourage effective and efficient communication of information between committees, and will permit a degree of continuity in the consideration of cross-cutting issues.

47. Cross-membership can be achieved as a result of the same individual being independently appointed as an expert on more than one committee. Alternatively, the Chair or another member of one committee may be appointed to another to serve as an *ex-officio* member.

48. To encourage consistency of approach, and to avoid unnecessary duplication, we encourage the establishment and maintenance of links between committees at all levels, including Secretariats, members and Chairs. Where there is a regular degree of overlap between the work of the committees, as for example between COC and COM, we **recommend** that permanent links be maintained in the form of cross-membership through formal *ex-officio* appointments. In other cases the links can be less formal, and a Member of one Committee (or its secretariat) can be invited to attend meetings where items of mutual interest are being discussed.

49. Some issues may require detailed input from experts on more than one of the advisory committees. In these cases each committee has the option of referring part of the question to another committee for its advice. For example, the ACNFP may require an evaluation of data on carcinogenicity that have been provided in connection with a novel food application, and may refer the data on to the COC. Alternatively, more substantial issues may be dealt with by a joint meeting of two (or more) committees.

50. We recommend that

- where appropriate, permanent links should be maintained between committees in the form of cross-membership through *ex-officio* appointments

▪ remuneration of members

51. We are aware that one of the possible barriers to recruitment of some experts, particularly those whose principle income is derived from acting as a consultant, is the level of remuneration that the Agency is able to offer. However, for others it is not the level or remuneration received that is important, rather it is how their work for the committee is of benefit in their regular employment. The Higher Education Funding Council for England has informed us that activities such as service on government advisory committees, which indicate the esteem in which peers and the wider community hold the work of academics, are taken into account as part of the research assessment exercise. We **recommend** that the Agency should make academic institutions and other employers aware of the valuable contributions made by members of their staff who are appointed as committee members.

52. The Agency should recognise that in some cases members may require additional remuneration to reflect increased preparation time for meetings. We **recommend** that the Agency examines the current level of remuneration offered to members, consulting in the case of joint committees with other Government departments.

53. We recommend that

- the Agency makes employers aware of the valuable contributions made by committee members
- the Agency examines the current level of remuneration offered to members, consulting where appropriate with other Government departments

▪ indemnities

54. If a company or an individual feels that they have been unjustly treated as a result of advice from an expert committee, they may wish to exercise their right to pursue the issue in the courts and to seek damages. The threat of legal action should not however be allowed to become a disincentive for individuals to serve on advisory committees.

55. The Agency, as a Government Department, has a clear duty to indemnify committee members against any action that might arise as a result of their work – provided that they have not acted improperly. It is the responsibility of the Secretariat to ensure that an appropriate form of indemnity is drawn up and kept up to date. In the case of joint committees, this should be the responsibility of the “lead” department for arranging appointments. Such indemnities should apply not only to the committees but also to their sub-groups and other *ad hoc* groups of experts.

56. We recommend that

- **statements of indemnity are drawn up and kept up to date for committees, their sub-groups and other *ad hoc* expert groups**

▪ **devolution and international issues**

57. The Agency is a UK-wide body and it provides advice on food safety and standards, not only to the UK Government in London, but also to the devolved authorities in Edinburgh, Cardiff and Belfast. Where the Agency is called on to advise one of the devolved authorities, it is able to seek expert advice from its committees in the same way that it does for UK-wide issues. During the course of our Review, no particular problems associated with this arrangement have been identified.

58. It is sometimes the case that the issues being considered by UK committees are also within the remit of committees operating at EU or international level. We consider that it is important to avoid unnecessary duplication in the work of the committees and not invariably to have the same issue considered in turn at national, EU and international level. We recognise, however, that there will be cases where, for reasons of timing or particular national interest, the Agency will wish to seek advice from its own committees irrespective of the action being taken or planned at EU or international level. The Agency will need to give further consideration to the way that the UK advisory committee structure relates to the wider EC picture following the establishment of the proposed European Food Safety Authority.

59. In order to keep abreast of international developments, we **recommend** that the committees receive regular updates on their EU and international counterparts.

60. We recommend that:

- **committees should receive regular updates on the work of their EU and international counterparts**

(b) The committees' responsibilities – conduct of committee business

▪ openness

61. Openness is one of the Food Standards Agency's core values. Therefore, where committees feel there is a reason not to release information, they must therefore explain why they consider that it should not be made generally available. Maintaining a high degree of openness permits interested parties the best opportunity to scrutinise a committee's work and contribute to it.

62. The scientific committees currently advising the Agency generally follow good practice in terms of openness, transparency and consumer involvement, although some are inevitably further down the road and others are "catching up." Most of the committees publish their agendas and committee papers in advance of meetings, usually via their web sites, and follow these up with minutes and reports of meetings. There are, however, some inconsistencies between committees in the range of material – such as meeting papers & minutes – that is made available and particularly in the timing of their release.

63. We recognise that this has been an evolving area, but we **recommend** that the Agency's committees should make their documents available, including the publication of descriptive agendas and discussion papers (with the exception of confidential information, which should be placed in separate annexes) well in advance of each meeting. Minutes of committee meetings and/or summary reports should be published after each meeting to a pre-determined timetable. When publishing agendas, committees should avoid presenting a simple list of topics; they should ensure that there is sufficient background for the reader to understand why the item is being discussed and what sort of questions are being considered. All these documents should be made available through the committees' web sites, and they should also be available as hard copy documents on request. We would expect all committees to have reached an equivalent standard of openness within one year of publication of this report.

64. Additionally, we **recommend** that data used as the basis for risk assessments and other committee opinions should be made freely available, within the constraints of confidentiality (see paragraph 68 below), at as early a stage in the process as possible. We note that the ACNFP has already set up a procedure where applications for approval of novel foods are published for public comment prior to any substantive discussion by the committee. This has worked well and we **recommend** that other committees should adopt similar arrangements wherever appropriate.

65. Committees should work in as consultative a manner as possible so that alternative opinions and interpretations can be considered. Whenever time permits, committees should issue a draft opinion for public consultation before offering their final advice. We **recommend** accordingly.

66. Many of the committees have also organised occasional 'open' meetings where interested parties can attend, observe the committee in operation and, in some cases, make statements or ask questions at the end. These meetings have been held in a variety of formats and the attendees have found them to be very valuable exercises. We **recommend** that all committees should move as quickly as possible to a position where they conduct as much of their business as possible in open sessions, allowing the audience to interact at the end. These meetings can also be used to help committees with their planning and wider thinking. The Agency should ensure that the necessary resources are made available to support open meetings, and should examine the use of alternative approaches such as web broadcasts.

67. From time to time, a committee may be involved in discussions of confidential issues. More commonly, the actual issue may not be confidential, but part of the data under evaluation may be unsuitable for publication, e.g. for commercial reasons.

68. We **recommend** that each committee should have clear guidelines to define what material can justifiably be regarded as confidential. These guidelines should be drawn up centrally by the Agency and should be published and made available to those who submit data for consideration by the Agency's committees. The guidelines should include the fact that confidentiality, where justified, may be time limited and that in some cases the right of confidentiality for certain information is currently enshrined in legislation, e.g. veterinary medicines.

69. Committees should critically review any request for information to be kept confidential. In some cases, it may be possible to present the information in a way that removes the need for confidentiality e.g. by presenting it anonymously or by aggregating the data. The confidential nature of information will often be time-limited and committees should aim to publish the information when confidentiality has expired.

70. We recommend that

- committees should follow standard practices in making their documents available, by publishing agendas and committee papers in advance of each meeting, and minutes and/or summary reports afterwards
- the data used as the basis for risk assessments and other committee opinions should be made freely available
- applications to committees are published for public comment prior to any substantive discussion by the committee
- whenever possible, draft opinions are published for all interested parties to comment
- all committees should move to a position where they conduct as much of their business as possible in open sessions
- committees should draw up clear guidelines to define what material can justifiably be regarded as confidential

▪ **setting agendas/work programmes**

71. The primary role of each committee is to advise on the specific issues that are referred to it by the Agency and the other Departments to which it responds. However, Members should also be free to propose additional items for consideration. The final decision on whether such issues should be included on the agenda should lie with the individual committee Chair, taking account of competing priorities.

72. We **recommend** that committees should, at least once each year, publish a forward work plan. This will allow interested parties sufficient opportunity to consider the issues that will be discussed in the coming period and allow them to make submissions to the committee. We recognise, however, that any forward work plan will not always be complete since other issues that require the committee's attention can arise without warning. The forward work plan should include a specific reference to horizon scanning.

73. We recommend that

- committees should, at least once a year, publish a forward work plan

▪ **communicating the committee's conclusions**

74. Communication of advice is a key part of any committee's work, and particular care is needed to ensure that all information that is published by the committee (e.g. papers, minutes, advice) should be in a form that is intelligible to the widest possible audience. In complex areas, we **recommend** that advice should be accompanied by a summary that sets out the committee's main conclusions in simple language.

75. Publication via the Internet is an effective way of putting documents in the public domain, but it should be complemented by documents in paper form that can be supplied by the Secretariat on request. In addition, committee opinions and advice need to be presented in a more permanent, referenceable record such as the annual report. All of the committees that are the subject of this Review publish detailed annual reports that include summaries of the discussions on the issues considered by the committee in the previous year. This practice should continue.

76. On occasions, advisory committees can have a key role in presenting issues to the media, particularly for high profile scientific issues. Chairs have a particular responsibility to work with the Agency and the other Government Departments that they are advising, to ensure that the committees' conclusions are clearly explained. We **recommend** that they should have access to professional advice on publicity and media handling. The Agency's or other government department's in-house press officers can provide this advice.

77. The Chair will be expected normally to act as the committee's spokesman in any dealings with the media, although he or she may delegate this role to other Members where necessary. Those who have not been so designated should consult with the Chair and Secretariat before speaking on the committee's behalf.

78. We recommend that

- committee advice in complex areas should be accompanied by a summary that sets out the main points of the committee's conclusions in simple language
- committee chairs should be offered professional advice on publicity and media handling and should normally act as the committee's spokesperson

▪ handling conflicts of interest

79. The Code of Practice for Scientific Advisory Committees³ states that committees should draw up procedural rules for handling conflicts of interest, and should be guided by the relevant government guidance covering conflicts of interest. A committee's rules should cover how to recognise conflicts, how to resolve them, and what happens if the rules are not observed. A recent Select Committee report⁴ concluded that while an interest should not be a bar to membership, there should be clear guidelines for disclosure. The report states that revised guidelines require all advisory committees to publish registers of members' interests, and that the guidelines should make clear that the requirement to declare interests extends to those in all sectors, not just those with industry connections. In addition, the committee secretariats should ensure that these registers are updated on a regular basis.

80. All committees that are the subject of this review currently comply with the general government guidance. They do this by publishing registers of members interests and following established procedural rules for handling conflicts of interest. We **recommend** that committee guidelines should reflect that relevant declarable interests cover all links which could influence members thinking⁵, particularly receiving material benefit from, or holding a position of responsibility in industry, pressure groups and non-governmental organisations.

81. It is essential that potential conflicts of interest are identified and recorded in minutes. These include interests of invited experts, as well as regular committee members. The handling of declarations of interest is a matter for the Chairs, who will, in consultation with the secretariat, decide on a case-by-case basis whether a member should take part in all or part of the discussion on topics where there is a potential conflict of interest. Cabinet Office has issued guidance on the handling of interests by advisory bodies which states⁶:

“members should not participate in the discussion or determination of matters in which they have an interest and should normally withdraw from the meeting (even if held in public) if:

- their interest is direct and pecuniary; or
- their interest is covered in specific guidance issued by [the committee] or the sponsor department which requires them not to participate and/or to withdraw from the meeting”.

3 Office of Science and Technology (2001)

4 House of Commons Select Committee on Science and Technology Fourth Report

5 links with NGOs and lobby groups should also be declared alongside those from industry, in the interests of wider openness

6 Cabinet Office (2000); Non-Departmental Public Bodies: A Guide for Departments, page 203

82. We recognise that too prescriptive an approach in this area may deprive committees of some of the best expertise available. It is impractical to exclude all potential interests and we **recommend** that the Agency should produce guidelines, as provided for in the Cabinet Office guidance, upon which decisions can be made based on the nature of each interest and whether it constitutes a conflict. These guidelines should also give an indication of the course of action to be taken when an interest is deemed to be a conflict.

83. The process used in the selection of members plays a critical role in establishing the balance of expertise on committees and ensuring that advice is available on issues of concern during discussion. We **recommend** that interests should be declared by prospective members as part of the recruitment process and taken into account in making the final appointments in order to maintain a sensible balance on each committee. The Agency should also obtain information on the interests of any experts who are included in the “pool” described above in paragraph 35.

84. Chairs have a vital role in guiding and communicating the committee’s discussion and therefore their independence must be beyond question. Accordingly, we **recommend** that chairs of the Agency’s advisory committees should not be employed by, or receive personal remuneration from, industrial organisations or pressure groups during their term of appointment.

85. We recommend that

- committee guidelines should reflect that relevant declarable interests include links from which members benefit materially, including those with pressure groups and non-governmental organisations as well as industry
- the Agency should produce guidelines upon which decisions can be made on the handling of members’ interests
- interests should be declared by prospective committee members to enable a sensible balance to be achieved on the committee at the time that appointments are made
- chairs of the Agency’s advisory committees should not be employed by, or receive personal remuneration from, industrial organisations or pressure groups during their term of appointment

- **data that has not been peer-reviewed**

86. In some cases, committees will need to assess scientific data that has not been subjected to the normal peer review process. This may arise either where committees are reviewing the results of standard tests, or where they are considering new information at the cutting edge of science. In the former case, we consider that the committee members and Secretariats should critically review the data, as they currently do. In the latter case, we are concerned that committees may find themselves in the position of being asked to review complex new scientific data in specialised areas where only one or two members may have detailed knowledge. In these cases we **recommend** that wherever possible the Secretariat should arrange for the new data to be reviewed by two outside experts so that their views can be brought to the attention of the committee alongside those of the researchers. Where necessary this could be achieved by sending the data to the relevant experts and inviting them to the meeting where the issue is to be discussed.

87. We recommend that

- **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**

- **role of the chair and members**

88. Chairs of advisory committees have a number of responsibilities, and these include ensuring that every member of the committee is heard, that no view is ignored or overlooked, and that unorthodox and contrary scientific views are considered by the committee. The Chair is also responsible for ensuring that the proceedings of the committee, if necessary including minority opinions, are properly documented by the Secretariat so that there is a clear audit trail showing how the committee reached its decisions.

89. The Chair should ensure that the committee reaches clear conclusions on each question, and that these are effectively recorded and communicated. We **recommend** that committee decisions should include an explanation of where differences of opinion have arisen during discussions and why conclusions have been reached, even if alternative opinions were expressed. They should also explain any assumptions and uncertainties that are inherent in their conclusions (see paragraph 100 below). Chairs have a particular responsibility to work with the Agency and the other Government Departments that they are advising, to ensure that the committees' conclusions are clearly put across to the public (see paragraph 74 above)

90. The Chair should ensure that the committee has access to all the expertise necessary to address each issue on the Agenda. When this is not available within the committee, we **recommend** that the Chair should work with the Secretariat to ensure advice is sought from the appropriate experts – for example by inviting experts to assist the committee on a particular issue or by setting up a sub-group of committee members plus additional experts. The establishment of a “pool” of experts (see paragraph 35 above) would provide a good source of additional expertise for this purpose.

91. Members of the committee should ensure they understand why they are being appointed and the role they are expected to play. It is then the responsibility of the Chair to make sure that these roles are clearly understood by all committee members. Additionally, the committee Chairs should be responsible for discussing each member’s performance with the committee Secretary at the end of the member’s first year of appointment, and at the time at which any reappointment is being considered. As part of this process, we **recommend** that the relevant member should be asked to prepare a report at the end of their first year that reflects how they perceive the contribution that they have made towards the work of the committee and that they should use this as the basis for discussion with the Chair.

92. In consultation with the Secretariat, the Chair must be ultimately responsible for assessing the workload of their committee and ensuring that the volume of work does not compromise the rigour of the discussion. This can be achieved by ensuring that committee agendas are not overloaded and, if necessary, committees can discuss issues over more than one meeting. They should ensure that the full range of scientific opinion is considered and, if appropriate, seek views from outside the committee.

93. We recommend that

- committee chairs should be required to ensure that committee decisions include an explanation of where differences of opinion have arisen during discussions and why conclusions have been reached. They should also ensure that any assumptions and uncertainties are clearly spelled out
- when expertise is not available within the committee, the chair, in consultation with the Secretariat, is responsible for ensuring advice is sought from additional experts
- at the end of their first year of membership, members should be asked to prepare a report that reflects how they perceive their contribution towards the work of the committee, for discussion with the chair

▪ **specialist members**

94. Members who are appointed because they bring a particular expertise to a committee have a responsibility to make the committee aware, as far as possible, of the range of opinion within their discipline. In addition to consumer or lay members, specialist committees may benefit from including scientists from other disciplines among their membership. Since quantitative interpretation of complex data sets is an essential part of the work of advisory committees, we **recommend** that each committee has access to advice on quantitative analysis and modelling.

95. We recommend that

- each committee has access to advice on quantitative analysis and modelling

▪ **attendance at meetings**

96. When a committee meets, it has been common practice for a number of officials to be present in addition to the Chair, Members and Secretariat. This has been considered necessary in order to present information to the committee, or to provide a direct link between the committee and the Government Department(s) it is advising.

97. However, we consider that it is important for the number of officials attending a meeting to be kept to a minimum and each official's attendance limited to those particular items where they are required. Where there are good reasons for a number of observers being present, the Secretariat should arrange the seating in such a way that their presence does not inhibit the committee's discussions. Recent experience with the COT has shown that this can lead to improvements in group dynamics during committee meetings. We also **recommend** that the Chair should limit contributions by non-members during discussions.

98. We recommend that

- the number of officials attending a meeting should be kept to a minimum and their attendance limited to those particular items where they are required
- the seating at meetings should be arranged so that the presence of observers does not inhibit the committee's discussions
- the Chair should limit contributions by non-members during discussions

(c) Seeking and using the committees' advice

99. The Select committee report referred to above (para 79) noted that it is vital that advisory committees are asked the right questions, otherwise important scientific information may never be brought to the Government's attention. In general, questions to committees should be neutrally phrased so that the committee considers the subject without an inherent bias. Where possible, the Agency should invite public comment on the questions that it is proposing to put to committees. We recognise that formal consultation may not be realistic in most cases due to time constraints, but the publication of papers in advance of meetings should allow interested parties the opportunity to provide any comments they wish to make. Committees should also be free to raise any additional questions that they feel are appropriate.

▪ uncertainty

100. When reporting outcomes, committees should make explicit the level and type of uncertainty (both limitations on the quality of the available data and lack of knowledge) associated with their advice. It is recognised that advice can only be offered on the basis of the existing science base, which may be incomplete or contradictory. In order to make rational risk management decisions, the Agency needs to have a clear understanding of the uncertainties involved and the way these have influenced committees in formulating their advice. This will allow the Agency to take a suitably precautionary approach⁷ when determining what action to take following receipt of any advice which has a degree of uncertainty associated with it. Where significant uncertainty exists, committees should advise on the steps that might be taken to reduce this in future. If the committee is being asked to comment on risk management options they will need to highlight the scientific basis for recommending a particular approach.

⁷ A useful discussion of the precautionary principle can be found in the Communication from the European Commission dated 2 February 2000; reference COM(2000)1. This document is currently available on the Commission's web site at http://europa.eu.int/comm/dgs/health_consumer/library/pub/pub07_en.pdf

101. We recommend that:

- When offering advice committees should highlight any uncertainties identified during their deliberations, and explain how these uncertainties have been handled in reaching their final conclusions
- committees should spell out the assumptions that have been made in each assessment and identify any gaps in the current knowledge, and the action that might be taken to address them. These should be made public
- the Secretariat, assisted by committee members, should take responsibility for identifying when new data becomes available that might justify the committee reviewing its earlier advice

- **relationship between the committees, executive and the board**

102. The current system, where advice from advisory committees is conveyed to the Agency's Board via the executive, is one which operates very effectively. We **recommend** that these arrangements continue. Committee Chairs may from time to time, however, be asked by the Board to brief them directly, particularly when a committee has issued advice on a particularly complex issue. It would be useful for the Chairman of the Agency to meet with the committee Chairs on an annual basis to review progress over the previous twelve months and to look to the future.

103. We recommend that:

- the current arrangements should continue with information being conveyed from the committees to the Board via the executive. This may be supplemented from time to time by direct briefing of the board by the Chair of the committee
- the Chairman of the Agency should meet with the committee Chairs once a year to review progress

- **responsibilities for risk assessment/risk management**

104. It is the responsibility of the Agency to consider how best to manage the food risks which have been evaluated and advised upon by the expert committees. There is no single formula for handling potential risks that can be applied across the board and each issue must therefore be considered on a case-by-case basis. While committees are not responsible for risk management, it may often be appropriate to ask them to provide scientific advice on options put to them by the Secretariat.

105. Secretariats must ensure that each issue that is referred to the committees is framed so that the members are clear what they are being asked to provide (e.g. risk assessment, or consideration of risk management options). The Agency must ensure that it, as the risk manager, maintains an effective dialogue with committees, as the risk assessors. Additionally, in line with the proposals in the May Report, we **recommend** that the Agency develops, in consultation with committees, a formal approach to risk assessment and that this be published.

106. We recommend that:

- **committees should not be asked to manage risks although they may be asked to provide scientific advice on risk management options**
- **the Agency, in consultation with the committees, should develop a formal approach to risk assessment**

▪ **research**

107. Committees have a valuable role to play in helping to identify research that the Agency should be commissioning to improve the quality of the science base in the areas on which they advise. It is, however, the responsibility of the sponsoring department(s) to commission the necessary studies. We **recommend** that the Agency's Advisory Committee on Research should monitor whether committee research recommendations are being adequately considered by the Agency when it determines its future research programme.

108. We recommend that:

- **the Agency's Advisory Committee on Research should monitor whether committee research recommendations are being implemented by the Agency**

Summary of Conclusions/Findings

109. Our Review has revealed much that is good about the Agency's advisory committee system, and our discussions with stakeholders and committee Chairs has shown that there is widespread agreement on the direction in which the system should be evolving. The most important areas where the need for action has been identified relate to the appointment and retention of the best experts; the need to balance a high degree of openness with respect for the confidential nature of some of the information that the committees are asked to review; and the handling of potential conflicts of interest.

110. Although this Review has also covered committees that also report to other Government Departments, the recommendations will only apply directly to the advice that these joint committees draw up on behalf of the Agency. Many of the recommendations, such as those dealing with appointments of committee members and the holding of open meetings, will need to be considered in conjunction with the other sponsoring departments before being put in place for the joint committees.

111. The fifty recommendations made by the Review Group are presented below with cross-references to the relevant paragraphs of the Report.

112. Finally, The Review Group considers that arrangements for routine reviews of the committees should be put in place, to ensure that a consistent approach is maintained on matters such as appointment of members, publication of committee papers and reports, conduct of meetings and the approach to risk assessment.

Full list of recommendations:

THE AGENCY'S RESPONSIBILITIES – ESTABLISHING AND SUPPORTING THE COMMITTEES

Role of the Secretariat

1. each Secretariat should include, or have immediate access to, people with relevant scientific/technical expertise (para 20)
2. committee papers should be drafted by the Secretariat, drawing on the expertise of members as appropriate (para 21)
3. the Agency should continually review the efficacy of the Secretariats, in consultation with the committee Chairs (para 26)

Appointment of committee members

4. the Agency should streamline its appointment procedures, so far as is possible within the Nolan procedures (para 30)
5. the Agency should actively search for suitable experts and encourage them to apply (para 31)
6. the possibility of learned societies and Research Councils helping to identify individuals with particular expertise should be explored further with them (para 31)
7. each advisory committee should have at least two non-specialist members, one of whom should have a background in consumer affairs (para 33)
8. the Agency should specify clearly what is expected of all members, focussing particularly on the role of non-specialist members (para 34)
9. the Agency should consider identifying a pool of internationally recognised experts to offer advice on an *ad-hoc* basis (para 35)

Training and support for members

10. the 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 (paras 37, 38 & 40)
11. the Agency should provide additional support for non-specialist members (para 38)
12. training in media skills should be offered to Chairs and certain other committee members (para 39)
13. 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 (para 41)

Monitoring the scope and performance of committees

14. the Agency should continue to monitor whether gaps develop between the remits of the various committees (para 43)
15. the Agency should take appropriate steps to address emerging issues not covered by existing committees (para 43)
16. the Agency should determine at regular intervals whether each committee fulfils its intended function, and whether all the current committees are still needed (para 44)

Cross-membership of committees

17. where appropriate, permanent links should be maintained between committees in the form of cross-membership through *ex-officio* appointments (para 48)

Remuneration of members

18. the Agency should make employers aware of the valuable contributions made by committee members (para 51)
19. the Agency should examine the current level of remuneration offered to members, consulting where appropriate with other Government departments (para 52)

Indemnities

20. statements of indemnity should be drawn up and kept up to date for committees, their sub-groups and other *ad hoc* expert groups (para 55)

Devolution and international issues

21. committees should receive regular updates on the work of their EU and international counterparts (para 59)

THE COMMITTEES' RESPONSIBILITIES – CONDUCT OF COMMITTEE BUSINESS

Openness

22. committees should follow standard practices in making their documents available, by publishing agendas and committee papers in advance of each meeting, and minutes and/or summary reports afterwards (para 63)
23. the data used as the basis for risk assessments and other committee opinions should be made freely available (para 64)
24. applications to committees are published for public comment prior to any substantive discussion by the committee (para 64)
25. whenever possible, draft opinions are published for all interested parties to comment (para 65)
26. all committees should move to a position where they conduct as much of their business as possible in open sessions (para 66)
27. committees should draw up clear guidelines to define what material can justifiably be regarded as confidential (para 68)

Setting agendas/work programmes

28. committees should, at least once a year, publish a forward work plan (para 72)

Communicating the committee's conclusions

29. committee advice in complex areas should be accompanied by a summary that sets out the main points of the committee's conclusions in simple language (para 74)
30. committee Chairs should be offered professional advice on publicity and media handling and should normally act as the committee's spokesperson (para 76)

Handling conflicts of interest

31. committee guidelines should reflect that relevant declarable interests include links from which members benefit materially, including those with pressure groups and non-governmental organisations as well as industry (para 80)
32. the Agency should produce guidelines upon which decisions can be made on the handling of members' interests (para 82)
33. interests should be declared by prospective committee members to enable a sensible balance to be achieved on the committee at the time that appointments are made (para 83)
34. Chairs of the Agency's advisory committees should not be employed by, or receive personal remuneration from, industrial organisations or pressure groups during their term of appointment (para 84)

Data that has not been reviewed

35. 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 (para 86)

Role of the chair and members

36. committee Chairs should ensure that committee decisions include an explanation of where differences of opinion have arisen during discussions and why conclusions have been reached. They should also ensure that any assumptions and uncertainties are clearly spelled out. (para 89)
37. when expertise is not available within the committee, the Chair, in consultation with the Secretariat, is responsible for ensuring advice is sought from additional experts (para 90)

38. at the end of their 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 (para 91)

Specialist members

39. each committee has access to advice on quantitative analysis and modelling (para 94)

Attendance at meetings

40. the number of officials attending a meeting should be kept to a minimum and their attendance limited to those particular items where they are required (para 97)
41. the seating at meetings should be arranged so that the presence of observers does not inhibit the committee's discussions (para 97)
42. the Chair should limit contributions by non-members during discussions (para 97)

SEEKING AND USING THE COMMITTEES' ADVICE

Uncertainty

43. when offering advice, committees should highlight any uncertainties identified during their deliberations, and explain how these uncertainties have been handled in reaching their final conclusions (para 100)
44. committees should spell out the assumptions that have been made in each assessment and identify any gaps in the current knowledge, and the action that might be taken to address them. These should be made public (para 100)
45. the Secretariat, assisted by committee members, should take responsibility for identifying when new data becomes available that might justify the committee reviewing its earlier advice (paras 25 & 101)

Relationship between the committees, executive and the Board

46. the current arrangements should continue with information being conveyed from the committees to the Board via the executive. This may be supplemented from time to time by direct briefing of the Board by the Chair of the committee (para 102)
47. the Chairman of the Agency should meet with the committee Chairs once a year to review progress (para 102)

Responsibilities for risk assessment/risk management

48. committees should not be asked to manage risks although they may be asked to consider risk management options and provide scientific advice (para 104)
49. the Agency, in consultation with committees, should develop a formal approach to risk assessment (para 105)

Research

50. the Agency's Advisory Committee on Research should monitor whether committee research recommendations are being suitably addressed by the Agency (para 107)

Annex 1: List of those who contributed to the review

Organisation	Name
Academy of Medical Sciences	Tony Leaney
Biotechnology and Biological Sciences Research Council	Avril Allman/Meg Wilson
British Nutrition Foundation	Judy Buttriss
British Retail Consortium	Janet Nunn
Campaign for Freedom of Information	Maurice Frankel
Cancer Research Campaign	Carol Simes
Chartered Institute of Environmental Health	Jenny Morris
CJD Action Group	Gillian Turner
Consumers' Association	Sue Davies
Food & Drink Federation	Michael Hunt
Food Additives Industry Association	Richard Ratcliffe
Friends of the Earth	Peter Riley
Greenpeace	Doug Parr
Health Food Manufacturers Association	Derek Shrimpton
Institute of Food Research	Reg Wilson
LACOTS	Mark Du Val
Leatherhead Food RA	Brian Hanley
Medical Research Council	Tony Peatfield
National Consumer Council	Sue Dibb
National Federation of Consumer Groups	Stella Nicholas
Pet Food Manufacturers Association	Tamara Garmston
Royal Society	Peter Collins/Jofey Craig
Science Policy Research Unit, University of Sussex	Erik Millstone
SUSTAIN	Janet Longfield
Thames Valley University	Tim Lang
TNO BIBRA International Ltd	Guus van derVeek/Paul Brantom
UK Agricultural Supply Trade Association (UKASTA)	Peter Sanderson
ACAF member	John Heritage
ACAF Secretariat	Karen Dell
ACMSF Chairman	Douglas Georgala
ACMSF Secretariat	Colin Mylchreest
ACNFP Chairman	Janet Bainbridge
ACNFP member	John Warner
COM Chairman	Peter Farmer
COM/COC Member	David Philips
COC/COM Secretariat	John Battershill
Former COT Chairman	Frank Woods
COT member	Kevin Chipman
COT member	Jacque Salfield
COT Secretary	Diane Benford
FAC Chairman	Colin Campbell
SEAC Chairman	Peter Smith
SEAC member	James Ironside
SEAC Secretariat	Lucy Harbron

Annex 2: Terms of reference of the advisory committees

Advisory Committee on Animal Feedingstuffs (ACAF)	Secretariat: FSA (lead) DEFRA
Web address – www.food.gov.uk/science/ouradvisors/animalfeedingstuffs/	

“To advise on the safety and use of animal feeds and feeding practices, with particular emphasis on protecting human health and with reference to new technical developments. In carrying out its functions, the Advisory Committee on Animal Feedingstuffs will liaise with other relevant advisory committees as appropriate.”

Advisory Committee on the Microbiological Safety of Food (ACMSF)	Secretariat: FSA
Web address – www.food.gov.uk/science/ouradvisors/microbiopsafety/	

“To assess the risk to humans of microorganisms which are used, or occur, in or on food, and to advise the Food Standards Agency on any matters relating to the microbiological safety of food.”

Advisory Committee on Novel Foods and Processes (ACNFP)	Secretariat: FSA
Web address – www.food.gov.uk/science/ouradvisors/novelfood/	

“To advise the central authorities responsible, in England, Scotland, Wales and Northern Ireland respectively on any matters relating to novel foods and novel food processes including food irradiation, having regard where appropriate to the views of relevant expert bodies.”

Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment (COT)	Secretariat: FSA (lead) DH
Web address – www.food.gov.uk/science/ouradvisors/toxicity/	

“To assess and advise on the toxic risk to man of substances which are:

- used or proposed to be used as food additives, or used in such a way that they might contaminate food through their use or natural occurrence in agriculture, including horticulture and veterinary practice or in the distribution, storage, preparation, processing or packaging of food;
- used or proposed to be used or manufactured or produced in industry, agriculture, food storage or any other workplace;
- used or proposed to be used as household goods or toilet goods and preparations;

- used or proposed to be used as drugs, when advice is requested by the Medicines Control Agency, Section 4 Committee or the Licensing Authority;
- used or proposed to be used or disposed of in such a way as to result in pollution of the environment.

To advise on important general principles or new scientific discoveries in connection with toxic risks, to co-ordinate with other bodies concerned with the assessment of toxic risks and to present recommendations for toxicity testing.”

Committee on Carcinogenicity of Chemicals in Food, Consumer Products and the Environment (CoC)	Secretariat: FSA DH (lead)
Web address – www.doh.gov.uk/coc.htm	

“To assess and advise on the carcinogenic risk to man of substances which are:

- used or proposed to be used as food additives, or used in such a way that they might contaminate food through their use or natural occurrence in agriculture, including horticulture and veterinary practice in the distribution, storage, preparation, processing or packaging of food;
- used or proposed to be used or manufactured or produced in industry, agriculture, food storage or any other workplace;
- used or proposed to be used as household goods or toilet goods and preparations;
- used or proposed to be used as drugs, when advice is requested by the Medicines Control Agency, Section 4 Committee of the Licensing Authority;
- used or proposed to be used or disposed of in such a way as to result in pollution of the environment.

To advise on important general principles or new scientific discoveries in connection with carcinogenic risks, to co-ordinate with other bodies concerned with the assessment of carcinogenic risks and to present recommendations for carcinogenicity testing.”

Committee on Mutagenicity of Chemicals in Food, Consumer Products and the Environment (CoM)	Secretariat: FSA DH (lead)
Web address – www.doh.gov.uk/com.htm	

“To assess and advise on the mutagenic risk to man of substances which are:

- used or proposed to be used as food additives, or used in such a way that they might contaminate food through their use or natural occurrence in agriculture, including horticulture and veterinary practice or in the distribution, storage, preparation, processing or packaging of food;

- used or proposed to be used or manufactured or produced in industry, agriculture, food storage or any other workplace;
- used or proposed to be used as household goods or toilet goods and preparations;
- used or proposed to be used as drugs, when advice is requested by the Medicines Control Agency, Section 4 Committee or the Licensing Authority;
- used or proposed to be used or disposed of in such a way as to result in pollution of the environment”

To advise on important general principles or new scientific discoveries in connection with mutagenic risks, to co-ordinate with other bodies concerned with the assessment of mutagenic risks and to present recommendations for mutagenicity testing.”

Scientific Advisory Committee on Nutrition (SACN)	Secretariat: FSA DH (lead)
Web address – www.food.gov.uk/science/ouradvisors/nutrition/	

“To advise the CMOs or the Food Standards Agency, Government, on scientific aspects of nutrition and health with specific reference to:

- Nutrient content of individual foods and advice on diet as a whole including the definition of a balanced diet, and the nutritional status of people;
- Monitoring and surveillance of the above;
- Wider public health policy issues including conditions where nutritional status is one of a number of risk factors (e.g. cardiovascular disease, cancer, osteoporosis and/or obesity);
- Vulnerable groups (e.g. infants and the elderly) and inequality issues;
- Research requirements for the above”

Spongiform Encephalopathy Advisory Committee (SEAC)	Secretariat: FSA DEFRA (lead) DH
Web address – www.defra.gov.uk/animalh/bse/bse-science/level-4-seac.html	

“To provide scientifically based advice to the Department for Environment, Food and Rural Affairs, the Department of Health, their counterparts in Northern Ireland and devolved administrations, and the Food Standards Agency on matters relating to spongiform encephalopathies, taking account of the remits of other bodies with related responsibilities.”

Annex 3: Details of the “Nolan” recruitment requirements

The Code of Practice issued by the Office of the Commissioner for Public Appointments (OCPA) covers all appointments to non-departmental public bodies, including those sponsored by the Department of Health. Although these procedures strictly apply only to Ministerial appointments, the Review Group considers that they should also be followed by all the Committees covered by this review, many of whose members are appointed by the Agency and/or the Chief Medical Officer rather than Ministers. The principles underlying the Code are as follows:

- Ministerial Responsibility – The ultimate responsibility for appointments rests with Ministers (including the CMO).
- Merit – All public appointments should be governed by the overriding principle of selection on merit, by the well informed choice of individuals who, through their abilities, experience and qualities, match the needs of the public body in question.
- Independent Scrutiny – No appointments shall take place without first being scrutinised by a panel which must include an Independent Assessor.
- Equal Opportunities – Departments should sustain programmes to promote and deliver equal opportunities principles.
- Probity – Board members must be committed to the principles and values of public service and perform their duties with integrity.
- Openness and Transparency – The principles of open Government must be applied to the appointments process, its workings must be transparent and information must be provided about appointments made.
- Proportionality – The appointments procedures need to be subject to the principle of “proportionality”. That is, they should be appropriate for the nature of the post and the size and weight of its responsibilities.

The Commissioner has issued detailed guidance for Government Departments which defines and interprets these principles. The Commissioner also monitors the selection processes operated by Departments. Independent assessors sit on all interview panels when selecting candidates for appointments. Their role is to act as the Commissioner’s observers, to ensure that the selection process complies with the Commissioner’s Code and Guidance, and that candidates reaching the final stage are chosen on merit. Independent auditors also audit a sample of appointments every year.

