

## PROTOCOL FOR THE PUBLICATION OF MINUTES OF MEETINGS

### Background

1. Openness and transparency have been core values of the FSA since its inception in April 2000. The FSA has always worked on the presumption that, unless prevented on legal or other compelling grounds, any information it holds should be published on its website (www.food.gov.uk).
2. In accordance with the Information Commissioner's Model Publication Scheme, the FSA is committed to publishing the minutes of senior level meetings and the reports and papers provided for consideration at such meetings.
3. The Scientific Advisory Committees<sup>3</sup> that advise the FSA also operate in accordance with the principles of openness and transparency. Whilst recognising that these committees are independent Non Departmental Public Bodies (NDPBs) that determine their own approaches to openness and to ensuring they comply with the Information Commissioner's Model Publication Scheme, the FSA encourages them to follow the principles set out in this Protocol.

### Scope

4. As a general rule, the FSA -

*will routinely publish:*

- minutes and agendas of **public meetings**;
- minutes of senior level **policy and strategy meetings** (eg board meetings);  
and
- any background documents which are referred to in the agenda or minutes, or which are circulated in preparation for these meetings (these are considered to be part of the agenda)

*will not publish:*

- any information which would be exempt under the Freedom of Information Act 2000 or the Environmental Information Regulations 2004;

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<sup>3</sup> Advisory Committee on Animal Feedingstuffs  
 Advisory Committee on Consumer Engagement  
 Advisory Committee on Microbiological Safety of Food  
 Advisory Committee on Novel Foods & Processes  
 Committee on Toxicity of Chemicals in Food, Consumer Products & the Environment  
 Committee on Carcinogenicity of Chemicals in Food, Consumer Products & the Environment  
 Committee on Mutagenicity of Chemicals in Food, Consumer Products & the Environment  
 General Advisory Committee on Science  
 Social Science Research Committee  
 Scientific Advisory Committee on Nutrition  
 Spongiform Encephalopathy Advisory Committee

- any personal information which it would be unfair to disclose or would otherwise breach the Data Protection Act 1998; or
- minutes, agendas and any background documents relating to **other meetings** which would be of less interest to the public (unless a decision has been, or is, taken to publish them either as a general policy or on an ad-hoc basis).

## **Application**

5. For the purposes of this Protocol, the following definitions will apply:

### **(i) public meetings -**

*meetings attended by members of the public/stakeholders - either as observers or as participants - where strategic and operational policies are agreed or discussed, including:*

- (a) open meetings of the FSA Board;
- (b) open meetings of FSA Food Advisory Committees<sup>4</sup>;
- (c) other meetings / fora which are open to a wide range of stakeholders, such as those organised to seek views or input - or to give feedback - prior to, during or following public consultations.

### **(ii) policy and strategy meetings -**

*senior level meetings where strategic decisions about the Agency's work are taken, including:*

- (a) formal business meetings<sup>5</sup> of the FSA Board;
- (b) formal meetings<sup>6</sup> of the FSA Executive Management Board and similar meetings of the MHS Executive Management Board;
- (c) meetings / fora such as those described in 5(i)(c) above, but where stakeholder attendance has been limited to particular invitees to seek views or input - or to give feedback - prior to, during or following public consultations from those most likely to be directly affected by a specific proposal.

### **(iii) other meetings -**

*meetings which are used*

- *to develop or explore strategic or operational policies, or to discuss tactical handling of current issues (such as international/Ministerial/cross Whitehall handling);*
- *to deal with immediate or urgent business (such as emerging or ongoing food incidents); or*
- *as a means of providing update, reviewing progress or setting general background, including:*
  - (a) the weekly meeting of FSA Directors;
  - (b) sub-committee meetings of the FSA Board<sup>7</sup>;

<sup>4</sup> Northern Ireland Food Advisory Committee; Scottish Food Advisory Committee; Welsh Food Advisory Committee

<sup>5</sup> Meetings at which strategic decisions are taken on internal management issues such as HR, finance, and corporate governance

<sup>6</sup> Meetings at which strategic and organisational performance management decisions are taken

- (c) meetings of FSA Food Advisory Committees not falling under 5(i) above (on the basis that they will not be meetings at which strategic decisions about the Agency's work are taken, but where advice is formulated to enable such strategic decisions to be taken by others - eg the FSA Board - usually at open meetings);
  - (d) meetings with particular external stakeholders organised as part of Non-executive FSA or MHS Board member induction programmes;
  - (e) meetings between individual Directors with members of their teams and particular external stakeholder(s) and/or other government departments;
  - (f) meetings between individual Directors and particular external stakeholder(s);
  - (g) meetings involving FSA staff below Director level and particular external stakeholder(s);
  - (h) meetings between individual Directors, Heads of Division or Team Leaders and their teams.
6. It must always be made clear from the outset (preferably at the time a meeting is arranged) that the minutes or a report of a particular public meeting or policy/strategy meeting as described in paragraphs 5(i) and 5(ii) above are to be published on the FSA website.
7. Regular scheduled meetings (such as those referred to in paragraphs 5(i)(a), 5(i)(b), 5(ii)(a) and 5(ii)(b)) will have established procedures for clearing minutes of meetings. Where such procedures have not been established, participants<sup>8</sup> at public meetings or policy/strategy meetings must be allowed an opportunity to comment on the drafting of the minutes or report and a reasonable deadline (not less than 5 or more than 10 working days is suggested) should be set for doing so to ensure the usefulness and timeliness of information is maintained. There will be no power of veto over publication.
8. For policy/strategy meetings, it is acceptable either to
- produce a separate public version of the formal minutes, or a summary of the formal minutes, which is suitable for publication (these must contain enough information to be useful to the public without disclosing anything which should not be made public); or
  - edit (redact) the formal minutes for publication on a case-by-case basis (the redaction should affect only those sections which are exempt from disclosure under the Freedom of Information Act 2000).
9. If what is being published is not the full, unedited formal minutes as described in paragraph 7 above, this must be made clear. These same provisions will apply to any background documents being published which are referred to in the agenda or minutes or summary of the meeting, or which are circulated in preparation for that meeting (these are considered to be part of the agenda).

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<sup>7</sup> ie, MHS Board, Board Succession and Development Committee, Audit Committee, and Risk Committee

<sup>8</sup> This will **not** include those attending meetings that are held in public to observe rather than participate (eg members of the public/stakeholders attending FSA Open Board meetings as observers)