



Paper for consideration and comment: Scientific Advisory Committee draft Best Practice Agreement (BPA)

Agenda item 7

- The FSA has been developing a best practice agreement for use by Scientific Committees.
- Attached is an introduction from the Chief Scientist's team outlining the BPA. This is followed by the draft BPA for Member's consideration and comment.

DEVELOPING A BEST PRACTICE AGREEMENT FOR THE SCIENTIFIC ADVISORY COMMITTEES

Better Governance of Science

1) Since its foundation in April 2000, the FSA has based its decisions on scientific evidence. The network of independent scientific advisory committees that provide external scientific expertise and advice are fundamental to the Agency's work and reputation. The Dean Review¹ showed that there was overwhelming support for the FSA's policy of basing decisions on scientific evidence, and that this policy should be maintained and developed further. In response the FSA has made proposals (Board paper February 2006 – 06/02/07) for strengthening the systems and processes used for science governance and making them more transparent:

- the relationship between the Board and the scientific advisory committees could be more direct and interactive to provide greater assurance to the Board about the use of science in policy development;
- ways of enabling all Board members to carry out their role in the governance of science should be developed which respond to the Board's wide range of expertise; and
- the role of the FSA Chief Scientist should be further developed to strengthen assurance to the Board about the use of science in policy development.

A new role for the Chairs of Scientific Advisory committees

2) It is important that the Board can be assured that the science that underpins the policy proposals has been properly assessed and faithfully presented. Generally, the work of the scientific advisory committees is commissioned by the Executive, although committees have some latitude to self-task. The subsequent advice forms part of the evidence presented to the Board in policy papers prepared and presented by the Executive. Until recently, there had been no direct formal contact between the Board and the committees.

¹ 2005 review of the Food Standards Agency. An independent review conducted by The Rt Hon Baroness Dean of Thornton-le-Fylde. March 2005.

- 3) To remedy this, since May 2005, where proposals or papers being considered by the Board rest on scientific evidence, the Chair of the relevant scientific advisory committee has been invited to the table at Open Board meetings to provide this assurance, to answer Members' questions on the science and to provide an independent view on how their committee's advice has been reflected in the relevant policy proposals. The Chairs may also, where appropriate, be invited to provide factual briefing to Board members about particular issues within their committees' remit, in advance of discussion at open Board meetings.

Enabling the Board to fulfil its role in the Governance of Science

'Science Checklist'

- 4) As part of the FSA's work on the governance of science (Board paper February 2006 – 06/02/07), the Board asked for a tool to enable Board members to assure themselves about the integrity of the science being presented to them. A 'Science Checklist' has been developed. It has been developed from the 'Post Phillips Framework'² through consultation with staff in the Agency and Board members. The aim of the Science Checklist is to act as a *guide* to the points to be considered (primarily by the Executive and the scientific advisory committees) when presenting scientific evidence to the Board. It is not a substitute for judgement. The Board wants the Checklist to be used when developing oral presentations as well as written papers, and to be used by the Executive, the scientific advisory committees and any experts invited to advise the Board. The Checklist is now being used by the Executive in helping to prepare and present science based issues to the Board.

A Best Practice Agreement for the Scientific Advisory Committees

- 5) The Chairs of the Scientific Advisory Committees have been consulted on the draft science checklist and have suggested that their committees should work together to develop a statement on best practice. This would set out the processes which they use in drawing up their advice and providing the Board with assurance that the science has been properly gathered and assessed by their committees. It was also suggested that the Best Practice Agreement (BPA) could be based on the most appropriate parts of the Science Checklist.

² The FSA published The Post-Phillips Framework in 2002 (Paper NOTE 02/02/05). It was developed as a means of measuring the performance of the Agency against the lessons in Lord Phillips' report on the BSE Inquiry.

6) This paper presents a generic draft Best Practice Agreement (BPA) for consideration by the Scientific Advisory Committees. The draft reflects the expectations of the Board and has been based on:

- the recommendations of the Report on the Review of Scientific Committees; and
- those parts of the science checklist most relevant to the work of the committees.

7) The Committee is asked to consider and comment on the draft Best Practice Agreement.

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Chief Scientist's Team

June 2006

PRINCIPLES FOR PRESENTING SCIENTIFIC ADVICE

A BEST PRACTICE AGREEMENT FOR THE SCIENTIFIC ADVISORY COMMITTEES

Preamble

8) *Guidelines 2000: Scientific Advice and Policy Making*³ set out the basic principles which government departments should follow in assembling and using scientific advice, thus:

- think ahead, identifying the issues where scientific advice is needed at an early stage;
- get a wide range of advice from the best sources, particularly where there is scientific uncertainty; and
- publish the scientific advice they receive and all the relevant papers.

9) *Code of Practice for Scientific Advisory Committees*⁴ (currently being updated) provided more detailed guidance specifically focused on the operation of scientific advisory committees (SACs). The Agency subsequently commissioned a *Report on the Review of Scientific Committees*⁵ to ensure that the operation of its various advisory committees was consistent with the remit and values of the Agency, as well as the Code of Practice. Relevant recommendations are set out in Annex 1.

10) These '*Principles*' have been drawn up by the SACs (list at Annex 2) as a contribution to the Food Standards Agency's (FSA) initiatives on science governance. When the FSA's Board discussed the work on science governance at the open February meeting (FSA 06/02/07 9 Feb 2006) members welcomed the development of the **Science Checklist** to make explicit the points to be considered in the preparation of papers dealing with science-based issues which are either assembled by the Executive or which draw on advice from the Scientific Advisory Committees. It addresses:

³ Guidelines on Scientific Analysis in Policy Making, OST, October 2005. Guidelines 2000: Scientific advice and policy-making. OST July 2000

⁴ Code of Practice for Scientific Advisory Committees, OST December 2001

- the processes to be followed and whether these are comprehensive;
- what the science says and what its limitations are;
- whether there are controversies and what weight to give to alternative views; and
- whether those providing the risk assessment have clearly set out their conclusions.

11) The Board also welcomed the proposal from the Chairs of the SACs to draw up a set of '*Principles*' into a best practice agreement (BPA) based on and complementing the **Science Checklist**. These '*Principles*' show how implementation of the recommendations of the Report on the Review of Scientific Committees, together with the best practice adopted in recent years by the committees, addresses the points on which the Board sought assurance. This list of principles will be reconsidered by each committee annually as part of the preparation of its Annual report and be attached as an Annex to it.

12) The function of a scientific advisory committee is to help Government collect scientific information and make judgements about it. In practice, different committees have different duties and discharge those duties in different ways (Annex 2) and therefore, not all of the principles set out below will be applicable to all of the committees, all of the time.

DRAFT BEST PRACTICE AGREEMENT

THE PRINCIPLES

Defining the problem

13) The Agency will ensure that the problem to be addressed is clearly defined and takes account of stakeholder expectations. The committee Chair will refer back to the Agency if discussion suggests that a re-definition is necessary.

Seeking input

⁵ Report on the Review of Scientific Committees, FSA, March 2002

- 14) Stakeholders will be consulted at appropriate points in the committee's considerations, for example by inviting comments on interim papers published on the website.

Due account must be paid to the recommendations from the Royal Society's Social Science Insight for Risk Assessment Workshop⁶ and the recommendations of the Council for Science and Technology⁷, particularly in respect of involving stakeholders at an early stage in the process. It also includes publication of committee papers before meetings to allow interested parties the opportunity to provide any comments (Annex 2: RSC recommendation 22).

- 15) The scope of literature searches made on behalf of the committee will be clearly set out.

- 16) Steps will be taken to ensure that all available and relevant scientific evidence is considered by the committee, including consulting external/additional scientific experts who may know of relevant unpublished or pre-publication data.

- 17) Data from stakeholders will be considered and weighted according to quality by the committee.

- 18) Consideration by the secretariat and the committee will be given to whether expertise in other disciplines will be needed.

RSC recommendation 37 (Annex 2) addresses this point.

- 19) Consideration will be given by the FSA or by the committee to whether other scientific advisory committees need to be consulted.

RSC recommendations 14, 15 and 16 (Annex 2) are relevant to this point. In addition, it is possible to convene joint meetings of a number of committees or to use the annual meeting of Chairs (RSC recommendation 47) to look at issues which cross committee boundaries.

⁶ Social science insights for risk assessment: findings of a workshop held by the Royal Society and the Food Standards Agency on 30 September 2005

⁷ Policy through dialogue: informing policies based on science and technology. A report from the Council for Science and Technology. March 2005.

Validation

20) Study design, methods of measurement and the way that analysis of data has been carried out will be assessed by the committee.

21) Where qualitative data have been used, they will be assessed by the committee in accordance with the principles of good practice, e.g. set out in guidance from the Government's Chief Social Researcher⁸.

22) Formal statistical analyses will be included wherever possible. To support this, each committee will have access to advice on quantitative analysis and modelling as needed.

This is covered by RSC recommendation 39 (Annex 2).

23) When considering what evidence needs to be collected for assessment, the following points will be considered:

- the potential for the need for different data for different parts of the UK or the relevance to the UK situation for any data originating outside the UK; and
- whether stakeholders can provide unpublished data.

24) The list of references will make it clear which references have either not been subject to peer review or where evaluation by the committee itself has conducted the peer review. *This is covered by RSC recommendation 35 (Annex 2), and is also addressed in the new Science Strategy, thus:*

Sometimes, the Agency may need to publish interim results rapidly for purposes of public health, safety or information. In such cases, we must balance the need to publish research outcomes with minimal delay with the need to ensure that the outcomes are valid. We will always put emerging evidence into the public domain

⁸ There is of guidance issued under the auspices of the Government's Social Research Unit and the Chief Social Researcher's Office (Quality in Qualitative Evaluation: A Framework for assessing research evidence. August 2003. www.strategy.gov.uk/downloads/su/qual/ex_summary.htm and The Magenta Book. www.gsr.gov.uk/professional_guidance/magenta_book/guidance.asp).

if there is a public health risk, making sure any uncertainties are clearly highlighted.

Uncertainty

- 25) When reporting outcomes, committees will 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.
- 26) Any assumptions made by the committee will be clearly spelled out, and, in reviews, previous assumptions will be challenged.
- 27) Data gaps will be identified and their impact on uncertainty assessed by the committee.

RSC recommendations 36 and 43, 44 and 45 (Annex 2) are relevant here. Advice can only be offered on the basis of the existing science base, which may be incomplete or contradictory. In order to make rational decisions, the Agency and Board need to have a clear understanding of the uncertainties involved and the way these have influenced committee in formulating their advice. This will allow a suitable precautionary approach when determining what action to take. Where significant uncertainty exists, committees should advise on the steps that might be taken to reduce this in future.

- 28) An indication will be given by the committee about whether the database is changing or static.

Drawing conclusions

- 29) The committee will be broad-minded, acknowledging where conflicting views exist and considering whether alternative hypotheses fit the same evidence.
- 30) Where both risks and benefits have been considered, the committee will address each with the same rigour.

31) Committee decisions will include an explanation of where differences of opinion have arisen during discussions and why conclusions have been reached.

RSC recommendation 36 (Annex 2) is relevant here.

32) The committee's interpretation of results, recommended actions or advice will be consistent with the quantitative and/or qualitative evidence and the degree of uncertainty associated with it.

33) Committees will make recommendations about general issues that may have relevance for other committees.

Communicating committees' conclusions

RSC recommendation 29 (Annex 2) said 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. Development of the Science Checklist has identified other points which must be addressed:

34) Conclusions will be expressed by the committee in clear, simple terms and use the minimum caveats.

35) It will be made clear by the committee where assessments have been based on the work of other bodies and where the committee has started *de novo*, and there will be a clear statement of how the current conclusions compare with previous assessments.

36) The conclusions will be supported by a statement about their robustness and the extent to which judgement has had to be used.

37) Wherever possible, the committee secretariat will publish a full set of references (including the data used as the basis for risk assessment and other committee opinions) at as early a stage as possible to support openness and transparency of decision-making.

11/10/06

SACN/06/30

38) The amount of material withheld by the committee or FSA as being confidential will be kept to a minimum. *RSC recommendation 27(Annex 2) refers.*

Scientific Advisory Committee Working Group

August 2006

ANNEX 1**RELEVANT RECOMMENDATIONS FROM THE REPORT ON THE REVIEW OF SCIENTIFIC COMMITTEES****Food Standards Agency 2002**

No.	<i>RECOMMENDATION</i>
14	The Agency should continue to monitor whether gaps develop between the remits of the various committees.
15	The Agency should take appropriate steps to address emerging issues not covered by existing committees.
16	The Agency should determine at regular intervals whether each committee fulfils its intended function, and whether all the current committees are still needed.
22	Committees should make their documents available, by publishing agendas and committee papers in advance of each meeting, and minutes and/or summary reports afterwards.
23	The data used for risk assessments and other committee opinions should be made freely available.
24	Applications to committees are published for public comment prior to any substantive discussion by the committee.
25	Wherever possible, draft opinions are published for all interested parties to comment.
26	All committees should move to a position where they conduct as much of their business as possible in open session.
27	Committees should draw up clear guidelines to define what material can justifiably be regarded as confidential.
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.
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.
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.
37	When expertise is not available within the committee, the Chair and Secretariat are responsible for ensuring advice is sought from additional experts.
39	Each committee has access to advice on quantitative analysis and modelling.
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.
44	Committees should spell out the assumptions that have been made in each assessment and identify any gaps in the current knowledge, and the actions that might be taken to address them. These should be made public.
45	The Secretariat, assisted by committee members, should take responsibility for identifying when new data become available that might justify the committee reviewing its earlier advice.
47	The Chair of the Agency should meet with the committee Chairs once a year to review progress.
49	The Agency, in consultation with committees, should develop a formal approach to risk assessment.

ANNEX 2

THE COMMITTEES WHICH ADVISE THE FOOD STANDARDS AGENCY

Acronym	<i>Name</i>	<i>Function</i>
ACAF	Advisory Committee on Animal Feedingstuffs ⁹	Does not usually consider experimental research
ACMSF	Advisory Committee on Microbiological Safety of Foods	Risk assessments which are not directly presented to the Board.
ACNFP	Advisory Committee on Novel Foods and Processes	Mainly routine evaluations which are not considered by the Board.
ACR	Advisory Committee on Research	Dissimilar remit to other committees; does not carry out risk assessments.
COC	Committee on Carcinogenicity of Chemicals in Food, Consumer Products and the Environment ¹⁰	Risk assessments which are not directly presented to the Board.
COM	Committee on Mutagenicity of Chemicals in Food, Consumer Products and the Environment ¹¹	Risk assessments which are not directly presented to the Board.
COT	Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment ¹²	Risk assessments which are not directly presented to the Board.
SACN	Scientific Advisory Committee on Nutrition ¹³	
SEAC	Spongiform Encephalopathy Advisory Committee ¹⁴	

⁹ Joint FSA/Defra Secretariat, FSA lead

¹⁰ Joint FSA/HPA Secretariat, HPA lead

¹¹ Joint FSA/HPA Secretariat, HPA lead

¹² Joint FSA/HPA, FSA lead

¹³ Joint FSA/DH Secretariat

¹⁴ Joint Defra/FSA/DH Secretariat

