

Dr David Coles
Office of Science and Technology
Room 1/7
Albany House
94-98 Petty France
LONDON
SW1H 9ST

tel +44 020 7451 2658
fax +44 020 7451 2692
www.royalsoc.ac.uk

From the Foreign Secretary and Vice-President Sir Brian Heap CBE FRS

20 June 2001

CODE OF PRACTICE FOR SCIENTIFIC ADVISORY COMMITTEES: SECOND ROUND OF CONSULTATION

With reference to the Chief Scientific Adviser's letter of 30 March, with which he enclosed a copy of the current draft of the code of practice for scientific advisory committees, this version of the code takes on board most of the points that were raised in the Society's response to the first round of consultation, which is on the Society's website, www.royalsoc.ac.uk, as policy document 14/00.

Subject to the points raised below, the Society believes that this code will be a valuable document to guide scientific advisory committees and their secretariats. Furthermore, this code coupled with the current version of the CSA's guidance on the use of scientific advisory committees form a sound basis for bringing scientific advice to bear on Government policy formulation. Nevertheless, as we remarked in our comments on the Government's interim response to the BSE inquiry, the crucial issue is how well such documents are actually applied and incorporated into the overall machinery within and between each Department. I enclose a copy of the Society's comments on the Government's interim response, which can also be found on our website as Consultation Document 11 May 01.

There are five areas on which we would wish to comment further.

Context of scientific advice:

It is of course important for scientific advisory committees to be aware of the social, economic and ethical context within which their scientific advice is to be applied and to present their advice in a form that openly takes account of such factors. However, it is essential not to lose sight of the fact that the committee can only provide **expert** advice on areas where it has relevant expertise.

Role of the Chair and the independence of the Committee:

The Society wishes to stress in the strongest possible terms the value of an independent committee capable of providing new insights to the problems being considered. One of the main roles of the chair is to ensure the independence of the committee and to encourage it to act in a pro-active, and not just reactive, way to questions from the Department. As the Society noted in its comments on the Government's interim response to the BSE Inquiry, it is concerned about the largely reactive role of SEAC that comes across from its published minutes. Members of such committees are usually very busy and it should be the responsibility of the chair to ensure that the committee is providing a full answer to the real issues, not just answering the specific question posed by the Department. Furthermore, the committee should be in a position to identify new results in the literature that would warrant re-opening a previous decision, and should be encouraged to do so.

This proactive role means that chairs must have sufficient time and support. This may mean part or full time local independent secretarial support in addition to the secretariat. They should also have access to resources for literature surveys and analysis.

We are concerned that some committees are being asked to comment on research or risk analyses undertaken by third parties under contract to the Department totally independent of the committee or the chair. Where a committee is likely to be asked to comment on a risk analysis, for example, it should have had a chance to comment on the specification given to the contractor, and in particular the detail of the techniques used and the way that the results are presented, including estimates of error bounds.

The drafting of minutes and reports is a very important issue and has, in the past, been the cause of much disquiet amongst some chairs from the academic community. The Phillips report expresses "concern at the way that sought to tone down passages in reports that might have given rise to public concern". Minutes need to be in sufficient detail to record why decisions were taken, and the final responsibility for the accuracy and completeness of the minutes of the meetings must rest with the chair and the committee. A sentence to this effect should be included in the code, possibly in paragraph 32.

Role of the secretariat:

The secretariat is a vital aid to the committee, but we are concerned about the practicalities of ensuring that the secretariat does not compromise the committee's independence. In particular, it is essential to guard against the secretariat having a conflict of interest between the committee and the Department. Hence, we believe that the code should specify that the secretariat should report to the chair, and we re-iterate our view that the secretariat should be outside of the relevant policy-line within the Department.

Interaction with the media:

As we stated in our previous submission, we believe that the code should make clear that the Chair should be **responsible** for the committee's interaction with the media as well as normally representing the committee. Paragraphs 17, 79 and 86 need to be strengthened in this respect.

Indemnities:

The current provision in the code dealing with indemnities is unsatisfactory in that it only deals with scientific advisory committees established as NDPBs. OST needs to discuss with Treasury Solicitors what overall guidance can be put into the document to cover all types of committee.