

EXPERT ADVISORY GROUP ON AIDS (EAGA)

CODE OF PRACTICE FOR MEMBERS

Introduction

1. The Expert Advisory Group on AIDS (EAGA) is a Department of Health Expert Committee which provides the Chief Medical Officers in England, Scotland, Wales and Northern Ireland with expert advice on HIV and AIDS. Its terms of reference are attached at **Annex A**. In line with Government policy on standards in public life, openness and accountability, the UK Health Departments have drawn up this code of practice to assist members.

Standards in Public Life

2. EAGA members are expected to:
 - follow the Seven Principles of Public Life set out by the Committee on Standards in Public Life, as they apply to their service on EAGA (see **Annex B**);
 - comply with this Code and the principles set out in the [Code of Practice for Scientific Advisory Committees](#) (CoPSAC), and ensure they understand their duties, rights and responsibilities, and that they are familiar with the function and role of EAGA and any relevant statements of Government policy;
 - not misuse information gained in the course of their public service for personal gain or for political purpose, nor seek to use the opportunity of public service to promote their private interests or those of connected persons, firms, businesses or other organisations; and
 - not hold any paid or high-profile unpaid posts in a political party, and not engage in specific political activities on matters directly affecting the work of EAGA. When engaging in other political activities, members should be conscious of their public role and exercise proper discretion. (These restrictions do not apply to local councillors.)

Role of members

3. Members have collective responsibility for the operation of EAGA. They should:
 - engage fully in collective consideration of the issues, taking account of the full range of relevant factors, including any guidance issued by the sponsor department;

- agree minutes of EAGA meetings and annual reports of EAGA activities for publication;
- actively participate in reviewing the scientific evidence, producing or contributing to and commenting on papers presented to EAGA;
- promote communication between EAGA and other committees and professional bodies to which they belong on issues of overlapping interest, as appropriate;
- ensure that EAGA does not exceed its remit.

Communications between EAGA and the UK Chief Medical Officers (CMOs)

4. Communications between EAGA and the UK CMOs will generally be through the chair and Secretariat except where EAGA has agreed that an individual member should act on its behalf. Nevertheless, any member has the right of access to the UK CMOs on any matter which he or she believes raises important issues relating to his or her duties on EAGA. In such cases, the member should usually seek the agreement of the rest of EAGA.

Terms of appointment of EAGA members

5. Although not regulated by the Commissioner for Public Appointments, appointments to EAGA are made in accordance with the [Code of Practice for Ministerial Appointments to Public Bodies](#), issued by the Commissioner for Public Appointments. The Department of Health Appointments Team, on behalf of UK Health Departments, makes appointments to EAGA. Initial terms of appointment will usually be for 2 or 3 years. Members may be re-appointed to serve up to a maximum of 10 years. Appointments may be terminated at members' request; in the event of unsatisfactory attendance or conduct out of keeping with this code; or at the Department of Health's discretion.

Assessment

6. In line with the Commissioner for Public Appointments Code of Practice, the performance and contribution of all those holding appointments should be regularly assessed. No one can be considered for re-appointment or continued appointment unless they have performed satisfactorily during their current term. Copies of assessment forms should be submitted to the Department of Health Appointments Team.

The role of the chair

7. The chair has particular responsibility for providing effective leadership on the issues above. In addition, the chair is responsible for

- ensuring that EAGA meets at appropriate intervals, and that the minutes of meetings and any reports to the UK CMOs accurately record the decisions taken and, where appropriate, the views of individual EAGA members;
- ensuring that EAGA reaches clear and considered conclusions on the matters it discusses;
- focusing EAGA on its specific remit;
- ensuring that the views of EAGA are passed to senior officials;
- communicating EAGA's views to the media, health care professionals and the public, as required;
- briefing new members on appointment, as appropriate; and providing an assessment of their performance, on request, when they are being considered for re-appointment to EAGA or for appointments to other expert committees or public bodies.

The role of the Secretariat

8. The Secretariat, provided by the Health Protection Agency (Public Health England from 1 April 2013), supports the Committee by assembling appropriate scientific information and bringing issues of emerging concern to the attention of the Committee.
9. The Secretariat will impartially record the proceedings of the Committee and its conclusions to maintain an audit trail of how conclusions have been reached. In addition, the Secretariat should ensure compliance with the Freedom of Information Act 2000.
10. The Secretariat should ensure, jointly with the Chair and members, that the Committee does not exceed its remit.
11. The Secretariat and/or Department of Health sponsor will be the main channel for communications between the Committee and the Chief Medical Officers, except where it has been agreed that an individual member should act on the Committee's behalf. Similarly, communications between the Committee and the wider Health Protection Agency will generally be through the Secretariat and/or Health Protection Agency Observer.
12. The Secretariat will keep a register of Members' declared interests.

Declarations of interests

13. It is important to avoid any risk of EAGA members being influenced, or appearing to be influenced, by their private interests in the exercise of their public duties. All EAGA members should therefore declare any personal interest (involving payment to members personally) or non-personal interest (involving payments to the relevant part of the organisation for which the member works) which may, or may be perceived (by a reasonable member of the public) to influence their judgement. **Annex C** provides guidance on personal or non-personal interests. If members feel that there are interests outside the scope of this guidance which could be perceived as influencing their work on EAGA (e.g. the personal or non-personal interests of close family members), they should approach the chair or the Secretariat for advice.

Register of interests

14. On taking up appointment, members should advise the Secretariat in writing of their **current personal** and **non-personal** interests. Members should notify the Secretariat of any changes to the declaration so that the register entry is amended. The register of interests will be published in EAGA's annual reports and will be available on request e.g. in answer to Parliamentary questions and enquiries from the media.

Declaration of interests at meetings and participation by members

15. Members should declare any personal or non-personal interest at any EAGA meeting if it relates specifically to a particular issue under consideration. The Secretariat will record this declaration in the minutes (whether or not a member also withdraws from the meeting). Members should not participate in the discussion or determination of matters in which they have an interest, and may be asked by the chair to withdraw from the meeting.

Handling of EAGA papers

16. **Annex D** gives guidance on the confidentiality of EAGA papers.

Relations with the media

17. The Secretariat, in consultation with the Chair as necessary, will usually be responsible for handling media enquiries about EAGA and its work via the Department of Health Press Office and in collaboration with the DH sponsor. The Secretariat will also keep the Health Protection Agency's Press Office informed. EAGA's role is to provide the UK Health Departments' CMOs with expert advice on HIV and AIDS. EAGA's advice contributes to Government policy development and is confidential unless the UK CMOs decide that it should be

published or disclosed. Members should not, therefore, comment on EAGA's advice unless it is in the public domain.

18. Members who are approached directly by the media with enquiries relating to EAGA business should contact the Secretariat in the first place, for advice on handling.
19. Members may, in the course of their work, address conferences/seminars or have other speaking engagements at which the media might be present. In these circumstances, members should take care to make it clear that they are speaking in a personal capacity and not as a member of EAGA.

Travel expenses and subsistence

20. Appointment to EAGA is on a voluntary basis and fees are not payable. However, members may claim travel expenses and subsistence at standard Health Protection Agency rates (see **Annex E** for guidance).

Personal liability of EAGA members

21. The principles of the Cabinet Office [*Model Code of Practice for Board Members of Advisory Non-Departmental Public Bodies*](#) (see pages 6 of publication) should be followed. It states that: "A board member may be personally liable if he or she makes a fraudulent or negligent statement which results in a loss to a third party; or may commit a breach of confidence under common law or criminal offence under insider dealing legislation, if he or she misuses information gained through their position. However, the Government has indicated that individual board members who have acted honestly, reasonably, in good faith and without negligence will not have to meet out of their own personal resources any personal civil liability which is incurred in execution or purported execution of their board functions. Board members who need further advice should consult the sponsor department."

ANNEX A

TERMS OF REFERENCE OF THE ADVISORY GROUP ON AIDS (EAGA)

"To provide advice on such matters relating to HIV/AIDS as may be referred to it by the Chief Medical Officers of the UK Health Departments"

ANNEX B

SEVEN PRINCIPLES OF PUBLIC LIFE

Selflessness

Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

Integrity

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

Objectivity

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership

Holders of public office should promote and support these principles by leadership and example.

ANNEX C

DECLARATION OF PERSONAL AND NON-PERSONAL INTERESTS

Personal Interests

1. A personal interest involves payment to the member personally. The main examples are:
 - a. Consultancies: any consultancy, directorship, position in or work for relevant industry which attracts regular or occasional payments in cash or kind (e.g. gifts and hospitality).
 - b. Fee-paid work: any work commissioned by a relevant industry for which the Member is paid in cash or kind (e.g. gifts and hospitality).
 - c. Shareholdings: any shareholding in or other beneficial interest in shares of a relevant industry. This does not include shareholdings through unit trusts or similar arrangements where the member has no influence on financial management.
2. Only the name of the company and the nature of the interest is required; the amount of any salary, fees, shareholding etc need not be disclosed. An interest is current if the member has an on-going financial involvement, e.g. if he holds shares in a company, if he has a consultancy contract, or if he is in the process of carrying out work for a company.

Non-personal interest

3. A non-personal interest involves payment which benefits an organisation or part of an organisation for which a member is responsible, but is not received by the member personally. The main examples are:
 - a. Fellowships: the holding of a fellowship endowed by a relevant industry.
 - b. Support by a relevant industry: any payment, other support or sponsorship by a relevant industry which does not convey any pecuniary or material benefit to a member personally but which does benefit his position or department e.g.:
 - i. a grant from a company for the running of a unit or department for which a member is responsible;
 - ii. a grant or fellowship or other payment to sponsor a post or a member of staff in the unit for which a member is responsible. This does not include financial assistance for students;

- iii. the commissioning of research or other work by, or advice from staff who work in a unit for which a member is responsible.
4. Members are under no obligation to seek out knowledge of work done for or on behalf of a relevant industry within an organisation or part of an organisation for which they are responsible if they would not normally expect to be informed.

ANNEX D

HANDLING OF EXPERT ADVISORY GROUP ON AIDS (EAGA) PAPERS

1. Some EAGA papers will carry no marking at all or be marked 'For Information' and can be freely shown or discussed with anyone (mostly these will be papers containing published material).
2. Some papers will be marked '**Not for Publication**'. This is to remind Members that whilst these papers can be shown to professional colleagues for the purpose of furthering the Group's work on a 'need to know' basis, they are not for wider disclosure.
3. A smaller number of papers will be marked '**For Members' Use Only**'. These could include the minutes of meetings and draft reports. The marking '**For Members' Use Only**' will also be used for commercial information released solely for the purposes of the group and for unpublished papers made available for Members use. Papers with this marking are for the exclusive use of Members.
4. In the unlikely event that some other form of marking is needed, then specific advice will be given at the same time.
5. If members experience any difficulties they should consult the Secretariat.

ANNEX E

TRAVEL EXPENSES AND SUBSISTENCE¹

1. You are entitled to claim travelling expenses and subsistence in line with the conditions below.

¹ Based on Chapter 10, Section 2 (Business Expenses Policy) of the Health Protection Agency: Finance Handbook (April 2012)

Travel expenses

2. Details of the method of travel should be given on the claim form. Receipts, tickets, ticket numbers or other proof of purchase are required for all claims for public transport travelling expenses. If for any reason, tickets etc. are no longer available, an explanatory note should be provided with the claim form.
3. The full cost of travel as a consequence of attendance at committee meetings will be reimbursed. You are asked to use the most economical method of transport available.
4. Mileage allowances for travel by private car will be paid at a rate of 45p per mile.
5. The Health Protection Agency will not accept any liability in the event of any accident, damage, injury or death, or in respect of risks not covered by your own insurance policies.
6. In case of urgency, receipted costs in relation to taxi fares and any reasonable gratuity may be claimed where no public transport is reasonably available.

Subsistence

Day Subsistence

7. An allowance may be paid to Committee members when absent from home on Committee business for more than five hours, when appropriate refreshments have not otherwise been provided. Day subsistence claims need to be supported by receipts. The rates payable are detailed below.

Day subsistence	Rate
Period of absence: 5-10 hours	£5.00*
Period of absence: over 10 hours	£10.00*

*indicates flat rate, receipts not required

8. When making claims for day subsistence, the relevant period should be calculated from the time of the start of the journey to the meeting to the time of arrival home or at other final destination.
9. Day subsistence claims will be reduced or not payable if a meal or meals are provided by the Health Protection Agency at no cost to members. For example, no subsistence would be payable for an attendance of more than 5 hours but less than 10 hours if a meal had been provided at no cost to members. For periods of more than 10 hours, subsistence would be payable at the lower (more than 5 hours rate) if one meal had been provided at no cost to members. However, if two meals had been provided, no subsistence would be payable.

Night subsistence

10. If an overnight stay is necessary, you will need to book your accommodation through the HPA's central procurement contract. Please contact the Secretariat as early as possible with your requirements to enable a reservation to be made. The other allowances remain unaltered (see below).

OVERNIGHT ABSENCE

Expense	Amount (actual receipted expenditure)
Evening meal allowance	£22.50

11. For overnight stays in non-commercial accommodation (i.e. with friends or relatives), one meal will be claimable, with the provision of receipts, at the evening meal allowance rate of £22.50.

Claiming business expenses

12. Other business costs in connection with committee work such as car parking fees, toll fees, official telephone calls, postage etc. will be reimbursed in full against receipts.

Deputising expenses/financial loss allowance

13. Deputising expenses can be claimed to reimburse the cost of employing a person to provide cover or substitution while the Committee member is engaged on Committee business. Claims must be accompanied by certified documentary evidence of the cost of cover.
14. Alternatively, Committee members may claim a financial loss allowance to reimburse actual loss of earnings (excluding casual overtime earnings) resulting from undertaking Committee business. All claims must be accompanied by certified documentary evidence of actual loss of earnings.
15. The maximum amount payable under these provisions is £278 per day.