



# **COMMITTEE ON THE MEDICAL EFFECTS OF AIR POLLUTANTS**

## **CODE OF PRACTICE 2010**

## INTRODUCTION

1. The Committee on the Medical Effects of Air Pollutants (COMEAP) is a non-statutory advisory non-Departmental Public Body. It is a non-executive advisory committee to the Department of Health (DH). Its terms of reference are:

“To advise the UK Health Departments on the effects on health of both outdoor and indoor air pollutants on the basis of data currently available; to assess the need for further research; and to liaise as necessary with other Government bodies to assess the effects of exposure and associated risks to human health”.

2. In line with Government policy on standards in public life, openness and accountability, the COMEAP Secretariat have drawn up the following Code of Practice which members are expected to follow in carrying out duties associated with COMEAP.

## PUBLIC SERVICE VALUES

3. Members of COMEAP must, at all times:

- observe the highest standards of impartiality, integrity and objectivity in relation to the advice they provide and to the management of this public body
- be accountable for their activities and for the standard of advice they provide for Ministers and DH. The Ministers of the sponsoring Department are answerable to Parliament, and the public more generally, for the policies and performance of COMEAP including the policy framework within which it operates; and
- act in accordance with Government policy on openness, and comply fully with the Code of Practice on Access to Government Information and any relevant legislation on disclosure of information

## STANDARDS IN PUBLIC LIFE

4. COMEAP members are expected to:

- follow the Seven Principles of Public Life set out by the Committee on Standards in Public Life (see [Annex A](#)), as they apply to service on COMEAP;
- comply with this Code of Practice, and ensure that they understand their duties, rights and responsibilities, and that they are familiar with the functions and role of the Committee 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 posts in a political party, and not engage in specific political activities on matters directly affecting the work of the Committee. When engaging in other political activities,

members should be conscious of their public role and exercise proper discretion. These restrictions do not apply to MPs, local councillors or to Peers in relation to their conduct in the House of Lords

## TERMS OF APPOINTMENT OF COMEAP MEMBERS

5. The Appointments Commission, on behalf of the Department of Health Ministers, makes appointments to COMEAP. Terms of appointment usually range from 3-10 years. Appointments may be terminated at a member's request, in the event of unsatisfactory attendance at meetings, if their conduct is out of keeping with this Code or at the Appointments Commission's discretion.

6. Appointment to COMEAP is on a voluntary basis and members are not paid. However, members may claim, reading, attendance, travel and subsistence allowances at standard DH rates, as given in [Annex B](#).

## ROLE OF MEMBERS

7. Members of COMEAP have collective responsibility for the operation of the Committee. They should engage fully in the collective consideration of issues, taking account of the full range of relevant factors, including any guidance issued by the sponsor Department or the responsible Ministers.

## ROLE OF THE CHAIRMAN

8. The Chairman has particular responsibility for providing effective leadership on the issues above. In addition, he/she is responsible for ensuring that the minutes of meetings, produced by the Secretariat, and any reports to DH or Ministers accurately record the decisions taken and, where appropriate, the views of individual Committee members have been taken into account. The Chairman will indicate that the minutes of meetings accurately reflect proceedings by "signing-off" once the Committee has agreed them.

## ROLE OF THE DEPUTY CHAIRMAN

9. The Deputy Chair is responsible for chairing committee meetings and providing leadership if the Chairman is unavoidably absent.

## ROLE OF THE SECRETARIAT

10. The Secretariat is provided by officials from the Health Protection Agency (HPA). The HPA Secretariat function has been delegated by the Department of Health. Communications between the Committee and Ministers and DH will generally be through the Secretariat, except where it has been agreed that an individual member should act on the Committee's behalf. Nevertheless, any Committee member has the right of access to Ministers on any matter that he or she believes raises important issues relating to his or her duties as a Committee member. In such cases, the agreement of the rest of the Committee should normally be sought. Furthermore, in the case of

employer/employee representatives, such members have the right of access to DH.

11. The Secretariat is responsible for ensuring that the Committee does not exceed its powers or functions. It should also ensure that the Freedom of Information Act 2000 is complied with, and any complaints are dealt with appropriately.

12. It is important to avoid any danger of members of COMEAP being influenced, or appearing to be influenced, by their private interests in the exercise of their public duties. All members should, therefore, declare any personal or business interests relevant to the work of COMEAP which may, or may be perceived (by a reasonable member of the public) to influence their judgement. This should include, as a minimum, payments to members personally and payments to the relevant part of the organisation for which a member works. Members should be aware of their responsibility not to be seen to allow their judgement to be influenced in considering receipt of any gifts or hospitality offered in the exercise of their public duties.

13. If members feel that there are interests, outside the scope of this Code, which could be perceived as influencing their work in relation to COMEAP, for example the personal or business interests of close family members (personal partners, parents, children, brothers and sisters and the personal partners of any of these) they should declare those or approach the Secretariat for advice.

### **Declarations of interests at meetings**

14. A declaration of any interest should be made at any Committee meeting where it relates specifically to a particular issue under discussion. The Secretariat will record this declaration in the minutes (whether or not a member also withdraws from the meeting). It may not be appropriate for members to 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.

### **Register of interests**

#### **DECLARATIONS OF INTERESTS**

15. The Secretariat is required to publish an up-to-date register of members' interests. Members should notify the Secretariat immediately of any changes to their entry.

#### **HANDLING OF COMEAP PAPERS**

16. All COMEAP papers are potentially disclosable under the Freedom of Information Act 2000 or the Environmental Information Regulations 2004, and can be made available to interested outside individuals on request. All papers will be classified either 'Open' or 'Closed'.

17. Certain information may be exempt from disclosure under the Freedom of Information Act 2000 or the Environmental Information Regulations 2004. A list of examples of where information may be withheld, and most likely to be relevant to COMEAP, is provided as [Annex C](#).

18. Papers will only be made publicly available after the meeting for which they have been prepared has taken place. Members should raise any concerns about classifications or about the disclosability of certain pieces of information with the Secretariat immediately on receipt, or at the Committee meeting. If no concerns are raised, the Secretariat will assume that members are content with the markings. Papers, with any necessary amended markings, will then be deposited with the Secretariat within one working week of the meeting. Agendas will be posted on the Internet shortly prior to meetings.

19. The full minutes of all COMEAP meetings are also potentially disclosable. Reports of discussions will not normally be attributed to individual members, but members may request that statements be attributed in certain instances (see paragraphs 8 and 13 above).

Requests for disclosure will be dealt with by the Secretariat as they arise and any information released will be vetted and marked in the same way as with papers prepared for the meetings. Members should inform the Secretariat of any issues with regard to minutes of meetings where they feel that certain information should not be disclosed.

## RELATIONS WITH THE MEDIA

20. The Secretariat (via the DH or HPA Press Offices, when appropriate) will usually be responsible for handling media enquiries about COMEAP and its work. However, members may need to deal with direct enquiries from the media, and should do so with circumspection. Members may prefer to refer any such media enquiries to the Secretariat in the first place, or to seek advice on how to handle particular enquiries.

21. Members may, in the course of their work, address conferences and seminars, or have other speaking arrangements at which the media are 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 COMEAP.

## PERSONAL LIABILITY OF COMEAP MEMBERS

22. The Cabinet Office Model Code of Practice for Board Members of Advisory Non-Departmental Public Bodies states that: "Legal proceedings by a third party against individual board members of advisory bodies are very exceptional. A board member may be personally liable if he or she makes a fraudulent or negligent statement which result 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**

### **THE 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 awards 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 interests 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 interests.

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

## **ANNEX B COMEAP Expenses (Based On DH Current Subsistence Rates)**

This is a note of the expenses Members are permitted to claim if attending COMEAP meetings, including Sub-Group meetings.

Note to Members: Expenses will be paid directly into your bank account; therefore please give us details of your bank account when you first claim. Please ensure forms with all receipts for travel and accommodation expenses are returned to Sue Kennedy, Administrative Secretary at:

Health Protection Agency,  
Centre for Radiation, Chemicals and Environmental Hazards (Head Office)  
Chilton,  
Didcot,  
Oxon  
OX11 0RQ

If you require forms please contact Sue Kennedy on 01235 822836 or email [sue.kennedy@hpa.org.uk](mailto:sue.kennedy@hpa.org.uk)

### **Travel**

#### ***Train***

Claims should be limited to the actual fare for all necessary travel on public business. Travel should be in standard class. First class travel may only be used in the most exceptional of cases. Cheap travel facilities should be used where available. The cost of a railway sleeping berth will be reimbursed but the subsistence allowance for that night will be reduced by one half.

#### ***Taxi***

Taxis should be used only in the following circumstances (gratuities cannot be reimbursed from public funds):

- There is no other suitable public transport; or
- It is late at night; or
- You are in an unfamiliar location and uncertain of public transport arrangements; or
- You have heavy luggage/papers; or
- You are concerned for your physical safety; or
- It is important that you save official time

#### ***Car***

If you use a private motor vehicle on public business you may claim a mileage allowance. The rate of allowance is:  
40 pence per mile regardless of engine size.

#### ***Air***

Tickets booked on specified flights are considerably cheaper than open date or flexible tickets. Book your tickets as far in advance as possible specifying both the outward and return leg of your journeys. Where possible use the budget airlines.

### **Subsistence Allowances**

**Night allowances:**

A night allowance may be claimed for necessary overnight absence from home. This allowance covers a period of 24 hours plus any additional period not long enough to count for day allowance (see below).

The amount payable for each of the first 30 nights in any one place will be the actual receipted cost up to a limit of £80 per night (bed and breakfast) plus £22.50 for other meals per complete 24 hours away.

If staying with friends or relatives, a flat rate of £27.50 is payable without a receipt.

**Day allowances:**

**If lunch is included in meeting:**

1 extra meal (over 10 hours absence): £5.00

2 extra meals (over 12 hours & late return home): £10.00

**Where no meal has been provided in meeting:**

Absence over 5 hours but under 10 hours (1 meal): £5.00

Absence over 10 hours but under 12 hours (2 meals) £10.00

Absence over 12 hours & late return home £15.00

or £10.00 plus vouched cost of third meal up to £12.50

**Train meals**

When a main meal (*i.e.*, a full breakfast, lunch, high tea or dinner) is taken on a train, the cost of the train meal (including VAT but excluding alcoholic beverages) may be reimbursed, in full, subject to the production of receipts. In addition, gratuities not exceeding 10% of the cost of the actual meal (*i.e.*, the cost exclusive of VAT) may be reimbursed.

**Fees**

**(Attendance and Reading - all members will be paid a Reading Fee)**

**Main Committee meetings from 1 May 2008:**

	<b>Attendance Fee</b>	<b>Reading Fee</b>
Chair	£158.00	£40.00
Members	£123.00	£30.00

**Sub-group meetings:**

	<b>Attendance Fee</b>	<b>Reading Fee</b>
Chair	£127.00	£33.00
Members	£100.00	£25.00

## ANNEX C

### EXAMPLES WHERE COMEAP PAPERS OR INFORMATION CONTAINED IN COMEAP PAPERS MAY BE EXEMPT FROM PUBLIC DISCLOSURE

The **Freedom of Information Act 2000** allows exemption from disclosure of:

- Information which would harm national security, defence or international relations;
- Information which relates to formulation of government policy;
- Information which would prejudice law enforcement and legal proceedings;
- Information intended for future published;
- Personal information;
- Commercial interests;
- Information given in confidence;
- Information whose disclosure is prohibited by law.

2. Further exemptions are included in the **Environmental Information Regulations 2004** as follows:

- confidentiality of proceedings;
- personal data;
- information given in confidence (i.e. where the provider was not and could not have been placed under a legal obligation to supply the information);
- information whose disclosure could harm the environment;
- international relations, national defence or public security;
- legal proceedings;
- commercial confidentiality or intellectual property rights.

**COMEAP Secretariat  
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