



Cabinet Office

Functional Review of Bodies Providing Expert Advice to Government

Good practice indicators



About this guide

What is this guide about?

This guide is one of the outputs from the Cabinet Office Functional Review of Bodies Providing Expert Advice to Government. We collaborated with chairs of advisory bodies and other stakeholders including the Government Office of Science to develop the indicators, and the supporting examples.

This guide complements the [Code of Good Practice](#), which is a framework which sets out the principles and standards that support effective partnerships between Departments and their ALBs. This guide supports the Code by ‘zooming in’ on advisory bodies, which are often small bodies, providing a greater level of detail about some of the key features of an effective partnership between departments and advisory bodies might look.

Who is it for?

The 14 principles and 25 indicators we set out could be used by all departments, but also by the bodies providing independent expert advice to government. It is particularly relevant to Non-Departmental Public Bodies with advisory functions (aNDPBs) and Departmental Expert Committees.

How should departments and advisory bodies use the guide?

Both departments and bodies could use the guide to:

- review their own performance and identify any areas for improvement, and to identify potential sources of good practice that might help them implement any positive changes.
- take stock of their partnership – are both sides fulfilling their responsibilities to the other, and are there any areas that could work better?

The principles and indicators are not intended to be exhaustive. They illustrate the ‘highlights’ of good practice that we would expect to see in an effective relationship between a department and its advisory body. Some bodies, such as Scientific Advisory Committees, already have codes of practice to which to refer (e.g. Principles of Scientific Advice to Government¹ and the Scientific Advisory Committee: Code of Practice²). This does not replace that guidance. But many advisory bodies are not covered by this, and this guide will help them examine their own practices and draw on practical examples.

Advisory bodies are very diverse in size and function and departments and bodies should use a common sense approach to applying the indicators to their own working context.

¹ <https://www.gov.uk/government/publications/scientific-advice-to-government-principles/principles-of-scientific-advice-to-government>

² <https://www.gov.uk/government/publications/scientific-advisory-committees-code-of-practice>

Key principles and good practice indicators (summary 1)

| Key principle | Good practice indicators |
|--|---|
| There is a clear, agreed remit for the body, including scope and coverage of advice and the priority work programme | <p>The department develops a clear view of the body's remit based on the need the department has for advice and agrees that remit with the group, recording it in the group's terms of reference</p> <p>The department and the body agree the forward work programme, which should include agreement on whether the body should undertake work of its own volition, and the processes for managing that work</p> |
| Resources are available to support the body in fulfilling its remit | <p>Host and secretariat should be adequately resourced and skilled to support the committee effectively</p> <p>The department and the body agree the budget, which should allow the committee to fulfil the agreed remit (financial, support staff and any agreed additional resources such as research)</p> |
| Advice and recommendations are based on objective analysis of the evidence available | <p>The body should base its advice on independent analysis of the evidence available and respect the department's role as decision-maker, recognising that the department may take into account other considerations when reaching a decision</p> <p>The department actively considers the advice for the purpose intended, respects the committee's independence and does not pre-judge the advice or seek to influence it</p> |
| Chairs and members of bodies visibly uphold high standards of personal and professional conduct | <p>Members should act in accordance with the "Seven Principles of Public Life"</p> <p>Members complete a code of conduct return annually confirming they have met these and any other relevant professional or other standard</p> |

| Key principle | Good practice indicators |
|--|---|
| There are clear rules and procedures in place for managing conflicts of interest | <p>Secretariats should draw up procedural rules for handling declarations of interest that reflect government guidance</p> <p>There is a publicly available register of interests for members. This is regularly updated</p> |
| There are clear liaison, reporting and escalation routes | <p>Day to day reporting lines are clear and there are routes to raise any concerns the chair or members may have, including to senior officials or, where appropriate, to ministers</p> <p>There are clear and realistic expectations of access to ministers and senior officials understood on both sides</p> |
| Department-level assurance processes are clear and proportionate | <p>The department should set out a clear approach to gaining assurance over the activities of its advisory bodies</p> <p>The department should identify advisory bodies in its annual report and accounts. Where appropriate, the activities of the bodies should be highlighted in the narrative, and the Accounting Officer's assurance statement</p> |
| Key supporting documents should be in place and up to date | <p>As a minimum the body's website has links to up to date versions of: its terms of reference, work programme, register of members' interests, agendas, minutes (where published) and annual report for the most recent financial year</p> |
| There is a proportionate approach to capturing impact, value and cost-effectiveness | <p>The body reports annually on its activity, use of resources and the key actions following from its advice</p> |

Key principles and good practice indicators (summary 2)

| Key principle | Good practice indicators |
|---|---|
| There is a commitment to feedback and continuous improvement on both sides | <p>The department is committed to feeding back to the body formally and/or informally on how the advice was used</p> <p>The body actively seeks 'customer feedback' on how it is fulfilling its remit from key department and any external stakeholders through a proportionate mechanism and agrees any actions with the department</p> |
| The body collaborates proactively to add value | <p>The body should consider how the advice it produces could add value to other public bodies and stakeholders and seek opportunities to share and promote its knowledge</p> <p>The department should facilitate collaboration and sharing by identifying bodies with similar remits and knowledge requirements. Where chairs consider it helpful, it is useful for departments to facilitate periodic meetings for chairs to discuss common issues</p> |
| There is a recruitment and appointment strategy that promotes diversity and maintains the skills and capacity of the committee in both the immediate and longer term | <p>The chair and the secretariat have developed a longer term recruitment and retention plan that balances maintaining existing expert knowledge and supplementing and enhancing skills and knowledge in line with developments in the relevant field</p> |

| Key principle | Good practice indicators |
|---|---|
| Recruitment and appointment procedures are clear, transparent, robust and timely and designed to ensure that the best people, from the widest possible pool of candidates, are appointed | <p>All appointments that come within the remit of the Commissioner for Public Appointments must comply with the Office of the Commissioner for Public Appointments (OCPA) Code of Practice. Appointments that do not come within this remit should abide by similar principles</p> <p>Departments should allow sufficient time for the appointment process so that the body is able to fulfil its remit at all times</p> |
| There should be a presumption of openness and transparency | <p>It is assumed that minutes, papers and recommendations should be published. Where it is necessary for the committee to discuss some matters in a closed session, this should be clear. Where there is a reasonable restriction on publishing minutes and recommendations, this should be clearly explained</p> <p>The department supports the body's effort to be open and transparent through facilitating publication of key documents in a timely manner, and is open and transparent in its own dealings with the body</p> |

Key principle 1

There is a clear, agreed remit for the body, including scope and coverage of advice and the priority work programme.

Good practice indicators

The department develops a clear view of the body's remit based on the need the department has for advice and agrees that remit with the body, recording it in the body's terms of reference.

The department and the body agree the forward work programme, which should include agreement on whether the body should undertake work of its own volition and the processes for managing that work.

Why is this important?

A clear remit for the body providing advice is one of the most important indicators of both effectiveness and independence.

Effectiveness: a clear remit gives a sense of purpose and gives a starting point for any review of the body's role.

Independence: a clear remit distinguishes the body's role from any other part of the wider system. It also provides protection against any requests to undertake work that is beyond the body's remit or competence.

The body's remit can be set out clearly and concisely in its terms of reference, which should be available on the body's website.

Many bodies balance 'proactive', or planned work and 'reactive' work which is undertaken in response to either requests or triggered by specific events. Some bodies also do work in response to requests from a range of audiences other than the department that hosts it, such as Parliament or the public. All of these types of work can be an important part of the body's work and can make its work more visible to a wide range of audiences.

Agreeing the balance between 'proactive' or 'reactive' work and planned, or programmed work helps create clear expectations of how, when, and for what purpose that work might be used. This should avoid any frustration or wasted effort on the body's part. It also helps make sure the body's resources are being used to best effect.

Key principle 1

Practical examples

Addressing proactive and reactive work in a clear terms of reference

The **Industrial Injuries Advisory Council** (IIAC) is an independent scientific advisory body that looks at industrial injuries benefit and how it is administered.

IIAC has a clearly worded and relatively concise **terms of reference** that covers its core role, constitution and basis of its relationship with the department. It sets out explicitly that the IIAC undertakes a balance of proactive work and reactive work (in response to queries, evidence submissions and requests from the Secretary of State, parliamentarians, the public, employers and employees, and representative bodies. It also sets out clearly how the committee approaches these types of work.

Setting clear expectations

The **Food Standards Agency** (FSA) has established a **framework for dialogue between the FSA and its science advisory committees** (SACs). This framework sets out objectives and boundaries for dialogue between the agency and its scientific advisory committees (SACs). It aims to ensure that this dialogue is effective, transparent, and respects the different roles and responsibilities of risk assessment and risk management.

The framework covers the whole lifecycle of advice, from commissioning to publication. Among a range of other considerations, it sets out explicitly the expectations on proactive and reactive work to ensure advice is useful and sets out the expectations on respecting the SAC's remit. It sets out that the FSA must:

- where the SAC is initiating a task itself, ensure that the FSA and the SAC are clear on the rationale and the expected use of the outcome by FSA;
- ensure that the question to be considered by the SAC(s) is clear and appropriate (in turn helping to ensure that outputs of SACs will be useful for the FSA);
- ensure that the approach proposed is appropriate and proportionate to the issue and the intended use of the SAC's advice;
- ensure that SACs are not asked, and do not attempt, to address issues that are not part of their remit, for example decisions on risk management.

Key principle 2

Resources are available to support the body in fulfilling its remit.

Good practice indicators

Both host and secretariat functions should be adequately resourced and skilled to support the committee effectively. The department and the body agree the budget, which should allow the committee to fulfil the agreed remit (financial, support staff and any agreed additional resources such as research).

Why is this important?

A key aspect of independence is having sufficient resources to fulfil the agreed remit. The budgets of advisory bodies vary considerably according to the scale and nature of their work. Most are relatively small with only 4 of 141 aNDPBs operational in March 2016 receiving government funding of over £1 million. None of the chairs we spoke to raised lack of resources as a current issue, but it is important that departments and chairs continue to have open and frank discussions about funding in the context of overall pressures on departments' resources.

Using resources effectively means focusing members' time on tasks that make best use of their skills and knowledge. Committees are usually supported by a secretariat, which provides an important link between the department and the advisory body. It is important for the effective running of the committee that the secretariat is able to combine sufficient subject matter knowledge relevant to the body, and department knowledge (the know how around how the department manages its business, which can help with the communication of advice).

Practical example: a specialised secretariat

The **Office of Manpower Economics** (OME) is a unit of around 30 civil servants. It is based within the department for Business, Energy and Industrial Strategy. OME's main function is to provide an independent secretariat for 8 Pay Review Bodies, all of which are aNDPBs. It comprises secretariat teams which support each of the bodies by co-ordinating and managing research and consultancy projects; a cross-cutting Research and Analysis Group; and a Central Support Unit.

Bringing together the secretariat for 8 bodies allows for greater continuity and promotes knowledge sharing between the secretariat. The separation of the secretariat function from the hosting function is unique and provides an extra layer of independence from the department. The chair of one of the Pay Review Bodies said that the independence as well as the capability of the secretariat was an important signifier that he could use to highlight the body's independence.

Key principle 3

Advice and recommendations are based on objective analysis of the evidence available.

Good practice indicators

The body should base its advice on independent analysis of the evidence available and respect the department's role as decision-maker, recognising that the department may take into account other considerations when reaching a decision.

The department actively considers the advice for the purpose intended, respects the body's independence and does not pre-judge the advice or seek to influence it.

Why is this important?

That advisory bodies should be free to develop and provide their advice free from undue pressure or influence is a fundamental part of their independence. However, independence alone does not make an effective relationship: the advice needs to be useful – and used. It is important that the advice is fully and actively considered for its intended purpose. It is also important that the advice is not used for any purpose for which it was not intended.

Some departments have developed and published working protocols to embed this principle clearly within everyday working practices. This provides clarity around the expectations and provide a basis for the body itself, or other commentators, to hold the department to account.

Practical example and further guidance

The **Home Office** has developed working protocols with its science advisory committees, which include the Animals in Science Committee and the Advisory Committee on the Misuse of Drugs. These protocols embed many of the principles of good practice set out in this guide, building on the Government Office of Science **Code of Practice for Scientific Advisory Committees**. The working protocols, which are published online, state that:

- before issuing a response, the minister will give appropriate consideration to the ASC's advice;
- the minister will not pre-judge the ASC's advice in advance of receiving it;
- if the minister is minded not to accept the ASC's advice, the minister will, before making a final decision, offer the opportunity for a discussion with the chair of the ASC, or nominated representative;
- if key recommendations are not to be accepted, the minister will write to the ASC setting out the reasons for rejection in advance of any public comment by the Home Office on the matter.

Key principle 4

Chairs and Members of bodies visibly uphold high standards of personal and professional conduct.

Good practice indicators

Members act in accordance with the “Seven Principles of Public Life”.

Members complete a code of conduct return annually confirming they have met these and any other relevant professional or other standard.

Why is this important?

One of the key principles underpinning both advisory NDPBs and expert committees is that members are appointed as individuals. This distinguishes them from other types of body, such as stakeholder groups, where members might be appointed as representatives of the organisations for whom they work.

All public office holders are expected to abide by the **7 principles of public life**: selflessness; objectivity; integrity; accountability; openness; honesty; and leadership. These principles are sometimes referred to as the ‘Nolan Principles’ and were defined and sponsored by Lord Nolan, then chair of the Committee on Standards in Public Life, itself an advisory NDPB.

Some bodies, such as the Low Pay Commission, have developed their own codes of conduct which embed these principles. We did not, however, find as many examples of bodies publishing confirmation that members had adhered to the code.

Practical example and further guidance

The **Scientific Advisory Committee on Nutrition**, an expert committee hosted by Public Health England and the department of Health, has developed a **code of practice** which puts into practice the guidelines governing scientific advisory committees, such as the Government Office for Science **Code of Practice for Scientific Advisory Committees**.

The Code of Practice sets out the behaviours and actions expected of members. This incorporates the **7 principles of public life**. It also emphasises the wider role of members as individuals: *“A member’s role is not circumscribed by the expertise or perspective he or she was asked to bring to SACN. Members should regard themselves as free to question and comment on the information provided or the views expressed by any of the other members, notwithstanding that the views or information do not relate to their own area of expertise”*.

The Cabinet Office’s public appointments team also has specific guidance on conduct of members of **advisory NDPBs**, incorporating the 7 key principles of public life.

Key principle 5

There are clear rules and procedures in place for managing conflicts of interest.

Good practice indicators

Secretariats should draw up procedural rules for handling declarations of interest that reflect government guidance.

There is a publicly available register of interests for members. This is regularly updated.

Why is this important?

As well as publishing a register of members interests, the body should also make public their methods for managing conflicts of interest. In our study of annual reports we found a small number of bodies publishing conflict of interest provisions in order to avoid any danger of committee members being influenced, or appearing to be influenced, by their private interests in the exercise of their public duties. It is important to note that as well as avoiding conflicts of interests it is also highly important that members avoid the perception of a conflict of interest. These provisions indicated that members should register their interests throughout the year and raise them at each meeting. Some annual reports also commented on the personal liability of committee members (setting out the conditions under which third party legal proceedings may be brought against individual committee members). Publishing these rules and procedures makes working on the committee easier for members and increases public confidence.

In our review of annual reports we found only a handful of annual reports that included the body's procedures for managing conflicts of interest. Bodies should develop a process for managing their conflicts of interest that reflects their needs (and government guidance) and publish this in their annual report and website.

Practical example

The Office for Manpower Economics maintains a full and regularly updated register of members interests for all of the 8 pay review bodies that it provides a secretariat for. For each member it includes information on: review bodies, remunerated interests, unremunerated interests, registered shareholdings, ownership of land and property, party political activity, other declarations, and the date of registration.

Key principle 6

There are clear liaison, reporting and escalation routes.

Good practice indicators

Day to day reporting lines are clear and there are routes to raise any concerns the chair or members may have, including to senior officials or, where appropriate, to ministers.

There are clear and realistic expectations of access to ministers and senior officials understood on both sides.

Why is this important?

The department should have a clear agreement with each of its bodies as to how often and in what way the body will interact with the department, and what the body's reporting and escalation routes are. This ensures that the body can be kept aware of what the department's agenda and priorities are and therefore means that the body can align itself with the department's plan and maximise the value of its advice.

Clear escalation routes are useful even if they never have to be used, since it assures chairs and members that should a problem ever occur they have a formal route for addressing it.

Access to ministers and senior officials should be regular, but not necessarily frequent. These agreements should form part of the overall working protocol.

Summary of points covered (links)

The Government Office of Science's Code of Practice for Scientific Advisory Committees sets out the expectations that chairs of SACs might have regarding access to the minister and senior officials. SAC chairs with ministerial departmental hosts should be enabled to have regular (though not necessarily frequent) access to both the departmental CSA and ministers. The chair should agree suitable timing with the host department(s) as appropriate. A 'standard' expectation might be for the chair to meet the departmental CSA at least twice a year, with the opportunity for ad hoc access should particular issues require discussion or clarification. The chair should also meet the relevant minister(s) at least once a year to discuss progress on the committee's agenda and planned future work. In reality, many chairs meet their CSA more frequently, though this varies based on the nature of the department's need for scientific advice and the number and roles of its advisory committees.

Key principle 7

Department-level assurance processes are clear and proportionate.

Good practice indicators

The department should set out a clear approach to gaining assurance over the activities of its advisory bodies.

The department should identify advisory bodies in its annual report and accounts. Where appropriate, the activities of the bodies should be highlighted in the narrative, and the Accounting Officer's assurance statement.

Why is this important?

Departments have different needs for independent expert advice and correspondingly different models for overseeing their expert advisory bodies. There are a risks, however, if the overall assurance mechanism is not clear. At best, the department may not obtain the full value available from bodies. At worst, departments could lose sight of bodies entirely.

Generally there are good data on aNDPBs, though all of the main datasets (Cabinet Office public bodies data and the body's own websites and key documents) have some limitations. The arrangements around Expert Committees are less formal. We found only one main department annual report (the Department of Health) which listed Expert Committees, as well as aNDPBS. Expert Committees are not arm's length bodies and so are not subject to Cabinet Office data commissions, so there is no complete list.

Improving transparency of the advisory landscape, including Expert Committees, would have three key benefits:

- **greater public and parliamentary accountability:** both around the bodies themselves, and also the processes by which departments make decisions and formulate policy options;
- **proportionate assurance:** if bodies are not actively coordinated within the department, they cannot provide assurance that they are getting the best from any resources spend on those bodies. Chairs themselves warned that bodies that are left to drift or that become dormant tend to become devalued, which erodes good will on both sides of the relationship;

- **increased opportunities for collaboration and sharing knowledge:** chairs and departments we spoke to noted that it was hard to identify similar work being undertaken in other departments, or even within the same department. This can lead to duplication of effort, and reduce opportunities for knowledge-sharing and networking, which is something that chairs and members of committees find valuable.

Key principle 7

Practical example: Improving assurance over advisory bodies

Good practice example: The Department for Environment, Food and Rural Affairs is conducting a strategic review of its evidence bodies. It is aiming to improve the visibility and coordination of bodies that provide evidence and advice, to increase the value it gets from their expertise. The review is being led by the office of the department's Chief Science Adviser.

The department identified that it had some 29 evidence groups with at least some independent members. This includes 4 aNDPBs and 8 Expert Committees (some of which had reclassified from NDPBs in the 2010-2015 Parliament), as well as a wide range of stakeholder and other groups.

The review is ongoing and aims to:

- improve the coordination of groups by making working practices more consistent within groups, including on key aspects of good practice highlighted in this report, such as appointments, and adherence to the Code of Practice for Science Advisory Groups;
- make advice more effective by developing the relationship between independent experts and policy officials. Coordinate groups within strategic themes that align to the department's overall delivery systems;
- increase access to independent expertise and create a network of evidence experts to help the department respond rapidly to new and developing policy challenges.

Key principle 8

Key supporting documents should be in place and up to date.

Good practice indicators

As a minimum the body's website should have links to: its terms of reference, work programme, register of members' interests, agendas, minutes (where published) and annual report for the most recent financial year.

Why is this important?

Terms of reference should include the body's aims and objectives, their responsibilities, their history, and their ways of working (including their relationship with the department and other stakeholders). This ensures transparency for the public, and ensures that the department and the body are aligned on what the remit of the body is.

Registers of members' interests should be published on the website and in the annual report. Best practice would see the interests of the members present at each meeting being updated and published in the minutes. This assures the public that the governmental decision making process is not inappropriately influenced.

The default position of advisory bodies should be a high level of transparency, including the publication of minutes. If publishing detailed minutes of deliberation would preclude free debate then the outcomes/recommendations should be published. If there is a time sensitive reason why minutes cannot be published then a date should be given for when they will be available. If there is a reason why minutes cannot be published this should be clearly explained on the body's website. This allows transparency in the decision making process.

Examples

Currently, a high proportion of aNDPBs do not publish a readily accessible and up to date register of members interests (a very small proportion of these may be attributable to it being inappropriate to publish membership, e.g. highly sensitive subject matter).

The **Advisory Committee on Animal Feeding Stuffs** publishes the members present at each meeting and their interests. This provides a way for the chair to ensure that the members present do not have any conflicts of interests for the specific topic under discussion, and to demonstrate this publically.

Key principle 9

There is a proportionate approach to capturing impact, value and cost-effectiveness.

Good practice indicators

The body reports annually on its activity, use of resources and the key actions following from its advice.

Why is this important?

It is highly important that the purpose and value of advisory bodies is transparent to the public in order to maintain and improve public trust in government, the advice it receives, and the decision making process. The capturing of this information should be proportionate to the size of the body, the size of its remit and funding, and the political salience of its subject matter.

The annual report should not simply list the activities the body has undertaken, but explain why these activities were undertaken and what the impact was. Impact should include whether or not the advice influenced policy, in what way it influenced policy, and any explanation for why advice was not accepted by the department.

The value the body produces can be ascertained by gathering feedback from the groups it works with and provides advice to (the department and other wider stakeholders) and publishing this in the annual report. Resources used (including fees, expenses, and other costs) should be published in the annual report.

The department also has a role in clearly articulating why this body was set up and what value it brings the department. This can be expressed in the department's annual report, the department's website, and feedback to the body.

Examples

The **National DNA Database Ethics Group** includes a "review of the implementation of recommendations made in previous annual reports". This gives a clear view of the impact of the body and progress against its advice, and also provides timescales for when the implementation will be complete.

The Reviewing Committee on the Export of Works of Art includes the financial value of all the works of art under its consideration in its annual report. This, plus its explanation of non financial value indicators, gives a quantifiable picture of the impact the committee has.

Key principle 10

There is a commitment to feedback and continuous improvement on both sides.

Good practice indicators

The department is committed to feeding back to the body formally and/or informally on how the advice was used.

The body actively seeks 'customer feedback' on how it is fulfilling its remit from key department and any external stakeholders through a proportionate mechanism and agrees any actions with the department.

Why is this important?

Feedback is crucial to the ongoing provision of high quality advice. Feeding back to the body on how its advice was used and, in cases where advice was not implemented, explaining why allows the body to reflect on how it has developed, and communicated its advice. It also ensures that members are aware that their advice is valuable and is forming part of the decision making process, even if it was not implemented. This may in turn help with retention of members and future recruitment. This is particularly important given many chairs and members are volunteering their time. This feedback should also be made publicly available so that the public, Parliament and others are aware of how advice has been used.

Part of feedback is a recognition from bodies that their advice forms part of the decision making process – it does not dictate the outcome; it should not be assumed that the department will always implement the advice.

Some bodies have no method for ascertaining why their advice was not implemented, some have formal protocols established whereby the department has a set period of time to respond to the body, and some have formal abilities to highlight the fact that advice has not been taken. A formal protocol and rigid timescales may not be appropriate for some bodies, but there should be an agreement between the body and the department of at least an informal feedback process.

Practical example

In 2013, the **Advisory Council on the Misuse of Drugs** (ACMD) were asked to advise the Home Secretary on whether Khat should be controlled under the Misuse of Drugs Act 1971. After examination of the evidence base, the ACMD responded that “the overwhelming majority of Council members consider that Khat should not be controlled under the Misuse of Drugs Act 1971”. After consideration, and in line with the Council's working protocol, the Home Secretary wrote to the Council explaining that in light of other, broader, considerations the decision had been taken to control as a Class C drug. This demonstrates that whilst science advisory bodies provide advice within their remits this advice is weighed alongside other considerations in decision making and the development of robust policy. This is also a good example of the use of an agreed communication protocol setting out the responsibilities of both parties and the requirement to provide feedback in the event that advice is not implemented.

Key principle 11

The body collaborates proactively to add value.

Good practice indicators

The body should consider how the advice it produces could add value to other public bodies and stakeholders and seek opportunities to share and promote its knowledge.

The department should facilitate collaboration and sharing by identifying bodies with similar remits and knowledge requirements. Where chairs consider it helpful, it is useful for departments to facilitate periodic meetings for chairs to discuss common issues.

Why is this important?

Although for most advisory bodies the host department is the primary consumer of the advice produced, there are generally many other groups affected by and interested in the advice produced, and thus multiple groups to collaborate with.

Where appropriate the body should engage early on with its stakeholders to ensure full input into the advice, and seek to engage with a wide range of stakeholders. If public engagement is appropriate the body should make the process for involvement clear to the public by, for example, placing clear instructions on the website.

Members should maintain frequent contact with their areas of expertise/experience in order to be kept up to date with developments that may affect their advice.

The department should ensure that the body is made aware of any other bodies (both aNDPBs, Departmental Expert Committees, and other advisors) advising the department (or other departments) in similar areas to avoid any cross over and to provide opportunities for information sharing.

Examples

The **Independent Advisory Panel on Deaths in Custody** maintains a contact list of practitioners and stakeholders - 180 professionals and lay people, family members, the bereaved, etc. They consult and share their activities with this group allowing the body to keep tightly abreast of the concerns of the group and developments within the subject area. The IAP also publishes the meetings of the Panel and the Ministerial Board on Deaths in Custody on its website as well producing tri-annual newsletters.

The Commission on Human Medicines has increasing collaboration with NICE and MHRA. The MHRA as the Licensing Authority interacts with NICE regularly through its Policy Division and there is a schedule of quarterly meetings to foster and develop collaboration. The CHM has provided NICE with an open invitation to attend its meeting and the secretariat provides the agenda and papers as necessary. There

is ongoing discussion about sharing additional assessments. The MHRA act as peer reviewers for the Evidence summaries for use of unlicensed medicines (with CHM input as needed) generated by NICE as well as participating in the NICE panel for selection of such medicines/ indications.

In order to publicise and promote its work **The Advisory Committee on Animal Feeding Stuffs** issues a news release to the public after each meeting.

Key principle 12

There is a recruitment and appointment strategy that promotes diversity and maintains the skills and capacity of the committee in both the immediate and longer term.

Good practice indicators

The chair and the secretariat have developed a longer term recruitment and retention plan that promotes appointments that reflect the diverse society in which we live, and balances maintaining existing expertise with supplementing and enhancing skills and knowledge in line with developments in the relevant field.

Departments and secretariats fully support the body's recruitment plan and activities to avoid delays that might impact the body's ability to perform its remit.

Why is this important?

Many bodies have reported that recruitment is becoming increasingly difficult, particularly where members are recruited from academia. It is also important that bodies strive to reflect the government's commitment to equality and diversity. Advisory bodies sometimes require very specialist skills and so, in order to address these two points, the body should take a forward looking view on recruitment and appointments.

The Governance Code for Public Appointments is clear that public appointments should reflect the diversity of the society in which we live. Advisory bodies often recruit from a relatively small pool of specialists, so chairs and departments need to plan in advance to ensure that they are best able to access a strong and diverse field of applicants when recruiting.

Bodies should strive to strike a balance between reappointment and recruiting new members in order to balance the need for continuity with future membership requirements. Where appropriate bodies should strive to stagger the tenure of their members to avoid multiple members' tenures elapsing at the same time, resulting in the need to recruit multiple members simultaneously.

Examples

Some academic institutions run programmes on policy for young academics to prepare them for the possibility of being on a committee/working with government (e.g. **Defra's Science Advisory Council** has links with the program run by the University of Oxford through its chair. Oxford runs formal programmes for its graduate students on science and policy, and for young lecturers an informal mentoring programme where they encourage their young staff to engage with government by applying for committees etc.).

The **The Office of the Commissioner for Public Appointments (OCPA)** provides **ideas** that departments and advisory bodies might want to consider to contribute to increasing the numbers of people with disabilities applying for and successfully taking up public appointments. These include offering shadowing or mentoring opportunities that promote greater awareness of what public appointments are and help give people the confidence to apply for them.

Key principle 13

Recruitment and appointment procedures are clear, transparent, robust and timely and designed to ensure that the best people, from the widest possible pool of candidates, are appointed.

Good practice indicators

All appointments that come within the remit of the Commissioner for Public Appointments must comply with the Governance Code for Public Appointments. Appointments which do not come within this remit should abide by similar principles.

Departments should allow sufficient time for the appointment process so that the body is able to fulfil its remit at all times.

Why is this important?

Advisory bodies are part of the government decision making process, may influence government policy, and often receive government funding. It is therefore highly important that there is absolute transparency in the recruitment process to ensure that there can be no question about the fairness of who has been appointed and their independence.

Chairs and departments need to think carefully about how they can encourage a diverse field of candidates to apply for vacancies, and design and implement appointments processes with diversity in mind.

Advisory NDPBs must have ministerial appointments and, as NDPBs, should comply with guidance issued by the Commissioner for Public Appointments. Departmental Expert Committees are not required to have ministerial appointments (and can thus avoid some of associated requirements) but can opt to have ministerial appointments if this suits the requirements of the committee. They may also be subject to OCPA regulation and are encouraged to abide by the same principles even when they are not.

The department/secretariat should maintain a dialogue with the body with regard to upcoming tenure completions and recruitment needs.

Further guidance

The [Government's Governance Code](#) for public appointments came into effect on 1 January 2017 and sets out the regulatory framework for public appointments processes within the Commissioner for Public Appointments' remit.

The key principles underpinning public appointments are: ministerial responsibility; selflessness; integrity; merit; openness; diversity; assurance; and fairness.

The Cabinet Office's Centre for Public Appointments can provide further advice to help bodies attract a strong and diverse field of applicants.

Key principle 14

There should be a presumption of openness and transparency.

Good practice indicators

It is assumed that minutes, papers and recommendations should be published. Where it is necessary for the committee to discuss some matters in a closed session, this should be clear. Where there is a reasonable restriction on publishing minutes and recommendations, this should be clearly explained.

The department supports the body's effort to be open and transparent through facilitating publication of key documents in a timely manner, and is open and transparent in its own dealings with the body.

Why is this important?

Departmental Expert Committees and aNDPBs form part of the governmental decision making process and as such the public and the media have an interest in the activities of these bodies. Therefore it should be the default position of the body to publically publish minutes, papers, reports, etc. The body should also strive to hold meetings open to the public. Although the government may be the primary recipient of the advice these bodies produce, very often other groups will be highly interested in the advice and so benefit from having direct access to it.

Openness and transparency is absolutely key to increasing public trust in bodies and in government. It is important the government be able to demonstrate what influenced their decision making and the sources of their advice and evidence.

Adherence with this principle may further the objectives of the body – greater openness and transparency may lead to better connections with, and input from, the people affected by the advice/actions of the body and therefore result in improved effectiveness. It may also give opportunity for greater scrutiny of advice/activity by interested groups, contributing to improved advice.

If there is some reason why minutes cannot be published, or sessions must be closed, etc. then this should be clearly explained. If minutes cannot be published for time sensitive reasons then a date should be supplied for when the information will be publically available.

Examples and further advice

It may be important for detailed minutes not to be published as this fosters an atmosphere that allows dissenting voices, but even if the deliberation process is not minuted, outcomes should be.

Each year the **British Pharmacopoeia** (BP) publishes its monograph, but prior to publication it is put out for consultation on the body's website for comment. This allows companies, hospitals, members of the public, etc. to comment, thus allowing the BP to address this input prior to publication.

The membership of the **Defence Nuclear Safety Committee** is not publically available, nor are the minutes of the body's meetings. This is appropriate due to the sensitive nature of the material.