

# DECC Science Advisory Group - Terms of Reference and Code of Practice<sup>1</sup>

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## Purpose

The Science Advisory Group (SAG) helps to ensure the quality and appropriateness of DECC science and its use, by providing strategic advice on DECC's science activities, their relationship with the wider UK and international science base and the effectiveness with which science is used to inform the development and delivery of DECC's policy goals.<sup>2</sup>

## Tasks

The SAG will provide advice to DECC's Chief Scientific Advisor (CSA), and in particular will

- provide independent advice on:
  - the strategic direction of, and priorities for, departmental science;
  - the balance, relevance and adequacy of science activities supporting Departmental objectives;
  - broad strategic issues, priorities and policies from a science perspective;
  - the design and effectiveness of procedures relating to science advice;
  - both pressing and emerging science issues facing DECC.
- participate in horizon-scanning and long-range planning exercises to help identify emerging challenges and opportunities for DECC science and develop options for responding;

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<sup>1</sup> Revised July 2011

<sup>2</sup> Note: For the purposes of the SAG, *Science* is to be interpreted broadly to include all aspects of Science, Technology, Engineering and Mathematics (STEM), together with evidence from social science and economics where appropriate.

- provide independent review of scientific activities relating to DECC's preparation for and response to emergencies in DECC's areas of responsibility; and
- advise the CSA on specialist expertise available in the science community that DECC could benefit from.

## Code of Practice

All members of the SAG will adhere to the Seven Standards of Public Life, as set out in the Annex. Members, functioning as the SAG, will be accountable to the Chief Scientific Adviser and through him to Ministers, Parliament and the public more generally for the activities of the SAG and for the standard of advice that it provides.

Members of the SAG must 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;
- hold any paid or high-profile unpaid posts in a political party, or engage in specific political activities on matters directly affecting the work of the SAG. When engaging in other political activities, members should be conscious of their public role and exercise proper discretion.

## Register of Interests

The intent is to move the SAG to a formal footing, establishing it as an independent non-departmental public body (NDPB), established in accordance with the Office of the Commissioner for Public Appointments (OCPA) Code of Practice and in line with the Nolan Principles of Public Life guidance. This requires publication of a register of interests.

Members are asked to inform the secretariat of their interests, any changes to them, so that the register can be updated at every SAG meeting. The register will be recorded in the annual report and published on the DECC public website.

Members are also asked to declare any specific conflicts of interests at the start of SAG and sub-group meetings and if so requested to withdraw from the room for the duration of these items on the agenda.

All members are asked to declare any personal interests and non-personal interests (for example, those relating to university departments for which a member may be responsible) which they feel might conflict with their responsibilities as a member of the SAG, or which may be perceived (by a reasonable member of the public) to influence their judgement. Members are asked to declare both financial and non-financial interests.

Members are not asked to declare:

- shareholdings through unit trusts or similar arrangements where the member has no influence on financial management
- professional speaking engagements relevant to the work of the SAG unless the member is being paid to make a specific point

Neither the members nor the secretariat are under an obligation to seek out links of which they might not reasonably be aware, for example, through not being aware of links between one company and another.

## **Responsibility of the Chair**

The chair of the SAG has responsibility for:

- the operation and output of the SAG, including planning the work programme, and assessing the workload to ensure that the volume of work does not compromise the rigour of the discussion;
- ensuring that members have any necessary briefing to enable them to fulfil their role and providing an appraisal of members performance as necessary;
- ensuring that every member of the SAG has the opportunity to be heard and that no view is ignored or overlooked;
- ensuring that the full range of scientific opinion, including unorthodox and contrary scientific views are given a fair hearing and are taken into account appropriately;
- ensuring that the secretariat accurately documents the proceedings of the SAG so that there is a clear audit trail showing how the group reached its decisions;
- ensuring that any significant diversity of opinion among the members of the SAG is fully explored and discussed and if it cannot be reconciled is accurately reflected in the report and in any other communications;
- reporting the SAG advice to the Chief Scientific Adviser;
- representing the SAG to the public or the media as arranged by the Secretariat (unless other specific arrangements have been made);
- providing an assessment of performance of individual SAG members, on request, when they are being considered for re-appointment;
- ensuring that the SAG acts in accordance with this code.

## **Role of the Vice-Chair**

The SAG will not appoint a Vice-Chair for the time being.

## **Role of members**

Members of the SAG are appointed as individuals to fulfil the role of the Group, not as representatives of their particular profession, employer or interest group, and have a duty to act in the public interest. Members are appointed on a personal

basis, even when they may be members of stakeholder groups. If members declare an organisation's views rather than a personal view, they should make it clear at the time of declaring that view.

A member's role is not circumscribed by the expertise or perspective he or she was asked to bring to the SAG. Any report or advice belongs to the whole Group. 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.

If members believe the SAG's method of working is not rigorous or thorough enough they have the right to ask that any remaining concerns they have be put on the record.

As part of their role, all members and the secretariat should:

- consider whether the questions on which the SAG offers advice are those which are in the interest of the public and other parties outside the scientific community;
- examine and challenge if necessary the assumptions on which scientific advice is formulated and ask for explanations of any scientific terms and concepts which are not clear;
- ensure that the SAG has the opportunity to consider contrary scientific views and where appropriate the concerns and values of stakeholders before a decision is taken;
- ensure that the SAG's advice is comprehensible from the point of view of a lay person and that the implications of any uncertainties concerning the basis of the SAG's advice are fully explained.

All members should share in the general responsibility to consider the wider context in which their expertise is employed. There may, however, be a particular role in this regard for members who are present in a lay capacity (members appointed to the SAG other than for their scientific expertise).

## **Officials observing meetings**

Officials from Devolved Administrations shall be invited to attend all SAG meetings as observers and may participate in the Group's discussions. Other officials including representatives of relevant Research Councils and other bodies may attend SAG meetings by invitation of the Chair.

Officials observing SAG meetings may be called to advise the Group on relevant policy developments in order to help SAG develop advice that takes into account the breadth of strategic science activity across UK administrations.

In the event that observers are unable to attend in person, an appropriate deputy may be nominated to attend the SAG meeting. Observers (or a nominated representative) may also participate in SAG subgroup activity or send written submissions via the Secretariat.

## **Role of the secretariat**

The primary function of the secretariat is to support the SAG and its members by arranging meetings, assembling information and recording conclusions. The secretariat will also advise the SAG on process and procedure.

The secretariat will bring emerging issues of concern to the attention of the SAG so as to inform deliberations. It will, as far as is reasonably possible, identify relevant and appropriate scientific information and ensure that it is made available to the SAG. The secretariat will make the group aware of the existence of any information that has been withheld from the SAG on grounds justified under the Code of Practice on Access to Government Information or the Freedom of Information Act, or that has been withheld on other grounds for information that is outside the influence of the Government.

The secretariat will ensure that the proceedings of the SAG are properly documented so that there is a clear audit trail showing how decisions were reached.

The secretariat will be impartial, at all times respecting the Group's independent role.

## **Sub-groups of the SAG**

The SAG may establish sub-groups where appropriate in relation to emergencies, or to carry out studies and other pieces of work. These will be chaired by a member of the SAG.

Sub-groups may also include non SAG members for a particular project or task, co-opted on an *ad hoc* time-limited basis, to increase the range of expertise available. Co-optees are expected to adhere to the Code of Practice.

To ensure that the SAG can develop the best advice it is envisaged that experts may be sought from both the UK and internationally, as appropriate.

Representatives of DECC agencies, including those in the Devolved Administrations, may be invited to act as observers on relevant sub-groups.

The remit of sub-groups will be determined by the SAG. The SAG remains ultimately responsible for work delegated to a sub-group. These groups will report directly to the SAG and the SAG will then provide advice to the Chief Scientific Adviser as appropriate.

It is not anticipated that the sub-group will be asked to report directly to the CSA. In an emergency, advice from a sub-group may be given orally, but should still be cleared by the SAG Chair (or, if the Chair is unavailable, the Vice-Chair) before being passed to the Chief Scientific Adviser. Advice given orally will be followed up in writing.

In general, it is expected that sub-groups will meet in private. However, the final report of the sub-group will be published wherever possible, in accordance with the SAG policy on openness.

## **How advice from the SAG will be presented**

The advice of the SAG will be prepared by members, sub-groups or the group as a whole. Advice prepared by members or sub-groups will be considered by the whole group before publication. Wherever possible advice will be published in writing. The advice will be objective and independent of government. Where a situation is urgent, oral advice will be given, but this will be followed-up by written confirmation of the advice.

Advice will be given clearly and, wherever possible, in terms that can be understood by a lay person. Any assumptions underlying the advice and the nature and extent of any uncertainty will be identified as far as is possible.

Where there is uncertainty or where different factors such as social, ethical or economic considerations are involved in addition to scientific factors, the SAG will identify these with any tensions or trade-offs between them, and may produce a range of options or interpretations as part of its advice. Where other factors have been considered this will be made clear. Reasons for producing a preferred option will be made clear.

The SAG, guided by the Chair, should not seek unanimity at the risk of failing to recognise different views on a subject. Any significant diversity of opinion among SAG members will be recorded and published with the advice.

Reports and advice from the SAG will make it clear where there are substantial gaps in the knowledge base, available data are inadequate, complexity makes it impossible to predict the outcome of a policy or intervention with complete certainty and where judgments have been made in the face of any of these forms of uncertainty. The SAG will seek to highlight the source and extent of scientific uncertainty if possible.

Reports and advice that are published will include enough detail that anyone scrutinizing the work of the SAG can identify the background information used and any assumptions made or criteria applied.

## **How advice from the SAG will be followed up.**

It is expected that the CSA will respond to Group recommendations, indicating whether or not he will accept them.

The CSA is responsible for taking forward with DECC the SAG recommendations that he has endorsed.

It is anticipated that the CSA will give the SAG a timely update on progress towards implementing the SAG recommendations that he has endorsed.

## **Engagement with Ministers and officials**

The SAG offers science advice to DECC's Chief Scientific Adviser (CSA). The CSA reports to Ministers.

As with SAG policy for dealing with the media (see later section on communications with the media), the SAG will follow a *no surprises* policy when dealing with Ministers and other government representatives:

- If the Chair of the SAG, the Chair of SAG sub-groups or other members are asked to communicate directly with Ministers or any other senior government officials about the work of the SAG, the request must be referred to the secretariat.
- The Chair of the SAG and the CSA should be made aware of any meetings between SAG members and Ministers or other government representatives, and the CSA (or a representative) should also be invited to attend.

Members are not restricted from communicating with Ministers and others in their capacity as private individuals. However, if communication takes place in this individual capacity (for example, before a Parliamentary committee) it should be made clear that the individual's view is not necessarily that of the SAG.

## **Communications with the media**

Chair of the SAG will be the spokesperson for any contacts with the media unless other specific arrangements have been made by the Chair and secretariat.

It is not anticipated that other members will routinely be asked to communicate directly with the media. However, if a member receives an approach for an interview on behalf of the SAG, the request should be referred to the secretariat for advice.

If a member is speaking or writing in a personal or professional capacity to the media (which they are entitled to do) and they are identified as a member of the SAG, then it should be made clear that the individual's view is not necessarily that of the SAG. If questions relating to the SAG cannot be answered with reference to published advice from the SAG then they should be referred back to the SAG Chair.



The SAG *no surprises* policy when dealing with the media is not intended to restrict communication with the media or to limit the independence of the SAG and its members. The policy is to ensure that the CSA and DECC more generally remain informed and are able to respond or offer their own input to the media as appropriate.

The *no surprises* policy for dealing with the media entails that:

- any media appearances that members have been asked to undertake on behalf of the SAG, or which specifically cover the work of the SAG, should be reported beforehand to the secretariat, who will then contact the press office in DECC; and ensure that the CSA is informed;
- any requests for articles, letters or other comments relating to the work of the SAG that are intended for publication should be referred to the secretariat and a copy of the text made available to the secretariat as early as possible *prior* to their publication. The DECC press office and CSA will be informed as appropriate.

## **Policy on openness – Freedom of information**

The SAG will operate with a presumption of openness. The SAG will comply with the requirements of the Freedom of Information Act 2000 and the Environmental Information Regulations so far as they are applicable to the Group.

The SAG will make public (e.g. through publication on DECC's external website),

- Details of the SAG's terms of reference and code of practice;
- Membership of the SAG;
- Members' interests (see next section);
- Meeting agendas (prior to meetings taking place) and minutes (after they have been formulated and made available to the Chief Scientific Adviser);
- Formal reports and statements made by the SAG;
- Contact points for the secretariat;
- Non-confidential meeting papers that are to be discussed at the SAG meetings;
- A summary of the SAG's intended future programme of work.
- An annual report.

Minutes of all SAG meetings will be taken. These will accurately reflect the proceedings and discussions that take place and will be on a non attributable basis except where the views of one or more members need recording (for example, when declaring an interest).

Wherever possible, final advice from the SAG will be placed in the public domain when it is submitted to the Chief Scientific Adviser. Where advice cannot be made public, or cannot be made public for a period of time, this will be explained. It is



not anticipated that there will be many occasions when there is a need to withhold information, but some examples might include: when there is a specific and significant risk that doing so would prove commercially or financially sensitive, or where studies are sensitive in security terms (e.g. relating to work on emergencies). As such circumstances are likely to be time-dependent; the need to continue to withhold publication will be reviewed on a regular basis.

The SAG may hold meetings in public from time to time, although some parts of meetings may remain restricted. It is expected that sub-groups of the SAG will meet in private.

The SAG will produce an annual report to the Chief Scientific Adviser each year and this will be made public.

### Confidentiality of papers

The SAG will operate in an open and transparent way in accordance with its policy on openness as outlined above. However, at times members will receive papers which should be treated as confidential. To ensure clarity in this area SAG papers will be marked in one of three ways, as follows:

- **‘For Members’ Use Only’**. These papers include draft minutes of meetings and draft reports or advice. This mark is used for any commercially or other sensitive information released solely for the information of the SAG. Papers with this marking are for the exclusive use of Members and should not be shown to, or discussed with, anyone else.
- **‘Not for Publication’**. These papers may be shown to professional colleagues for the purpose of furthering the SAG’s work on a *need to know* basis, but they are not for wider disclosure. They may be shown to, or discussed with, colleagues on a confidential basis. They should not normally be copied; but if for any reason they are, the copy should be returned to the member.
- **‘For Information’** (or any papers bearing no mark at all). These papers may be shown freely or discussed with anyone. These papers will mostly be those containing published material (e.g. published research or agendas of meetings which will also be available to the public).

If documents are produced for eventual public release, they should not be disclosed until they have been formally released by the SAG.

### Personal liability of members

The following statement from the Cabinet Office guidance notes for NDPBs is applicable to DECC’s advisory committees and the SAG:

- “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 results in a loss to a third party; or may commit a breach of confidence under common law or a 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.”

## General information

SAG members and the Chair have been recruited and are appointed by the CSA. At such time as the SAG moves to NDPB status, the basis on which members are appointed may be altered accordingly.

### Period of appointment for Members and Chair

Not determined.

### Time commitment

The SAG expects to hold up to four one-day full meetings per year. Members should allocate appropriate time to study meeting papers in advance of these meetings. Additional time may be required to provide support for subgroups that are likely to be established. It is envisaged that each SAG member will participate in urgent business (e.g. national emergencies that fall within DECC’s remit) as necessary, and in some circumstances this could involve meetings called at short notice.

### Remuneration

As from 1 April 2010, SAG Member remuneration rates are:

**Chair: £ 318 per day**

**Members: £ 237 per day**

Remuneration at half of these rates is available for preparation time. Claiming fees for SAG work is optional. If claiming remuneration, members must indicate which SAG or sub-group they were preparing for or attending and the time spent on these activities. Even if members decline their fee, it would still be helpful to provide details of preparation time and meeting attendance to the secretariat.

Members will be reimbursed for their travel and subsistence in relation to SAG business (including, for example, meeting preparation or follow up on actions).

In order to keep secretariat records accurate, members should wherever possible submit claims for expenses or remuneration within one month of the expense being incurred. The secretariat will provide spare claim forms at SAG or sub-group

meetings. The secretariat will ask for receipts, where available, to accompany claims for expenses.

All financial arrangements will be kept under review and are open to comment from all SAG members, assessors and observers.

## **Annex 1 : The Seven Principles of Public Life**

### **SELFLESSNESS**

Holders of public office should act 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 seek to 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 2 – Register of Interests

Updated : *Date of last update*

For the Science Advisory Group (SAG) to comply with the openness and accountability standards set by the Office of the Commissioner for Public Appointments (OCPA) it is necessary for members to declare their interests which may be relevant to the work of the SAG. These interests are recorded in the attached register and are made available to the public on the SAG web site and published in the Annual Report.

Members interests will be reviewed on a regular basis and any changes will be published. Members have also been asked to declare any specific conflicts of interests at the start of SAG and sub-group meetings and if so requested to withdraw from the room for the duration of these items on the agenda.

All members are asked to declare both personal and non-personal interests (for example, those relating to university departments for which a member may be responsible) which they feel might conflict with their responsibilities as a member of the SAG, or which may be perceived (by a reasonable member of the public) to influence their judgement. Note that members are asked to declare both financial and non-financial interests.

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- shareholdings through unit trusts or similar arrangements where the member has no influence on financial management
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Note that neither the members nor the secretariat are under an obligation to seek out links of which they might not reasonably be aware. For example, through not being aware of links between one company and another.

Member's name	Personal interests		Non-personal interests	
	Name of organisation	Nature of interest	Name of organisation	Nature of interest