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Department of Health and Social Care

Food Data Transparency Partnership

Health Working Group - Terms of Reference

Food Data Transparency Partnership - Background

1. The Food Data Transparency Partnership (FDTP) is a multi-year partnership between the Government, industry, and civil society, to improve the availability and accessibility of data for key health and sustainability objectives.
2. A Health Working Group (HWG) has been created to consider metrics for large food and drink companies¹ that incentivise and most effectively measure progress towards improving the healthiness of food. Reporting will be voluntary, however, the HWG will also consider the impact reporting requirements will have on businesses, how this data could be publicly reported, and how to streamline existing reporting requirements.
3. A Data Working Group (DWG) has been established to underpin the work of the Working Groups (WG) by advising on, and considering, the technical requirements and relevant standards for how data could be collected, stored, shared and governed.
4. We will explore the option of a future consultation and how the proposals from each WG may inform this.
5. The HWG and DWG sit alongside the wider FDTP governance structure.

Health outcomes

6. The FDTP will assess and recommend a common approach for voluntary data disclosure against a set of health metrics to incentivise the sale of healthier food, and shift consumer behaviour towards healthier choices (see Annex A).
7. To do this, we expect company level nutrition information and sales data will be required.
8. Transparent and consistent data from across large food and drink businesses will:

¹ The definition of large businesses will be developed alongside on the outputs of the FDTP.

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- Enable industry to compare the healthiness of their product lines against their competitors and consistently demonstrate progress on the healthiness of their sales.
- Allow other stakeholders (including investors and consumer advocacy groups) to hold a company to account on achieving a higher proportion of healthier sales.

Health Working Group – Objectives

9. The HWG will explore and define the most appropriate metrics to incentivise the sale of healthier food and provide advice and recommendations to DHSC ministers including, on how that data could be voluntarily reported.

10. In doing this the HWG will need to:

- Discuss and agree the proposed health metrics to be recommended to DHSC ministers. This should take into account:
 - The data required and methodology used to calculate these metrics.
 - An assessment of the feasibility and burden of voluntarily reporting on these metrics for industry, including consideration of lead-in times and sector-specific needs, as well opportunities to align with international best practice.
 - How industry and wider stakeholders, including investors and civil society, intend to use the proposed metrics.
 - Existing nutrition reporting requirements and datasets that could be linked, integrated, considered or used to streamline reporting.
- Work closely with the DWG, who will advise on how the metrics developed by the HWG can be technically and securely reported.
- Establish and commission Task and Finish Groups to work through specific operational and technical questions, as required.
- As much as possible, build wider industry support from large companies involved in the manufacturing and sale of food for these recommendations.
- At regular intervals, ensure key developments of the HWG are communicated in a timely and transparent manner to non-HWG members and test thinking with non-industry stakeholders to maximise the useability and impact of the proposed metrics.
- As appropriate, prepare summaries of findings for discussion at FDTP governance group meetings, including the Food and Drink Sector Council (FDSC) and DPG meetings, considering feedback from each group throughout.

Health Working Group - Deliverables

11. Over the next 9-12 months, the HWG is responsible for delivering:

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- A set of recommendations for proposed health metrics, including advice on how this data could be voluntarily reported to support a future consultation.
- A justification for these recommendations and the intended usage of this data.
- An assessment of the anticipated impact on food and drink businesses to feed into an impact assessment prior to a future consultation.

12. The HWG will also deliver at agreed intervals the details required by the DWG to inform recommendations around data standards and data governance needs.

Terms of participation in the Health Working Group

Chair

13. The HWG co-Chairs are Susan Barratt (Non Exec & former CEO, IGD) and Natasha Burgon (Director, Diet, Obesity and Healthy Behaviours, DHSC).

14. The co-Chairs are responsible for setting the work programme, with input from HWG members, and overseeing the deliverables of the HWG. They are also responsible for agreeing the membership of the HWG, with consideration of the nominations put forward by individual organisations and the DPG.

Membership and appointments

15. The HWG will bring together approximately 15 senior and expert representatives from across the food and drink industry. See Annex B for membership selection criteria. Members are expected to engage constructively in the discussions and outputs of the group and must commit to represent views from across their sector. See Annex C for Guiding Principles. Where members cannot attend, deputies will not be permitted however input prior to the meeting is encouraged. Technical tasks or questions may be delegated within organisations where appropriate and it is envisaged that the HWG may set up dedicated Task and Finish Groups to look at very specific issues.

16. Members have been agreed and appointed by the co-Chairs, based on professional expertise of the issues in scope of the HWG, and the willingness and commitment to work collaboratively as part of the FDTP on these issues.

17. HWG co-Chairs have considered their obligations under the Public Sector Equality Duty in deciding on appointments. The FDTP programme team have also undertake due diligence in relation to the individuals and businesses nominated.

18. Members other than the co-Chairs may be appointed for a temporary period, for example, to participate in a specific Task and Finish Group, or will attend when specific subject matter is on the agenda at the invitation of the co-Chairs.

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19. Where possible, decisions within the HWG will be made by consensus. However, where disagreements emerge, it is the responsibility of HWG co-Chairs to find a compromise that reflects the diverse range of opinions. Where this is not possible, the majority view will prevail.

20. Members will not be paid or have expenses reimbursed for their participation in the HWG.

21. In the event that a member can no longer continue their participation in the HWG, the business for which this individual represents will have the opportunity to nominate a replacement. However, this nomination will be subject to satisfying the membership appointment criteria and completion of procedural checks. The final decision on their appointment is at the discretion of the co-Chairs who retain overall responsibility for appointing the HWG membership.

22. HWG membership will be kept under review, as required.

Expectations in the role

23. Time commitment is estimated at:

- For co-chairs: 4-6 hours' worth meetings every 6 weeks (of the WGs + discussions with officials) and a further 4-6 hours' work outside meetings (reading, engagement within the sector);
- For HWG members: 2-3 hours' worth of meetings every 6 weeks and a further 4-6 hours' work outside of meetings (reading, homework, engagement within the sector).

24. These estimations are indicative and will depend on how the HWG work programme develops. Government appreciates that people are giving up their time to support this important work, and we will aim to be flexible and sensitive to existing professional commitments and availability in scheduling FDTP business.

25. To support HWG co-chairs and HWG members, Government will provide a clear point of contact within the FDTP health team. The team will provide the secretariat for the meetings, including liaising with the co-chairs to establish workplans, preparing agendas and papers as needed.

Information sharing and legal issues

26. The HWG is committed to clear communication and transparency of process and will continue to engage with stakeholders across the food system, including the trade associations, on the progress and outputs of the FDTP. Members of the HWG will also be

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able to discuss progress with their member networks or other organisations and can represent the views of organisations who have not been invited to be members.

27. However, to ensure open discussion, the HWG will operate under the Chatham House Rule (discussions can be reported but not attributed to individuals or organisations). HWG members should seek permission from the Secretariat before speaking to the media about the FDTP and their involvement in the programme, as unauthorised media contact may result in removal from the group.

28. Meetings will be conducted in a competition compliant manner which will not involve any discussions, decisions or subsequent behavioural change that may be construed as anti-competitive. Members shall not act in a manner that could be construed as advertising or promoting their own business or business concerns or soliciting for business or work.

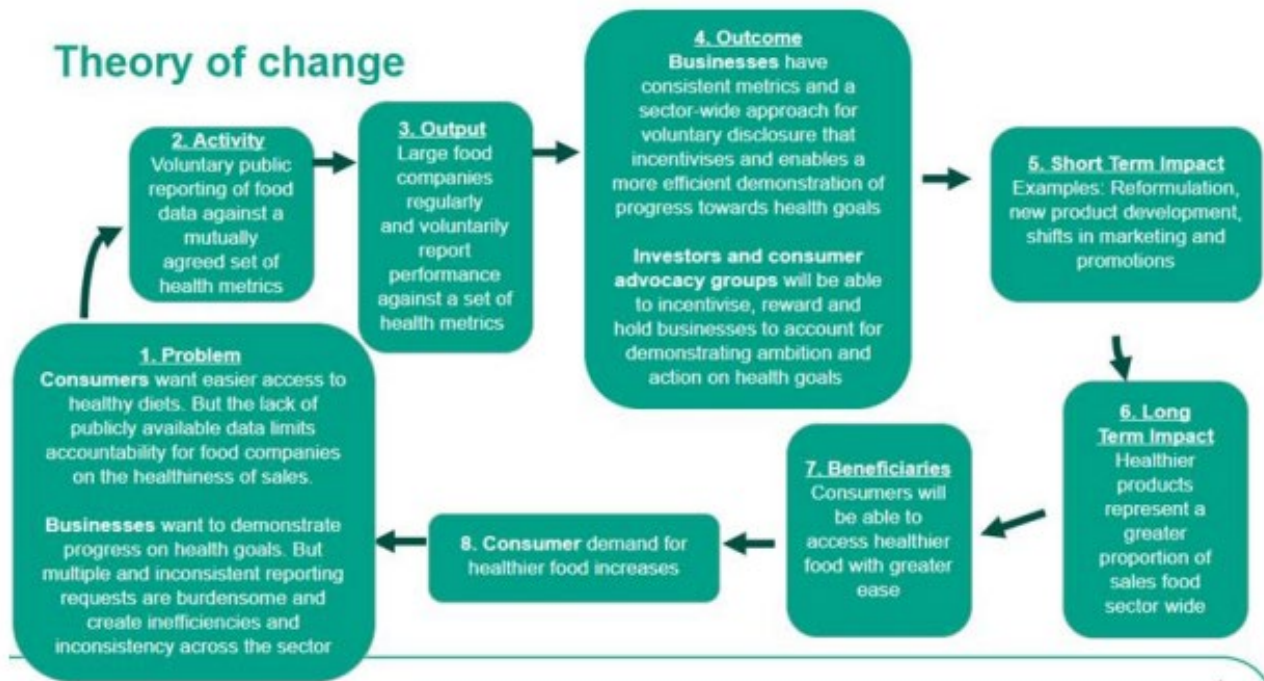
29. Competition Law concerns can arise in a number of ways including from the exchange of sensitive information, from an agreement (or more general understanding) or decisions to boycott or to refuse to deal with certain businesses, agreements amongst competitors to impose unfair trading terms as well as agreements which fix prices, or which otherwise limit output or supply.

30. Failure to adhere to these conditions will result in the premature termination of the meeting and removal from the group.

Review

31. These terms of reference will be reviewed periodically and may be updated with the agreement of members.

Annex A – Theory of Change



Annex B – FDTP Working Group Membership Selection Criteria

Members across all working groups will be selected using the following selection criteria:

- Subject matter expertise
- Technical and operational capacity to engage in discussions
- Ability to work constructively with government and actively commit to progressing the objectives and outputs of the FDTP
- Ability to act as an ambassador for the FDTP with industry and civil society
- Ability to represent diverse perspectives within the food and drink industry
- Workstream specific criteria

Membership should represent a breadth of sectors and subsectors across the food and drink sector and be balanced across WGs to ensure diverse voices are included in the FDTP.

Annex C – FDTP Guiding Principles

The partnership will operate collaboratively across government departmental and national boundaries, as well as between government, the private sector and civil society. To operate successfully the partnership should:

- Be collaborative and seek views, advice, and technical support from a variety of representative stakeholders.
- Ensure that any new processes and interventions are fit for purpose, evidence-based and straightforward to implement.
- Consider business pressures and wider policy developments so that new measures are coordinated and there is sufficient time for effective implementation.
- Aim to avoid adding to business burden where possible by streamlining new and existing reporting requirements, and unifying metrics and standards and joining up with relevant cross-Government work.
- Build on the work that has gone before, highlighting and learning from best practice.
- Be inclusive with scope for businesses of all sizes to participate, without hindering the management and effectiveness of decision-making.
- Be flexible, open and transparent, recognising that the partnership will be an evolving programme of work, which should be receptive and responsive to different views and challenge.
- Be agile and adapt to address new data challenges and opportunities. Ongoing evaluation and learning will be built into the process from the outset.
- Use data standards that are up to date.