

**FRAMEWORK
DOCUMENT**

**MEDICAL IMPLICATIONS
OF LESS LETHAL
WEAPONS EXPERT
COMMITTEE (MILLWEC)**

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1. Introduction

- 1.1 This Framework Document was jointly approved by the Medical Implications of Less Lethal Weapons Expert Committee (MILLWEC) and the Home Office. It describes how the two organisations will work together. MILLWEC members are expected to comply at all times with the Framework Document.
- 1.2 This document shall be reviewed and, if necessary, revised on a regular basis, as determined by the Chair or the Sponsor Department. A review must take place if there is a significant change in Government policy relating to the business of MILLWEC or a change in Chair of MILLWEC. The review should be undertaken jointly by MILLWEC and the Home Office. The authority to revise this document rests with MILLWEC's Sponsor, the Home Office.
- 1.3 MILLWEC is an advisory body that provides independent, evidence-based advice, challenge and assurance to Ministers of His Majesty's Government on medical aspects surrounding the use of less-lethal weapons (LLWs).
- 1.4 MILLWEC was established by the Home Office following the abolition of the Science Advisory Committee on the Medical Implications of Less Lethal Weapons (SACMILL), which was sponsored by the Ministry of Defence. SACMILL first took over this role in March 2012, when it assumed the responsibilities of its predecessor committee, Defence Scientific Advisory Council Sub-Committee on the Medical Implications of Less-Lethal Weapons (DOMILL).

2. Terms of Reference

2.1 Purpose and Role of MILLWEC

- 2.1.1 MILLWEC is established to provide independent, evidence-based advice across Government on the medical implications of the use of LLWs.
- 2.1.2 MILLWEC is an Expert Committee. MILLWEC is made up of independent experts supported by the Home Office. As an expert committee, it does not employ staff or incur expenditure. An Expert Committee is a non-administratively classified government entity so is not considered an Arms-Length Body.
- 2.1.3 The role of MILLWEC is to:

- a. Provide advice on medical aspects of generic classes of LLW systems and some specialist munitions in relation to the effects of these systems on the users and the population they may be used upon.
 - b. Produce independent statements on the medical implications of use of specified LLW systems under clearly defined criteria (including consideration of test results, user training and guidance and user maintenance). This covers new systems, or any changes to approved systems.
 - c. Provide advice on the risk of injury, including injuries to particular areas of the body, from specific LLW systems. This advice will be provided in a format that will both assist policymakers and help to inform tactical decision making by operational users.
 - d. Provide considerations of medically-related outcomes in operational use of LLW systems, recommending changes to practice to improve the safety in use of LLW systems.
- 2.1.4 It is not MILLWEC's role to provide medical, scientific or technical advice to external suppliers of research or equipment nor to act as a provider or commissioner of research.
- 2.1.5 It is not MILLWEC's role to provide advice to the Home Office outside of their defined remit, unless explicitly asked to so by the sponsoring team.

2.2 Commissioning

- 2.2.1 MILLWEC provides independent advice to the Home Office as its Sponsor. MILLWEC will only provide advice as the result of a request from a Government Department, which is normally the Home Office. All MILLWEC tasking requests shall be made through the Secretariat.
- 2.2.2 It is not in the remit of MILLWEC for members to self-commission work.

2.3 Accountability

- 2.3.1 MILLWEC is accountable to Home Office Ministers and will provide Ministers with objective, evidence-based advice following appropriate consideration of the matters within its remit. If the Minister is minded not to accept the MILLWEC's advice, the Minister will, before making a final decision, offer the opportunity for a discussion with the Chair of MILLWEC, or nominated representative.

- 2.3.2 MILLWEC will act in accordance with the [Government's Code of Practice for Scientific Advisory Committees](#) (CoPSAC). The nature of its work, however, means that there are some parts of CoPSAC with which MILLWEC may not be able to comply. This Framework Document provides details of how MILLWEC will operate, and where it has primacy over CoPSAC where there are differences.

3. Relationship with Sponsoring Department

3.1 Governance of MILLWEC

- 3.1.1 MILLWEC is a non-statutory, non-time limited expert committee sponsored by the Home Office. The role and remit of MILLWEC are determined by Ministers and set out in the Terms of Reference. MILLWEC will comply with Government and Home Office corporate policies and guidance (for example on financial management, acquisition, human resources, information management and security) unless specific exceptions are made by the Home Office and notified to MILLWEC.
- 3.1.2 The basic governance arrangements for MILLWEC are as follows:
- a. Ministers account for the overall performance of MILLWEC in Parliament. The Permanent Secretary for the Home Office, as Accounting Officer, accounts to Parliament for the issue of funding to MILLWEC. The Chair of MILLWEC reports to Ministers through the Secretariat.
 - b. The Secretariat is provided by the Home Office, with expenditure paid for by that Department.

3.2 Home Office Sponsorship of MILLWEC

- 3.2.1 The Home Office Sponsor acts in support and on behalf of Ministers and the Permanent Secretary as Accounting Officer with regard to their responsibilities towards MILLWEC.
- 3.2.2 In this document, the Home Office Sponsor refers to the Chief Scientific Adviser (or delegated to the Deputy Chief Scientific Adviser at their discretion. The Sponsor Minister is the Home Office Minister with responsibility for science advice.
- 3.2.3 The Sponsor's responsibilities include:
- a. Ensuring that Ministers and the Accounting Officer are advised on an appropriate budget for MILLWEC in the context of the Home Office's overall public expenditure priorities and ensuring such funding is available to the Head of MILLWEC Secretariat.

- b. Ensuring that Ministers and the Accounting Officer are advised on how well MILLWEC is achieving its objectives and whether it is delivering value for money. This includes ensuring appropriate arrangements are in place to conduct an annual evaluation of the performance of MILLWEC, the Chair and individual Committee Members.
- c. Ensuring, in partnership with MILLWEC, that there is an effective governance framework in place for MILLWEC.
- d. Promoting and safeguarding the independence of MILLWEC and maintaining an appropriate distinction between the Sponsor's other responsibilities within the HO and the sponsorship of MILLWEC.
- e. Ensuring MILLWEC is aware of relevant HO corporate policies and standards and ensuring compliance with these is monitored where necessary.
- f. Ensuring an open and constructive relationship between the HO and MILLWEC.
- g. Ensuring that MILLWEC is informed of relevant Government policy in a timely manner.
- h. Ensuring any concerns about the activities of members of MILLWEC or of the Secretariat are brought to the full Committee, requiring explanations and assurances that appropriate action has been taken.

4. The MILLWEC Committee Structure

- 4.1 The Committee comprises of the Chair and Independent Members.
- 4.2 To ensure an acceptable balance of views, a minimum of four independents (including the Chair) should be present for the duration of a committee meeting. If inquorate, any substantive decisions should be deferred until the views of non-attending members have been sought.
- 4.3 MILLWEC Secretariat will be present at all committee meetings to record official proceedings and maintain a transparent audit trail of how decisions were made. Secretariat will not participate in committee decision-making. No other government officials or individuals are required or expected to attend meetings of MILLWEC

unless specifically invited to present evidence to the committee by the secretariat (e.g., College of Policing explaining a piece of guidance).

5. Committee Membership

5.1 Committee Chair

- 5.1.1 The chair is responsible for leading the committee in the delivery of its responsibilities. The Chair is bound by the Seven Principles of Public Life (Nolan Principles).
- 5.1.2 The Chair is appointed on an individual basis, even if they are a member of one or more other bodies. If the Chair declares an organisation's views rather than a personal view, they should make that clear at the time of declaring that view. The Chair is expected to attend all MILLWEC meetings, excepting occasions of illness or personal emergency.
- 5.1.3 The Chair has responsibility for providing effective leadership of MILLWEC and:
 - a. Communicating the objectives of MILLWEC and, working with the Home Office policy owners, setting the strategic direction of MILLWEC.
 - b. Overseeing the operation and output of MILLWEC (in collaboration with the Secretariat).
 - c. Conducting appraisals of MILLWEC members.
 - d. Ensuring that every member of MILLWEC has the opportunity to be heard and that no view is overlooked or ignored.
 - e. Ensuring that MILLWEC meets at appropriate intervals.
 - f. Ensuring that any diversity of opinion among MILLWEC members is fully explored and discussed in order to arrive at a consensus.
 - g. Ensuring that MILLWEC, where appropriate, operates under a presumption of openness.
 - h. Representing MILLWEC to the public and the media only as arranged and authorised by the Secretariat. The Chair will have the responsibility of speaking on behalf of MILLWEC to the press or of being interviewed by journalists and broadcast media when invited by the Secretariat.

- i. Reporting MILLWEC's objective, scientific and evidence-based advice to Government.
- j. Ensuring MILLWEC acts in accordance with this Framework Document, the Nolan principles and with HO corporate policies and guidance except where an exception is notified in accordance with this document.

5.2 Committee Members

- 5.2.1 Other independent members will be appointed to support the Chair's activities. Independent members will be drawn mainly from the healthcare and academic sectors. There will be an appropriate balance of independent lay and medical expertise on the committee. All independent members will be selected in accordance with the Office of the Commissioner for Public Appointments (OCPA) code of practice for Ministerial Appointments to Public Bodies (August 2009). Independent Members must adhere to the Seven Principles of Public Life
- 5.2.2 Members of MILLWEC are appointed as individuals to fulfil the role of MILLWEC, not as representatives of their particular profession, employer or interest group. Members are appointed on an individual basis, even when they may also be members of other bodies. The nature of the appointment is that members (including the Chair) provide objective, impartial advice to government as respect experts in their field. Members should therefore be careful not to make comments, whether on social media, the traditional press or otherwise that could damage that perception or otherwise breach the Seven Principles of Public Life.
- 5.2.3 A full list of Committee members is available separately. Due to the sensitive nature of some of the subject matter considered, names of the Committee members will not be routinely made public. Individual members may choose to make their activities known to the public for professional purposes subject to advice from the sponsoring department.
- 5.2.4 MILLWEC may only be represented at external meetings by an independent member (usually the Chair). All advice formulated under the auspices of MILLWEC may only be given, whether in writing or orally, by an independent member of MILLWEC. Home Office and other government officials are not permitted to represent the advice of MILLWEC.
- 5.2.5 The members have the following Responsibilities and Duties:
 - a. attend at least 2 meetings as well as respond to shorter turnaround requests if needed. The Home Office may also request advice from the Committee in emergencies. As well as responding to incoming work, members should

proactively share their ideas and knowledge where they consider it will add value

- b. Contribute to MILLWEC meetings
- c. Act collectively with other MILLWEC or co-opted members to ensure that the committee fulfils its responsibilities in providing impartial, independent, balanced, evidence-based advice to the Department and CSA.
- d. Examine and challenge the assumptions on which advice is formulated.
- e. Consider and evaluate evidence on a given issue, and where appropriate, the concerns and values of stakeholders before a decision is taken.
- f. Consider the wider context in which their expertise is employed when formulating advice.

5.3 Co-Optees

- 5.3.1 MILLWEC may seek the assistance of other specialist NDPBs or solicit ad hoc advice from other experts or consultants as it thinks fit, via the secretariat/Sponsor. The range of expertise required for the Committee to achieve its objectives may change over time; and therefore, the balance of skills, expertise, and experience of Members may need to be supplemented.
- 5.3.2 To enable this, the Committee is able to co-opt expertise, agreed by the Sponsor, for a period of time to provide such expertise as required to see through the effective completion of specific areas of work. Co-optees are bound by the same responsibilities and expectations of conduct as Members.
- 5.3.3 The Chair is empowered to invite non-members to a meeting who have a particular contribution to make to the business of that meeting, via the secretariat/Sponsor, for example individuals (from the UK or abroad) with appropriate scientific, clinical, legal or other expertise. The status of such individuals will be as advisers/expert witnesses. It is desirable that MILLWEC draws from as wide a scientific and clinical base as possible to give credibility to their analysis and opinions.

5.4 Security Vetting and Confidential information

- 5.4.1 The Chair and Independent Members will be formally appointed by the HO Chief Scientific Adviser (CSA) for a period of service in line with the composition and requirements of the committee, for up to 3 years, but not exceeding 6 years. At the CSA's discretion, they may be reappointed for a final term of 3 years. No term may exceed 10 years.
- 5.4.2 The Chair and Independent Members will be subject to security vetting to Counter Terrorist Check (CTC) and will be subject to a performance reporting

mechanism. Depending on the nature of commissions received, subsequent vetting may be required. The performance of the Chair will be monitored by the CSA and that of the independent members assessed annually by the Chair.

- 5.4.3 Members and Chair must not misuse information gained in the course of their public service for personal gain or for political purpose nor must they disclose any information which is confidential in nature or which is provided in confidence without authority. This duty continues to apply after members have left MILLWEC.

6. Appraisals

- 6.1 Appraisals will be undertaken annually, only individuals that have performed satisfactorily will be considered for reappointment.
- 6.2 Reappointments can only be considered if the individual has a satisfactory appraisal. There is no presumption of reappointment even with a satisfactory appraisal. Reappointments, or extensions to appointments, will be subject to compliance with the Code of Practice for Scientific Advisory Committees and Councils (CoPSAC).

7. MILLWEC Committee Responsibilities.

7.1 Public Service Values

- 7.1.1 The chair and members of MILLWEC must, at all times:
- a. Observe the highest standards of impartiality, integrity and objectivity in relation to the advice they provide and to the management of this expert group.
 - b. Be accountable for their activities and for the standard of advice they provide for ministers. The minister of the sponsoring Department is answerable to Parliament, and the public more generally, for the work and advice of MILLWEC.
 - c. 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; and
 - d. Declare any or all interests to the Secretariat that may impact on their impartiality, integrity and objectivity.

7.2 Standards in Public life

7.2.1 The chair and members are expected to:

- a) Adhere to the Seven Principles of Public Life (the 'Nolan Principles').
- b) 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 group and any relevant statements of Government policy.
- c) 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.
- d) 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 group. When engaging in other political activities, members should be conscious of their public role and exercise proper discretion. These restrictions do not apply to Members of Parliament, local councillors or to Peers in relation to their conduct in the House of Lords; and
- e) Declare and register any interests and positions they have that are relevant to the remit of MILLWEC.

7.3 Political Activity

- 7.3.1 As members hold a public role, they should be, and be seen to be, politically impartial. They should not occupy paid party-political posts or hold particularly sensitive or high roles in a political party. Members should abstain from all controversial political activity and comply with Cabinet Office rules on attendance at Party Conferences.
- 7.3.2 On matters directly related to the work of the group, members should not make political statements or engage in any other political activity.
- 7.3.3 In members' official capacity, they should be even-handed in all dealings with political parties.
- 7.3.4 Subject to the above, members may engage in political activity but should, at all times, remain conscious of their responsibilities as a member of MILLWEC and exercise proper discretion.
- 7.3.5 Members should inform the secretariat before undertaking any significant political activity.

- 7.3.6 If members have any remaining doubts about their activities, they should seek advice from the secretariat prior to undertaking significant political activity.
- 7.3.7 Members are expected to inform the secretariat of any intention to accept a prominent position in any political party and to understand that appointment may be terminated if the Secretary of State feels that the positions are incompatible.
- 7.3.8 If members accept a nomination for election to House of Commons or European Parliament, then members will resign the appointment on the MILLWEC.

7.4 Gifts and Hospitality

- 7.4.1 The Chair and Members:
 - a) Must not accept any gifts or hospitality which might, or might reasonably putatively appear to compromise their personal judgement or integrity, or place them under an improper obligation.
 - b) Must never canvass or seek gifts or hospitality.
 - c) Should inform the secretariat of any offer of gifts or hospitality and ensure that, where a gift or hospitality is accepted, this is recorded in a public register in line with the rules set by the body.
- 7.4.2 Members are responsible for their decisions on the acceptance of gifts or hospitality and for ensuring that any gifts or hospitality accepted can stand up to public scrutiny and do not bring the public body into disrepute.

7.5 Declarations of Interest

- 7.5.1 It is important to avoid the possibility of members of MILLWEC 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 MILLWEC 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 parts of an organisation for which a member works. Members should be aware of their responsibility not to allow and 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.

- 7.5.2 If members feel that there are interests, outside the scope of this framework, which could be perceived as influencing their work in relation to MILLWEC, for example the personal or business interests of close family members (e.g. 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.
- 7.5.3 It is the responsibility of members to inform the secretariat in advance of any new appointments which may impinge on their duties as a member of MILLWEC. The secretariat is required to publish an up-to-date register of members' interests.
- 7.5.4 Members should notify the secretariat immediately of any changes to their entry.

8. The Role of the MILLWEC Secretariat

- 8.1 The MILLWEC Secretariat will be provided through the Science, Technology, Analysis and Research (STAR) Group within the Home Office.
- 8.2 The secretariat will ensure administrative and secretarial support to meetings of the Committee, and be responsible for the administrative processes associated with recruitment and payment of independents' fees and expenses.
- 8.3 In line with 'The Role of the Secretariat' (as defined in CoPSAC), the Secretariat will:
 - a) Be proactive in ensuring feedback from the tasking Department to MILLWEC is provided in response to MILLWEC advice, outlining the proposed actions being taken. Normally comment or feedback from the tasking Department should be provided within three months.
 - b) Provide MILLWEC with the information it requires from Government.
 - c) Assist the Chair in the production of his/her key annual planning and reporting documents including the Annual Report.
 - d) Manage any requests for information from MILLWEC, including requests under the Freedom of Information Act (2000). All media inquiries to members, any media appearances and any requests for articles, letters or other comments should, when relevant to MILLWEC business, be routed through the Secretariat ahead of any possible arrangements, who will liaise with the HO press office and the Chair and be the primary link between the Committee Chair and Government Departments.
 - e) Be the primary link between the committee and other government officials.

- f) Provide administrative support to MILLWEC in the form of the generation and dissemination of meeting agendas and minutes and the handling of other material as required. The Secretariat should ensure that the proceedings of MILLWEC are well documented (in sufficient detail and within a reasonable period after a meeting) so that there is a clear audit trail showing how the Committee reached its decisions.
 - g) Maintain a regularly updated record of any conflicts of interest, real or perceived, reported by MILLWEC members.
 - h) The Secretariat will, at all times, act impartially and respect MILLWEC's independence.
- 8.4 In addition to the above administrative functions, and in line with CoPSAC, the MILLWEC Secretariat should include, or have access to, people with relevant technical and scientific expertise who are conversant with the technical detail required by MILLWEC's remit, arranged only by and through the Sponsor. If MILLWEC require scientific expertise from government organisations, this will be initially requested through secretariat.

9. Structure of Business and Outputs

9.1 Group meetings

- 9.1.1 The MILLWEC Committee will meet as necessary to conduct their business.
- 9.1.2 There will normally be at least two Committee meetings each year. The frequency of meetings will depend on the quantity of business, such as the requirement to produce medical statements. Additional meetings may be convened as required to consider issues arising from new tasking.
- 9.1.3 MILLWEC will operate with a presumption of openness. Advice will be published and will be objective and independent of government. Where scientific uncertainty or lack of evidence exists, this will be reported alongside an evidence-based judgement, concerning the associated level of risk of the uncertainty or lack of evidence.
- 9.1.4 MILLWEC official statements will be published on the MILLWEC website. Official minutes, redacted where necessary, will also be made available.
- 9.1.5 MILLWEC is subject for Freedom of Information (FOI) legislation, and the Data Protection Act 1998.

9.2 Meeting notes

- 9.2.1 Notes of MILLWEC meetings will be reported on a non-attributable basis except where there is explicit agreement, or need, to attribute a view or comment to an individual.
- 9.2.2 The secretariat will aim to draft notes of meetings within one week of the meeting for approval by the chair and these will be circulated to attendees for comment. The secretariat shall incorporate comments as appropriate and pass the final note to the chair for ratification by chair's action prior to publication.
- 9.2.3 Discussions at meetings will be open unless declared confidential. If a discussion is confidential, no record of the discussion will be made.
- 9.2.4 On occasions when a consensus cannot be reached, the different opinions and reasons underpinning these views will be reported.
- 9.2.5 Meeting notes will be agreed and published within three months of a meeting.

10. Reporting

- 10.1 The Chair of MILLWEC shall report annually to:
 - a. The Secretary of State for the Home Office;
 - b. Any other Departments that have requested advice in-year.
- 10.2 Due to the subject matter, public release of reports will be considered on a case-by-case basis.

11. MILLWEC Resources

- 11.1 The Committee Chair will have the following resources:
 - a. An independent alternate (if necessary) who shall be an Independent Member of the Committee and represent the MILLWEC Chair at Committee meetings in the Chair's absence, and to whom the Chair may devolve responsibility.
 - b. Co-opted experts on an ad hoc basis for specific projects via the secretariat/Sponsor.
 - c. Secretarial support for MILLWEC meetings from the Home Office as the sponsoring Department.
 - d. Secretarial, financial and other administrative support from the Home Office in the production of reports and documentation.

- e. The Deputy Chief Scientific Adviser will provide and control the financial resource to support expenses for the independent members, together with resource for secretarial tasks.

12. Fees and Expenses

- 12.1 Appointments on to the committee are unremunerated, however reasonable travel and subsistence will be paid to members during their term.
- 12.2 Reasonable travel expenses will be paid to members who incur costs whilst acting in their capacity as a member of MILLWEC. For example, travel to attend a MILLWEC meeting. Members should retain all relevant receipts and travel documents and contact the Secretariat to make a claim, within 3 months. When booking travel or deciding on whether to travel/claim, members should take into account the need for them to achieve best value for money on behalf of the Department. Further advice should be sought from the Secretariat if required.