

Advisory Committee on Toxic Substances Paper		ACTS/22/2004	
Meeting date:	8 July 2004	Open Govt. Status:	Partially closed
Type of paper:	Above the line	Paper File Ref:	PG/330/1001/04
Exemptions:	Annex 2 is withheld under Open Government exemption 2 (Information that would harm the frankness and candour of internal discussion)		

ADVISORY COMMITTEE ON TOXIC SUBSTANCES

PROPOSED ARRANGEMENTS FOR THE SECOND ACTS OPEN MEETING

A paper by Helen Smith, ACTS Secretariat

Issue

1. Arrangements for the second ACTS open meeting on 25th November.

Timing

2. The details of the open meeting need to be agreed so that invitations can be dispatched by the end of July, with a reply date of late September.

Recommendation

3. That ACTS agree the proposals and draft agenda for the open meeting in November that are set out below.

Background

4. HSC has agreed that its Advisory Committees should hold at least one open meeting each year. The first ACTS open meeting was held on 17th October 2003. At its March meeting the committee considered a paper (ACTS/01/2004) which reviewed the open meeting and asked members to agree the format of future meetings.
5. It was noted that the principles underlying an open meeting had been debated by the ACTS working group that met to plan the first open meeting. This group considered the guidance on holding open meetings (annex 1 contains extracts from 'A guide to managing HSC Advisory Committees' which relate to openness of papers and open meetings). It then went on to agree the issues that were important for holding a seminar-style meeting.
6. During the discussion at the March meeting it was recognised that whilst a seminar-style open meeting was a good means of communicating the work of ACTS to others, it did not fully meet the aim of transparency. The Committee agreed that the July meeting should be a normal business one to which members of the public would be invited. Subsequently, members were advised by email that this was not feasible because Jane Willis was not able to chair the meeting on that date and no suitable accommodation

was available. Preliminary bookings have now been made to hold the open meeting on 25 November.

Argument

7. Detailed arrangements now need to be put in place for an open normal business meeting in November. ACTS are invited to discuss and endorse the draft agenda for the meeting and the way forward on a number of administrative issues. These are set out below.

Agenda for the meeting

8. A draft agenda is attached at annex 2 which outlines with issues that could be covered. Three major discussion items are proposed (on communication issues, isocyanates and silica). The Committee will be updated on other issues through information papers. Items arising from the July meeting may need to be added to this agenda, which could mean that other topics are postponed until the March 2005 meeting and, of course, some items may not be developed sufficiently to put them to the Committee in November. The Secretariat will circulate a revised agenda to members for comment if it differs significantly from that agreed at this meeting.
9. The guidance on managing Advisory Committees (annex 1) notes that where the nature of the business is sensitive or commercial in confidence, an open meeting would not be appropriate. Issues in these categories are not currently on the draft agenda, but if they are forthcoming an additional closed session, from which the public will be excluded, would be added at the end of the meeting.

Public contribution to the meeting

10. The importance of allowing public attendees a chance to have an input into the proceedings was highlighted in March. The Secretariat suggest that the Committee adopt the model used by DEFRA's stakeholder forum. This would involve the Chair inviting the public attendees to give their comments and views at the start of each agenda item. These can then be taken into account throughout ACTS' discussion.
11. In addition the invitation will, as last year, ask those who attend to list their particular interests, relevant to the work of ACTS, so that HSE and the Committee are aware of the specific items that will be relevant to them.

Publicity

12. The Secretariat propose to use a more targeted invitation list than for the last meeting. An e-mailed invitation (annex 3) will be sent to all those who attended, or expressed an interest in attending, the last open meeting (over 60 individuals). ACTS members are also invited to publicise the meeting through their own networks and contacts.
13. Details of the meeting will also be posted on the HSE website. The date and venue have already advertised on the ACTS web site.

Information provided in advance of the meeting

14. The draft agenda (annotated, as usual, to give with a short explanation of each item) will be sent to those attending a few weeks before the meeting.

15. Following normal practice, full papers will not be sent to public attendees before the meeting, in line with the Open Government Code. Copies of papers will be available for attendees on the day of the meeting. One concern is that some of those attending may feel their ability to contribute is restricted without prior sight of the papers whilst other may well be stakeholders who have seen the papers as part of ACTS members usual consultation process.
16. As a compromise, the Secretariat suggest that for the first agenda item on communications, a summary (say 1-2 pages) giving some general background and the sort of issues that will be discussed could be circulated to those attending at the same time or after members are sent full papers. Members of the public will then have time on the day of the meeting to consider papers on subsequent items on the agenda. ACTS are invited to comment on this proposal.
17. As last year, an information pack will be provided for each attendee, giving background details on the work of ACTS (and sub groups) and its members.

Numbers of attendees

18. Last year 38 delegates attended the meeting. This year, as last, seats will be allocated on a first come, first served basis. HSE estimates that about 30 attendees can be accommodated with this type of open meeting.

Security issues and practical considerations

19. Last year lunch which was not provided after the meeting for members of the public. The reason was not financial but logistical and stemmed from the security demands and issues that would arise from the need to escort/supervise the public within HSE's premises.
20. This year HSE plan to use the same arrangement with the meeting starting at 10.30am and finishing before lunch (about 1pm).

Link to HSC Strategy

21. An open business meeting fulfils the element of HSC's strategy which seeks to develop closer working partnerships. A public meeting has the advantages of helping stakeholders to understand the working of ACTS within the wider context of occupational health and allows ACTS to hear at first hand stakeholders views on the items being discussed.

Communication Plan

22. The plans for publicising this open meeting have been outlined above.

Evaluation Plan

23. As with the first open meeting the Secretariat will ask committee members, by email, for their views on the meeting soon after it is held as well as seeking feedback from the attendees. These views will then feed back into the planning for the following open meeting.

Relevant Control Systems

24. Not applicable. 

Consultation

25. ACTS discussed this issue at its last meeting.

Costs and Benefits

26. The costs (to cover additional refreshments for example), will only be slightly higher than for a normal meeting but can be met from existing budgets. The additional staff resource implications needed to run an open meeting of the type proposed are far less than those required for a seminar-style open meeting.

27. The benefits of an open business meeting are two fold. First, it will provide a further opportunity to demonstrate how the work of ACTS fits into HSC's overall strategy for workplace health and safety and will enable ACTS to contribute towards one of the sub programmes within the Chemicals Programme, namely communication and education. Second, the public's comments will provide the committee as a whole with an opportunity to hear at first hand the views of some stakeholders.

Financial/Resource Implications for HSE

28. The costs will be met from existing budgets. Some additional staff resource will be required to prepare for the open meeting and on the day of the meeting to manage issues such as security.

Environmental implications

29. Not applicable.

European implications

30. Not applicable.

Other implications

31. None.

Action

32. ACTS is requested to discuss the issues raised in this paper and agree:

- i. that a normal business meeting is held on 25 November to which members of the public will be invited;
- ii. the draft agenda (annex 2), subject to any amendments needed to accommodate items identified from this meeting;
- iii. the text of the invitation (annex 3);
- iv. the administrative arrangements; specifically:

- a) that attendees will be invited to give their views at the start of each agenda item (paragraph 10);
- b) the publicity plans (i.e. that invitations will be issued to those who attended or who expressed an interest in attending the last open meeting;
- c) the way information will be made available to attendees before the meeting (paragraphs 14 - 17).

Contact

ACTS Secretariat
Tel: 020 7717 6184
Fax: 020 7717 6190

EXTRACTS FROM 'A GUIDE TO MANAGING HSE ADVISORY COMMITTEES' - GAP2

Openness: public access to AC agendas, papers and minutes

2.29 ACs [Advisory Committees] should be aware that unless designated otherwise, information on agendas, papers and minutes will be treated as fully open. As such, it can be requested, and viewed, by members of the public and any interested parties etc.....

2.30 Unless otherwise specified, AC, subcommittee and working group papers are circulated to members in advance of meetings so as to facilitate informed discussion and deliberation, and will be covered by OG [Open Government] Code Exceptions 2 (Information whose disclosure would harm the frankness and candour of internal discussion) and 10 (Information which will soon be published). They should therefore not be made public before the meeting at which they will be considered and their final OG status confirmed.

2.31 When an open AC meeting is to be held, AC secretaries should ensure that any papers to be discussed are fully appropriate to the open meeting in question. As such, papers that are designated fully or partially closed would not normally be discussed at open meetings. These papers should be discussed at the next available meeting, or if they are urgent, discussions may need to take place by correspondence or by alternative methods.

Open meetings

2.32 The Commission has agreed that where it is practical and appropriate, ACs should hold at least one open meeting a year which any interested parties may attend. There is also no reason why ACs should not hold further meetings in public where it is felt that these would be useful means of consultation or would help the public to have a greater understanding of the work of the Committee.

2.33 A balance needs to be struck between transparency and the most effective operating methods for ACs; and so, where the nature of the business is sensitive or commercial in confidence, an open meeting would not be appropriate.

2.34 Open meetings should be well advertised and should be held at a time and place that will encourage interested parties to attend. Advertising should, however, be proportionate to the size and expenditure of the committee. In deciding on the location for an open meeting, consideration should be given to ensuring accessibility for people with disabilities.

Annex 2 is withheld under Open Government exemption 2 (Information that would harm the frankness and candour of internal discussion)

DRAFT TEXT OF EMAIL INVITATION

Dear Sir/Madam

INVITATION TO ATTEND THE SECOND OPEN MEETING OF HSC's ADVISORY COMMITTEE ON TOXIC SUBSTANCES (ACTS), 25 NOVEMBER 2004

The Advisory Committee on Toxic Substances (ACTS) was established in 1977 to provide the Health and Safety Commission (HSC) with independent advice concerning the control of risks arising from the supply of, or exposure to, toxic substances at work. Over the last decade or so ACTS has been associated with the setting of occupational exposure limits (OELs) for use with the Control of Substances Hazardous to Health Regulations. Whilst this work has been valuable, the current ACTS work plan extends its remit much wider including, for example, working with HSE on taking forward a strategy on preventing occupational cancer, skin disease and respiratory disease as well as promoting the innovative internet based tool, electronic COSHH Essentials.

ACTS held its first open meeting in October 2003. Following its success, ACTS plan to hold its second public meeting on 25 November 2004. The purpose of this email is to invite you or another representative from your organisation to attend the open meeting which will be a normal ACTS business meeting. The agenda is not yet finalised but it may include items on communication, isocyanates and silica (subject to items being sufficiently developed in time). A final agenda will be distributed at least 3 weeks before the meeting. Attendees will have the opportunity to comment on each item.

The meeting will be held on the morning of Thursday 25th November at HSE's Rose Court office in London. Seats will be allocated in advance, on a first-come first-served basis. If you wish to attend the event please return the slip below to ACTS Secretariat by 30th September 2004. You may nominate more than one individual, however if demand is high you may only be offered one seat. We will send you confirmation nearer the time, together with the agenda and a location map. Information about ACTS, including details about past meetings, can be found at www.hse.gov.uk/acts.

Yours faithfully
Dr Michael Topping
ACTS Secretary Tel: 020 7717 6184

✂-----
ACTS Open Meeting, 25 November 2004

We would/would not* like to attend the Open Meeting.

Name(s) of attendee(s): (1).....
(2)**

Organisation:
.....

Address:
.....
.....

Telephone:

Please list any particular interests, topics or issues relevant to the work of ACTS:

.....
.....

Please return, no later than 30 September 2004, by either:

Post to: ACTS Secretariat, Health & Safety Executive, 7NW Rose Court, 2 Southwark Bridge, London SE1 9HS; Fax to: ACTS Secretariat, 020 7717 6190; or email to: acts@hse.gsi.gov.uk .

* Delete as appropriate; ** If nominating two attendees, please note that if demand is high only one seat will be offered.