WATCH COMMITTEE

TERMS AND CONDITIONS for
WORKING GROUP ON ACTION TO CONTROL CHEMICALS
(WATCH)

Contents

1. Time Commitment and attendance at Meetings
2. Conditions of Service

Appendix 1 Code of Practice for Members
Appendix 2 The Seven Principles of Public Life
Appendix 3 Forms to be Used to Declare Interests in the Chemicals Industry

1. TIME COMMITMENT AND ATTENDANCE AT MEETINGS

Committee members will be expected to attend 3 meetings a year. These will be held in London, but occasionally in Bootle and a residential meeting may be held once a year. Meetings normally last between a half and a full day, except for the residential meeting, which lasts over 2 days. In addition to travelling and attending meetings members will be required to devote sufficient time to properly prepare for meetings.

If a member is unable to attend a meeting, they should send their apologies via the Secretariat, together with any comments concerning the documents for the meeting. If a member expects to be absent for 2 successive meetings as a consequence of pre-arranged long-term leave (eg maternity/paternity leave, sabbaticals) then they should inform the Secretariat in advance. Consistent non-attendance at meetings may result in the Health and Safety Executive asking the member to step down from the Committee.
2. CONDITIONS OF SERVICE

Members of WATCH must:

√ observe the highest standards of impartiality, integrity and objectivity in relation to the advice they provide, following the Seven Principles of Public Life (see Appendix 2). In particular, they must not:

x misuse information in the course of their work with the Committee for personal gain or for political purpose;

x seek to use the opportunities presented by their membership to promote their private interests or those of connected persons, firms, businesses or other organisations; and

x hold any paid or high-profile unpaid posts in a political party, nor engage in specific political activities on matters directly affecting the work of WATCH. When engaging in other political activities, WATCH members should be conscious of their public role and exercise proper discretion.

√ comply with the Code of Practice for Members of the WATCH (see Appendix 1), and ensure they understand their duties, rights and responsibilities, and that they are familiar with the function and role of the Committee;

√ make every attempt to attend meetings (dates of meetings will be fixed in advance);

√ observe the rules on commercial interests as defined in the WATCH Code of Practice (see Appendix 1);
Appendix 1 CODE OF PRACTICE FOR MEMBERS

1. Introduction

This code of conduct guides members of the Working Group on Action to Control Chemicals (WATCH) as to their role and duties as members of the Committee; the extent of their personal liability for the Committee’s actions; and the circumstances in which they should declare interests in the chemicals industry.

2. Definitions

In this code “chemicals industry” means:

- Chemical manufacturing
- Other Industries where chemicals are used.

In this code, “the Secretariat” means the administrative secretariat of WATCH.

3. Public service values

Members of WATCH must at all times:

- observe the highest standards of impartiality, integrity and objectivity in relation to the advice they provide and the management of this public body;
- be accountable to the Health and Safety Executive (HSE) and the public more generally for its activities and the standard of advice it provides; and
- in accordance with Government policy on openness, comply fully with the Code of Practice on Access to Government. The Secretariat will be responsible for the day-to-day provision of information.

4. Standards of public life

All members of the WATCH must:

- follow the Seven Principles of Public Life set out by the Committee on Standards in Public Life (see Appendix 2);
- comply with this Code, and ensure that they understand their duties, rights and responsibilities, and that they are familiar with the function and role of WATCH and any relevant statements of Government policy. New members should consider attending relevant training or induction courses;
not misuse information gained in the course of their public service for personal gain or for political purpose, not seek to use the opportunity of public service to promote their private interests or those of connected persons, firms, businesses or other organisations; and

not hold any paid or high-profile unpaid posts in a political party, and not engage in specific political activities on matters directly affecting the work of WATCH. When engaging in other political activities, WATCH members should be conscious of their public role and exercise proper discretion.

5. **Role of Committee members**

Member of WATCH have collective responsibility for the operation of this body. They must:

- engage fully in collective consideration of the issues, taking account of the full range of the relevant factors, including any guidance issued by or on behalf of HSE;
- ensure that the Code of Practice on Access to Government Information (including prompt responses to public requests for information) is adhered to; agree an Annual Report;
- respond appropriately to complaints, if necessary with reference to HSE; and
- ensure that the Committee does not exceed its powers and functions.

Communications between WATCH and HSE will generally be channelled through the Chair except where the Committee has agreed that an individual member has the right of access to the HSE on any matter that he or she believes raises important issues relating to his or her duties as a Committee member. In such cases prior agreement of WATCH should normally be sought.

Individual members of WATCH can be removed from office by HSE if they fail to perform the duties required of them in line with the standards expected in public office.

6. **The role of the Chair**

The Chair has particular responsibility for providing effective leadership on the issues above. In addition, the Chair is responsible for:

- ensuring that the Committee meets at appropriate intervals, and that the minutes of meetings and any reports to HSE accurately record the decisions taken and, where appropriate, the views of individual Committee members;
- representing the views of the Committee to the general public; and
ensuring that new Committee members are briefed on appointment (and their training needs considered), and providing an assessment of their performance, on request, when members are considered for re-appointment to WATCH or for appointment to the board or committee of some other public body.

7. The role of the Secretariat

The Secretariat is responsible for:

- ensuring that members are kept informed of developments in policy and administration that concern them;
- ensuring the despatch of any necessary documents to members of the Committee in good time for meetings, appropriately labelled and classified and with full regard for value for money;
- ensuring that the Code of Practice on Access to Government Information (including responses to public requests for information) is adhered to;
- responding appropriately to complaints, if necessary with reference to the Chair and members of the Committee;
- ensuring that any follow-up action required by the Committee is delivered at the appropriate time and in the agreed manner;
- ensuring, with the Chair, that the Committee meets at appropriate intervals; and
- ensuring the minutes of meetings and any reports to HSE accurately record the decisions taken and, where appropriate, the views of the individual Committee members.

8. Handling conflict of interests

WATCH members are appointed on a personal basis, even when nominated by stakeholder groups. However, to avoid any public concern that commercial interests might affect the advice of WATCH, HSE has decided that the arrangements that govern relationships between members and the chemicals industry and information on significant and relevant interests should be on public record. Members will be required to declare any interests on appointment and at relevant meetings. Such interests can be direct or indirect. Examples of a direct interest would be employment at a company that manufactures chemicals and personal involvement in the subject under discussion or being retained as an expert witness in a legal case involving the subject under discussion. An example of an indirect interest would be when a member, working at a University Department, is aware that the Department is part-funded by grants from a particular company, but where the member is not involved in the work funded by that company.
If an interest is declared the member should seek the Chair’s guidance on whether they should take part in the proceedings.

To avoid any danger of WATCH members being influenced, or appearing to be influenced, by their private interests in the exercise of their public duties, all members should declare commercial interests on the basis set out below.

9. Declaration of interests to the Secretariat

On appointment, members of WATCH should inform the Secretariat in writing of their current interests. Members need only declare interests that they are, or should be reasonably expected to be, aware of. Only the name of the company and the nature of the interest are required; the amount involved need not be disclosed to the Secretariat. An interest is current if the member, or a close family member, has an ongoing financial involvement. Members should inform the Secretariat immediately of any change in their personal interests. They will also be asked to complete a declaration form once a year setting out all changes in their interests. Forms 1 and 2 at Appendix 3 are used for this purpose. Declared interests will be made public.

Similarly, at meetings, members must declare any interests they have in the subject under discussion at the start of that discussion.

It is not possible for the Secretariat to give guidance on all possible examples of interests that must be declared. Interests can be direct or indirect, personal or non-personal. If an interest is declared, it will be for the chair to determine whether the member be allowed to take part in proceedings. In doing this, the chair will need to decide whether such interests may, or may be perceived (by a reasonable member of the public) to, influence the member’s judgement.

10. Record of interests

A record is kept by the Secretariat of the names of members who have declared interests to the Secretariat on appointment, as the interest first arises or through the annual declaration, and the nature of the interest.

The Secretariat will also record in the minutes of committee meetings when a member has declared an interest in the subject under discussion. The minutes will also record whether the chair allowed the member to contribute to the discussions on the matter under consideration.

11. Publication

Information about interests declared to the Secretariat will be published in the Annual Report of the Working Group on Action to Control Chemicals.
12. **Personal liability of Committee members**

Legal proceedings by a third party against individual members of advisory committees are very exceptional. The Government has indicated that an individual Committee member who has acted honestly and in good faith will not have to meet out of his or her personal resources any personal civil liability which is incurred in the execution or purported execution of their Committee function, save where the member has acted recklessly.

Members who need further advice should consult the Secretariat.

**Health and Safety Executive**
**11 February 2005**
Appendix 2

THE SEVEN PRINCIPLES OF PUBLIC LIFE

Selflessness
w Members should take decisions 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
w Members should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

Objectivity
w In carrying out public business, including making public appointments, awarding contracts, recommending individuals for rewards and benefits, Members should make choices on merit.

Accountability
w Members are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness
w Members 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
w Members 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 interests.

Leadership

• Members should promote and support these principles by leadership and example.
Appendix 3

Form 1

Working Group on Action to Control Chemicals

Annual declaration of interests in the chemicals industry

Name (block capitals):

Under the guidance of the Code of Conduct on Declaration of Interests, I wish to declare to the Health and Safety Executive that my own interests in the chemicals industry are as follows:

Current direct interests

<table>
<thead>
<tr>
<th>Name of company</th>
<th>Nature of interest (e.g. share holding, consultancy, fees, salary, grants etc)</th>
</tr>
</thead>
</table>

Please state if your interest is limited to a particular product or group of products

Signature:...........................................................

Date:.....................................................................
Form 2

**Working Group on Action to Control Chemicals**

Annual declaration of interests in the chemicals industry

Name (block capitals):

**Indirect interests** during the last 12 months

<table>
<thead>
<tr>
<th>Name of company</th>
<th>Nature of interests</th>
<th>Whether “current” Yes/No</th>
</tr>
</thead>
</table>

Signature:........................................

Date:................................................