



UK REACH

Stakeholder Engagement and Participation –
Information Pack

1. UK REACH: Stakeholder Engagement and Participation – Introduction

The Health and Safety Executive, which has responsibility for operating the UK Agency, welcomes the close cooperation and involvement of all interested stakeholders in implementing the UK REACH processes. All organisations and individuals interested in, affected by, or which have specific expertise relating to UK REACH are encouraged to engage and participate in our work. These pages explain how to get involved.

Our approach to stakeholder engagement and participation in the UK REACH processes is based around having transparent, open and trustworthy relations with stakeholders and working together through meaningful activities. Our stakeholders will represent different actors such as businesses, NGO and civil society groups, as well as the general public who have an interest in UK REACH, and with whom we wish to actively engage in a dialogue. By involving stakeholders in our work in this way, we can ensure that our activities and the associated outcomes of importance to society take account of relevant views and are evidence based.

The Agency will seek to extend the opportunities for engagement and participation as wide as possible, for example through wide participation in public consultations and calls for evidence, as well as bringing in specialist stakeholder groups when the issues demand it.

Our approach to stakeholder engagement and participation is explained in these pages, which provide information on how we seek to take account of stakeholder views in our work. In this respect, we are committed to ensuring that our work is open, transparent and properly informed.

Stakeholder engagement and participation has a crucial role to play in the success of the UK REACH processes and is a key component of the work of the UK Agency. Its purpose in these respects is as follows:

- Help build trust, confidence and accountability in the work of the Agency and thereby contribute to ensuring transparency and openness.
- Benefit from the scientific and technical expertise and knowledge of stakeholders and thus ensure scientific excellence in the Agency's work.
- Where appropriate, benefit from the direct interest representation, input and views of the different stakeholders, thereby ensuring well informed, balanced outcomes that have broad acceptance.
- Whilst respecting the requirement to protect confidential data and associated Agency considerations, contribute to the communication efforts of the Agency to all the various stakeholder groups.

Given the above, stakeholder engagement and participation in the UK REACH processes has a key role in:

- *Information Provision and Gathering in support of the Agency's activities.* Stakeholders provide valuable information, as well as contribute technical and scientific expertise and knowledge in support of the Agency's assessments and opinion making.
- *To ensure Transparency, Trust and Confidence in the UK REACH processes.* In addition to the information gathering aspect, stakeholder engagement is crucial in order to reassure all stakeholders that they can have confidence in the scientific assessment processes being applied openly and impartially, as well as to ensure all available information is taken into account.

1.1 How to Get Involved

Our aim is to undertake meaningful engagement with our stakeholders. There are a number of opportunities for engagement, participation and interaction during a number of the UK REACH processes. Whilst we undertake formal public consultation during our restriction, authorisation and SVHC identification processes, we also engage with stakeholders via a number of other avenues, including face to face meetings, calls for evidence, professional or social networks, social media and other online communication platforms. We also liaise and communicate through the UK Chemical Stakeholder Forum, which has a wider role in enabling discussion between stakeholders, government and regulators in support of effective chemicals and waste management more generally. To be kept informed of our events and meetings, etc., please sign up to receive our e-bulletin [here](#).

1.2 Agency Activities That Stakeholders Can Participate In

Within the various REACH processes managed by the UK Agency, stakeholders have a number of opportunities for engagement, participation and interaction. The table below presents a non-exhaustive list of opportunities for each of the main UK REACH processes managed by the Agency.

Some opportunities may only be open to certain stakeholders by virtue of legislative applicability or organisational constraints. In the latter case, the Agency operates on the basis of a cooperation model involving the concept of **Accredited Stakeholders**. Having Accredited Stakeholders offers the Agency the opportunity to interact and work with a manageable number of relevant stakeholders representing a large proportion of relevant interest groups in the UK. As such, only Accredited Stakeholders will be able to participate in certain meetings and activities (for example, related to Authorisation Applications) as a matter of routine.

If you represent your field of competence at UK level and are interested in closer cooperation with the UK Agency, you are invited to apply for status as an Accredited Stakeholder. Further details of Accredited Stakeholder status can be found later in this document. An [application form to apply for accredited stakeholder status](#) is available.

For stakeholders not able to participate in the work of the Agency as Accredited Stakeholders, input to the Agency's UK REACH processes is primarily via the various

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formal consultation exercises that feed directly into the Agencies work. Comments and input are carefully reviewed and considered by the Agency during the processes. Where applicable, responses to the comments are also published. In addition, stakeholders who are not able to participate directly in meetings may also provide their input indirectly via the representatives of Accredited Stakeholders who are participating in the meetings, or can otherwise request to attend meetings as the discretion of the Agency as invited experts on a case-by-case basis.

Table 1: Opportunities for Participation of Stakeholders in the UK REACH Processes (non-exhaustive list)

| Process | Description | Who should engage? |
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| Regulatory Management Options Analysis (RMOA) | | |
| The Agency publishes an intention to prepare an RMOA | Interested stakeholders contact the Agency to express interest in the topic and share any relevant information they wish to consider in the analysis. This can take place at any time during the preparation of the RMOA. | Registrants and any other interested stakeholder. |
| The Agency engages directly with stakeholders where necessary to clarify specific points in any information that has been provided | Contacted stakeholders respond to questions. | Targeted stakeholders including registrants. |
| Agency shares the draft RMOA with stakeholders that have engaged during the drafting process. | Stakeholders comment on draft RMOA and provide supporting evidence where they wish to challenge information or conclusions in the RMOA. | Engaged stakeholders |
| SVHC Listing | | |
| Agency publishes an intention to propose a substance as an SVHC | Interested stakeholders contact the Agency to express interest in the topic and share relevant information for the Agency to consider. This can take place at any time during the preparation of the SVHC proposal | Registrants and any other interested stakeholder. |
| Agency holds a public consultation on the SVHC proposal. The consultation will typically last for 10 weeks. | Stakeholders provide comments on the proposal | Registrants and any other interested stakeholder, particularly those who may be affected if the substance is identified as an SVHC. |
| Agency holds a public consultation | Stakeholders provide comments on the draft recommendation | Interested stakeholders |

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| on the draft recommendation on additions to SVHC list. The consultation will last for 3 months | | |
| Authorisation | | |
| Pre-submission Information Session | Future applicants for authorisation may request a PSIS to ask case specific questions and clarify regulatory and procedural issues related to the authorisation application process. | Applicants for authorisation |
| Submission of Authorisation Application | Applicants submit their application in accordance with the legal requirements using the given templates for authorisation applications. A public version of the authorisation application will be published on the Agency's website. | Applicants for authorisation |
| Development of Broad Information on Uses | Authorisation applicants are consulted by the Agency and asked for their input into the development of the <i>Broad Information on Uses</i> to ensure the consultation on alternatives is specific, meaningful and efficient (maximising relevant submissions from 3 rd parties and limiting follow-up questions from the Agency). | Applicants for authorisation |
| Public Consultations on Alternatives (substances and technologies) | Following publication of the Broad Information on Uses and the start of the Consultation on Alternatives, Third parties can provide the Agency with information on possible alternatives (substances and technologies) that is relevant to the authorisation application being considered | |
| Written Q&A's on Application and Consultation Responses on Alternatives | Applicants may be requested by the Agency to provide written responses to questions and provide additional information and clarifications in relation to their application, as well as to comment on the information from the consultation on alternatives. Third Party Stakeholders submitting information to the public consultation on alternatives may be requested by the Agency to provide additional information and clarifications regarding their submission | |

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| | on alternatives. | |
| Authorisation Consultation Meeting | Applicants, third party stakeholders who submitted information to the public consultation on alternatives, as well as other Accredited Stakeholders will be invited to attend the Authorisation Consultation Meeting in order to provide information about alternatives, as well as to provide scrutiny and transparency. Authorisation Consultation Meetings include a Q&A session, during which everyone invited to attend can ask questions and express his/her views. | Applicants for authorisation Third party stakeholders who submitted information to the public consultation Accredited Stakeholders |
| <i>Challenge Panel Meetings</i> | Applicants and Accredited Stakeholders will be invited to observe Challenge Panel meetings, though sectoral stakeholder organisations may be invited on a case-by-case basis for particular items on the agenda. Stakeholders will be allowed access as observers with only a limited opportunity for some technical questions and statements to the challenge panel. | Applicants for authorisation Accredited Stakeholders |
| <i>Commenting on Draft Opinions</i> | In line with EUR 2006/1907 article 64(5), the Agency shall send its draft opinions to the applicant for comment. In accordance with the legislation, Third Party Stakeholders have no role. | Applicants for authorisation |
| Restrictions | | |
| Call for evidence (this is an optional restrictions process since there is no legal requirement to undertake this) | Interested stakeholders submit relevant information in response to a call for evidence. Information to be provided within the specified timeframe. | Registrants, users, importers and any other interested stakeholder. |
| Registry of Intentions | Interested stakeholders are not specifically requested to submit information but might contact the Agency either to provide or request information or meetings in relation to the restriction intention. | Registrants, users, importers and any other interested stakeholder. |
| Public consultation on the restriction report | Interested parties are invited to provide information in relation to the published restriction report. The information may be in response to specific questions asked by the Agency or general comments (supported by evidence) about the proposal | Registrants, users, importers and any other interested stakeholder. |

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| Notify registrants of the restriction proposal | The Agency will inform registrants of the substance(s) proposed to be restricted that the restriction process will be initiated. This step does not constitute an invitation to comment or submit information | Registrants |
| Challenge Panel | Accredited stakeholders will be invited to attend Challenge Panel meetings, which form part of the opinion-making process and will review the risk assessment and socio-economic analysis will be reviewed. Accredited stakeholders will be able to ask questions but will not provide advice to the Agency | Accredited stakeholders |
| Public consultation on the draft socio-economic analysis | Interested parties are invited to provide information in relation to the draft socio-economic analysis. The information may be in response to specific questions asked by the Agency or general comments (supported by evidence) about the draft socio-economic opinion | Registrants, users, importers and any other interested stakeholder |

2. Accredited Stakeholders: Our Approach to Engagement and Cooperation

Whilst the Agency welcomes the engagement and participation of all stakeholders in UK REACH, for reasons of practicality and organisational constraints, the Agency’s approach to engagement with stakeholders is for some aspects of UK REACH based on a cooperation model involving the concept of *Accredited Stakeholders*. These are umbrella organisations from different fields and sectors, all working at a UK level and representative of their area of competence. Having Accredited Stakeholders offers the Agency the opportunity to interact and work with a manageable number of relevant stakeholders representing a large proportion of relevant interest groups in the UK. Nevertheless, the Agency will always seek to extend the opportunities for engagement and participation as wide as possible, for example through wide participation in public consultations and calls for evidence, as well as bringing in specialist stakeholder groups when the issues demand it.

Accredited Stakeholders may contribute with their scientific and technical expertise and may bring with them perspectives from their organisation’s collective experience. Accredited Stakeholders have contacts with relevant actors in their field of expertise and can help the Agency to produce and distribute information to the stakeholders whom the Agency might otherwise not reach. At the same time, working together with Accredited Stakeholders allows the opportunity to interact and work in an efficient and mutually beneficial way for the Agency and stakeholders.

Although there are many opportunities and activities that all stakeholders can participate

in, only Accredited Stakeholder will be able to routinely participate in the following UK REACH Activities/open meetings:

- Authorisation Application Consultation Meetings
- Authorisation/Restriction Opinions Challenge Panel Meetings
- Other open meetings called on an ad-hoc basis by the Agency

Being accepted as an Accredited Stakeholder does not guarantee an invitation to all open meetings of the Agency. Accredited Stakeholders who wish to participate in these meetings will have to indicate their interest to do so, according to their interest group coverage as either “regular” stakeholders, or as “occasional” sector-specific stakeholders to be invited on a case-by-case basis. The Agency reserve the right to classify stakeholders as “regular” or “occasional” stakeholders. A limit may be necessary on the number of stakeholders who can attend open face-to-face meetings due to meeting room limitations. In the event of oversubscription of accredited stakeholders wishing to participate at a meeting, a priority process may be used to determine attendance. Stakeholders may also be encouraged to work together by forming a representative ‘consortium’, or to rotate their attendance with other similar interest stakeholders.

2.1 Principles for Accredited Stakeholder Participation in Meetings

To protect the scientific integrity and independence of the UK Agency’s scientific opinions, the input of stakeholders has to remain scientific or technical. Any meetings at which stakeholders are participating should not be used to promote political objectives or for lobbying. To ensure efficiency and continuity, the Accredited Stakeholders participating in the meetings should preferably appoint one person, with the possibility to bring experts for particular agenda points, in agreement with the meeting secretariat. Accredited Stakeholders may be asked to sign a declaration of interest, a code of conduct, and a declaration of confidentiality, before they can participate in some meetings, such as Authorisation Consultation Meetings and Challenge Panel meetings. If there is a change of participant, the declarations need to be signed again. This applies also for any experts accompanying the stakeholders in the meetings.

Stakeholders attending meetings such as Authorisation Consultation Meetings and Challenge Panels should respect the Code of Conduct for participating at Agency meetings. The Agency retains the option to hold the entirety of a meeting, or parts thereof, in closed session, e.g. for reasons of confidentiality.

The principles are presented in more detail in the Code of Conduct for stakeholders which can be found later in this document.

3. How to Become an Accredited Stakeholder

If you represent your field of competence at UK level and are interested in closer cooperation with us, you are welcome to apply to become an accredited stakeholder organisation.

To be eligible, your organisation needs to fulfil the following criteria:

- It is legally established within the UK and has activities at a UK level. EEA established organisations which are also representative and active at UK level are also eligible
- It has a legitimate interest in the UK Agency's areas of work.
- It is representative in the field of its competence.
- It is non-profit making and does not exclusively represent individual companies.

3.1 How to apply?

Provide all requested information including the contact person(s) within your organisation and areas you find interesting for future cooperation. Please provide full information so that we can assess your organisation against the criteria. The [application form](#) is available on the HSE REACH website. .

3.2 When can I apply?

You can submit your application at any time. We assess the applications on a regular basis and you should receive a letter informing you about the outcome of the assessment shortly after submitting your application. In order to ensure applications for accredited stakeholder status are processed in time to allow for any participation at the earliest stage following commencement of UK REACH, application forms should be received by 1st June 2021.

3.3 How are the applications assessed?

The assessment verifies that the organisation meets all the eligibility criteria. It is based on the information provided by the applicant in the application form and in any associated documents submitted.

The assessment process consists of the following:

1. The Agency makes an assessment based on the information provided by the applicant. If the information is unclear, the Agency may refer to the applicant's website or contact the applicant to ask for clarification.
2. The Agency formally approves or rejects the application and informs the applicant of the decision. Where an application is rejected, the Agency will provide reasoning as to why as well as details of an appeal mechanism.

The [application form](#) is available on the HSE REACH website.

4. Code of Conduct for Stakeholders

All stakeholders, including Accredited Stakeholders are expected to abide by and work within the following general rules and principles for participation at Agency meetings:

4.1 General Rules

1. In order to ensure the scientific integrity and independence of the UK Agency's scientific assessment and scrutiny of authorisation applications, the input of all stakeholders has to remain scientific or technical. Such input can only be made at relevant and appropriate stages of the Agency's UK REACH processes. The opportunities for engagement and participation are not to be used to promote political objectives or for lobbying.
2. Whilst the Agency welcomes the engagement and participation of all stakeholders in the relevant UK REACH processes, for reasons of practicality and organisational constraints, only a limited number of stakeholders can be accommodated at open meetings. As such, only *Accredited Stakeholders* may attend these meetings as a matter of routine. At the discretion of the Agency, some sectoral or specialist stakeholder organisations may also be invited on a case-by-case basis for particular items on the agenda.
3. Being accepted as an Accredited Stakeholder does not guarantee an invitation to all open meetings of the Agency. Accredited Stakeholders who wish to participate in these meetings will have to indicate their interest to do so, according to their interest group coverage as either "regular" stakeholders, or as "occasional" sector-specific stakeholders to be invited on a case-by-case basis. The Agency reserve the right to classify stakeholders as "regular" or "occasional" stakeholders. A limit may be necessary on the number of stakeholders who can attend open face-to-face meetings due to meeting room limitations. In the event of oversubscription of accredited stakeholders wishing to participate at a meeting, a priority process may be used to determine attendance. Stakeholders may also be encouraged to work together by forming a representative 'consortium', or to rotate their attendance with other similar interest stakeholders. For meetings which are conducted online, restrictions on the number of accredited stakeholders will be relaxed.
4. The opportunity of attendance of stakeholders at any Agency meeting carries certain responsibilities. Stakeholders must behave with due and proper respect for the meeting proceedings and towards all the participants, as well as abide by the procedures of the meeting and this *Code of Conduct*.
5. Stakeholders are expected to apply the general principles of openness, transparency, honesty and integrity when participating in the work of the Agency, while respecting all applicable confidentiality requirements. They shall always ensure that to the best of their knowledge, information which they provide is relevant to the case, unbiased, up-to-date and where possible complete.
6. Each Accredited Stakeholder is expected to nominate a knowledgeable participant who can follow, understand and where appropriate, contribute with scientific and technical questions and process-related comments regarding the work of the Agency.

7. To ensure efficiency and continuity, the Accredited Stakeholders participating in the various meetings should preferably appoint one person, with the possibility to bring experts for particular agenda points, in agreement with the meeting secretariat.
8. Where relevant and appropriate, meeting Chairs may invite stakeholders to participate in meeting discussions. These interventions should be brief, and the time allocated by the chair shall be respected.
9. Accredited Stakeholders may be asked to sign a declaration of interest and a declaration of confidentiality, before they can participate in some meetings of the Agency. If there is a change of participant, the declarations need to be signed again. This applies also for any experts accompanying the accredited stakeholder in the meetings or any other stakeholders invited to attend the meetings.
10. The Agency may review the list of Accredited Stakeholders annually to accommodate for any additions or changes in the Accredited Stakeholder lists. Stakeholder organisations may be re-classified as a “regular” or “occasional” stakeholder e.g. if the level of participation has been low. Appointed representatives must always declare if they have a direct interest (such as employment or financial) in cases dealt with by the Agency.
11. Inappropriate behaviour or failure to conform to this code of conduct may lead the Agency to exclude a stakeholder from the meeting in question and potentially from future meetings of the Agency. The corresponding stakeholder organisation may subsequently be requested to consider a replacement

4.2 Transparency and Confidentiality

12. The dates for open meetings, as well as the agendas and minutes will be found on the web pages of the Agency. Meeting minutes will be published following agreement. Outcomes of the meetings will be made available on the Agency website including publication of all Agency opinions. To allow maximum participation possibilities to the regular Stakeholders in the work of the Agency, the basic rule that is applied is that documents and meetings are always open for stakeholders whenever possible.
13. Despite the aim of having maximum transparency, including transparent decision-making, there are possible limitations to the participation of Stakeholders in some of the discussions and meetings. The Agency’s UK REACH processes are novel procedures within a UK only setting and may attract controversy because of their regulatory consequences. For this and more general reasons of good governance, it is important to establish an open and transparent opinion-making process which can be subject to outside scrutiny by relevant stakeholders on the part of their constituencies and the general public. However, some of the processes might contain significant amounts of confidential information and there is a need to strike the right balance between transparency and the need to protect confidentiality, subject to the requirements of relevant legislation. To this end, meeting Chairs can close discussions to stakeholders at any time if they consider that there is a chance that confidential information might otherwise be disclosed.

14. Stakeholders shall respect the rules on confidentiality laid down in the declaration of confidentiality. They shall sign a declaration of confidentiality prior to their first attendance at a meeting. Stakeholders shall not get access to any documents containing confidential business information, other confidential information or documentation relating to the agenda points where their participation is excluded. The rules on confidentiality apply in the case of any exception to this rule.
15. The declaration of confidentiality referred to above allows stakeholders to share the non-confidential meeting documents to which they have been granted access with their constituents, but they shall not make them or their content publicly available unless they are already publicly available. The stakeholders may in general terms report to their constituents about the discussions held at the meeting, but they shall respect the confidential nature of deliberations and views of individual participants. Furthermore, reports to media shall respect the same conditions.
16. Stakeholder are requested to sign an acceptance notice of having received, read and accepted to respect this code of conduct.