

Appendix A

1. Letter to Chair from Sir Colin Blakemore
2. Letter to Chair from Professor Duncan Maskell
3. Letter to Chair from SSRC



Sir Colin Blakemore

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Tim Bennett
Chair of the Board
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27 March 2106

Dear Tim,

General Advisory Committee on Science: opinion of the Triennial Review

You might already have heard from Guy Poppy or Penny Bramwell that GACS discussed the Triennial Review of the Scientific Advisory Committees at its meeting last Thursday.

I asked for an oral report on the Review to be included in the agenda because GACS had not had an opportunity to talk together about the Review. Contrary to what is asserted in para. 3.1 of the Review ("The SACs **(except the GACS)** all play a role in setting their own agenda"), I am always consulted on the agenda of meetings of GACS and often ask for issues of concern to be added.

After circulation of the draft Review, I was consulted by Guy and Patrick Miller, and I know that there was a teleconference call with other members of GACS. Nevertheless, several members of GACS expressed surprise at the fact that GACS, which was established to provide advice and challenge on the Agency's use of science, had not had an opportunity to talk together and to exchange views about the Review before its publication.

Members of GACS were, of course, aware that the Review has already been approved, in principle, by the Board, and has had ministerial sign-off. I had intended this item on the agenda to consist of a brief oral report from Guy, Penny and/or Patrick and a conversation about how GACS and the individual Scientific Advisory Committees (SACs) can assist the Agency in the transition to new arrangements. Indeed, I introduced the item by saying that "we should not be raking over the coals" of this issue. However, when I opened discussion, it quickly became an extensive and passionate criticism of many aspects of the Review and its recommendations. This was, I assure you, entirely unrehearsed and was as unexpected for me as it was for Guy, Penny and Patrick Miller, who witnessed the outpouring of concern about plans for the future of advice and challenge in the Agency. Patrick is preparing Minutes of the meeting but I thought that I should write immediately to summarize the discussion.

As you will know, GACS consists of the Chairs of the five specialized SACs considered in

Triennial Review, plus the chairs of COC (Professor David Phillips) and COM (Dr David Lovell), four independent experts (Janet Bainbridge, Colin Dennis, Duncan Maskell and Anne Murcott), myself as chair, and two lay members (Pamela Goldberg and Leen Petré). In addition (and a very important addition), Dr Ann Prentice, Chair of SACN, attends as an Observer, providing a crucial link with Public Health England and the Department of Health. Except for Sarah O'Brien, every member of GACS was present at the meeting on Thursday and they agreed that their disquiet should be recorded as unanimous.

Professor Peter Gregory (chair of ACNFP) and Dr Ian Brown (chair of ACAF) expressed concern about the plan to merge the two committees into a new SAC on Innovation in the Food Chain. They acknowledged that, if the UK stays in the European Union and if EFSA assumes more responsibility for assessment of novel food applications, the role of ACNFP will be diminished. However, if the two, very different areas of advisory responsibility are retained, they argued that they would be better served by two separate SACs.

Professor Peter Jackson, chair of SSRC, expressed dismay at the proposed new name for that committee (Applied Strategic Science Committee), not recognising a relationship between social science and "strategic science". The suggested name seemed mysterious to other members of GACS. Peter also objected to the proposed change in status of SSRC from an aNDPB to a Departmental Expert Committee (DEC). This is being perceived as a diminution in the status of social science by the members of SSRC and by the social science community more widely.

There was extensive criticism of the lack of any clear, consistent rationale for the distinction between these two forms of SACs. There has been much assurance outside the Review that there is essentially no difference in the mode of operation of aNDPBs and DEC, and members of GACS asked why, then, there should be any distinction at all. There are several references in the Review to the "style and volume of work" determining whether a SAC should be an expert committee. But members of GACS had also been told that new guidance from the Cabinet Office would seek to limit aNDPB status to SACs that are more "outward" looking and likely to interact with related SACs in other departments. Yet the Review says that SSRC "should broaden its external focus and work, where possible, with other social science experts across Government and internationally to develop and share opinions such as the Defra social science panel" (para 2.58); and "SSRC in future should link, where possible, with other social science expertise used across Government (Defra, CO, PHE/DH)" (2.62). This seems to contradict the conclusion that "SSRC should move to become an expert committee of FSA, reflecting its focussed (*sic*) role in advising FSA and the likely volume and nature of its work" (2.63).

The plans for GACS to be wound up and replaced with much smaller Science Council, occupied much of the discussion. Members of GACS were puzzled, even shocked, at the lack of evidence or argument in the Review to support this radical recommendation. What has changed since the last review of GACS in 2011, which recommended its continuation? The Review offers no reasoning for the proposed changes, beyond this, in para 2.46: "In 2014, the FSA revised its internal arrangements for governance on science and appointed an external Chief Scientific Adviser for FSA. The review concludes that the FSA should adopt new arrangements for scientific advice, challenge and support to its CSA. Therefore, the GACS should be replaced with a newly appointed, smaller (4-5 members) expert Committee of leading scientists, from relevant and related fields to FSA's priorities, as the new FSA Science Council." Members of GACS had searched the

Review, without success, for evidence or reasoning to support this recommendation.

The potential for damage to the FSA's reputation for inclusion, transparency and commitment to evidence was raised by several members of GACS. How will the Science Council represent the range of disciplines and subjects covered by all seven SACs that advise the FSA directly, not to mention the six others listed on the FSA website (www.food.gov.uk/science/ouradvisors), if it is to have only "4-5 members" who are "leading scientists, from relevant **and related** fields to FSA's priorities". If "related fields" are to be included, will there be only 2 or 3 members of the Science Council to cover the mainstream interests of the FSA? And what will be their relationship with the SACs? The chairs of the FSA's SACs, on whom the Agency relies for expertise, risk assessment and advice on its core business, felt that they might be excluded from the process of providing both support to the CSA and challenge to the Agency.

Many members commented on the importance of the opportunity provided by GACS to meet and exchange views with the chairs of other SACs (as well as with external and lay members). One of GACS' main achievements is the institutionalization of cross-committee and cross-secretariat working, with members shared between SACs and with joint working on many topics. The participation of SAC chairs in the Working Groups of GACS has given those Groups direct access to the experience of the SACs and has helped to ensure that the recommendations of the Working Groups are known to and respected by the SACs.

During the consultation on the Review, I and many others expressed concern about the loss of a forum for SAC chairs to meet and work together. Member of GACS were relieved to hear that this need is recognized and that some (undefined) mechanism will be put in place to provide a similar opportunity for interaction. But they were left questioning the wisdom of dismantling GACS, and then inventing *ad hoc* arrangements to reconstitute important features of GACS that will be lost.

Much the same argument was raised by Pamela Goldberg and Leen Petré about the failure of the Review to recognize the importance of lay representation on GACS. They felt that it would send a very unfortunate signal to consumers and the public in general if reorganization were to lead to removal of lay representatives from the FSA's overarching advisory committee.

Finally, Ann Prentice expressed her disappointment that if SACN cannot have some sort of representation on the Science Council (as it now does on GACS), a vital link between strategic thinking on food safety and on nutrition will be lost.

The members of GACS were left asking what the driver was for the recommendations in the Review, since they could find no evidence to support them in the document. If it is simply an assumption that the FSA must adopt a high-level advisory structure similar to that in other departments, may I say that, as chair of GACS, I have always been treated by GO Science as the equivalent of the chairs of Science Councils in other departments. Just last month (17 February) I was invited, as chair of GACS, to attend a meeting of "Chairs of Scientific Advisory Councils" called by Sir Mark Walport. The discussion at that meeting revealed that overarching advisory bodies in other departments vary in size and composition: there is no single, approved model. Other chairs expressed admiration for the openness with which GACS conducts its business, and for its ability to challenge, and it was clear that standards that are considered routine at the FSA are seen as aspirations for advisory structures elsewhere in government.

As well as these specific criticisms of the outcome of the Review, there were expressions of concern from some members of GACS about the direction of travel of the Agency, signalled by changes recommended in the Review. Those with long memories recalled the historical origins of the FSA and were worried that the nature of this Review might indicate compromises in the independence, transparency and respect for evidence that had characterized the Agency since its birth 15 years ago.

On behalf of GACS, I ask you to circulate this letter to members of the Board. I think that I have expressed accurately the opinions and the unanimous disquiet of every member of the Agency's overarching advisory committee, including the chair of every SAC that advises the FSA directly (except for Sarah O'Brien, who was absent).

Yours sincerely

Colin

Colin Blakemore
Chair of GACS

cc: Catherine Brown, Chief Executive
Dr Stephen Wearne, Director of Policy
Professor Guy Poppy, Chief Scientific Advisor
Dr Penny Bramwell, Director of Science, Evidence and Research
Members of GACS and Dr Ann Prentice

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31 March 2016

Dear Tim

General Advisory Committee on Science: Triennial Review

As the four independent expert members of GACS, we write* to follow up the recent letter to you from its Chair, Sir Colin Blakemore, in which he relayed to you the recorded unanimous grave concern among members about the quality of the report of the triennial review and the unexpected processes leading to its adoption. We wholly support all the points made in his letter. Here we add to it, enlarging upon and emphasising the following, for we wish to make clear that the disquiet is strong among us, and does not come only from the SAC Chairs.

The basis for our membership of GACS as independent experts means that we are especially well placed to reiterate how fundamental both challenge and openness are to the FSA. These commitments uphold the vital principles of independence and transparency enshrined in the recommendations of The Research Review Group (of which one of us, Maskell, was a member), chaired by Sir John Arbuthnott, whose report was published in 2001. One of its most powerful guiding tenets was the commitment that the commissioning of research and the use of evidence should be open and transparent. Accordingly, the Advisory Committee on Research (ACR) (of which Maskell and Murcott were members since its inception), duly created as recommended by Arbuthnott and sustained in the later creation of GACS, was able to challenge the FSA in an open and transparent way. Bringing a new Science Council "in-house" may not, in practice, undermine or dispose of these principles, as a result of the undoubted goodwill of the present incumbents. It is, however, highly likely to be perceived as doing so and will fuel wider opinion that there is an attempt to stifle opposition and challenge. More seriously, the lack of formal provision for independence and challenge effected by bringing the committee "in house" does not protect against the possible behaviour of future incumbents with fewer virtues.

None should forget that the principles of openness and challenge are of a piece with the very foundation of the Agency itself. Failure energetically and formally to preserve those principles may put

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at risk some 20 years' efforts permanently to move away from the expensive and sometimes tragic mistakes of MAFF, as exemplified by BSE.

We are dismayed at the report's failure to follow accepted principles in terms of the presentation of evidence to support interpretations/recommendations. As a result, no-one is able to take an informed view of whatever it is that has changed since the positive review of GACS in 2011, some (unknowable) assessment of which has presumably led to a conclusion that GACS has to be dissolved. Such a mode of proceeding is totally at odds with an Agency that properly proclaims that its actions are evidence-based.

Furthermore, we add the reminder that GACS' predecessor, the ACR (already mentioned), was dissolved and replaced by GACS in key part in order to bring together the chairs of the SACs (who had hitherto been isolated from each other) with independent experts at the same time as retaining the ACR's lay membership – arguably essential to an Agency publicly committed to consumers. The only thing that seems to have changed in this respect since the Review of GACS in 2011 is, as reported in the recent review, (para 2.48), that 'some interviewees suggested that the presence of the SAC Chairs on GACS could be seen as a constraint on its ability to provide fully independent challenge across the FSA's use of science from its Committees'. The difficulty is that it is not known whether this suggestion reflects (among many other matters of interpretation of interview material) an anxiety, in principle, lest the presence of the Chairs acts as a constraint or whether there is concrete evidence of this ever happening. To our knowledge, this has not happened. Indeed, there is a collegiate – which is not the same as 'cosy' – relationship amongst GACS members where criticisms/challenge of one another's position is regarded as an essential element of the work, part and parcel of the obligations all have undertaken to carry out and to meet.

It is precisely because we are wholly committed to the Agency, its work and what it stands for that we are sufficiently exercised to add our voice to those already raised.

We ask if you would circulate this letter to members of the Board along with other such correspondence.

Yours sincerely,

Professor Duncan Maskell on behalf of the Independent Expert Members of GACS

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* Anne Murcott is already signatory to a separate letter to you specifically about the Review's treatment of the Social Science Research Committee.

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To: Tim Bennett, Chair FSA Board

Dear Tim:

We are writing in support of Sir Colin Blakemore's recent letter as Chair of GACS about the Triennial Review of the SACs. As the two social scientists on GACS (one of whom is an independent member, the other ex officio as Chair of SSRC), we wish to highlight a number of concerns focusing on those of most relevance from a social science perspective.

The proposed change in SSRC's status from an ANDPB to an 'in-house' Expert Committee will be widely perceived as a diminution in the importance that the Agency attaches to social science evidence and research. It is also likely, as Sir Colin pointed out in earlier correspondence, to make it harder to recruit the best social scientists to work for the Agency.

The need for greater consistency across Government in the use of ANDPBs and Expert Committees appears to be derived from the Cabinet Office review whose work, we are told, is not yet complete and still unpublished – so not available for public scrutiny.

Comparison with OGDs is, in any case, of questionable relevance given the FSA's distinctive history where the need for transparency and independence is of particular importance. The FSA actually compares very favourably with OGDs in terms of the openness and transparency with which it treats scientific evidence and advice. It is, for example, very difficult to find any information about the Defra-DECC social science advisory committee on the web. Their papers appear not to be published which suggests that they are not a model of best practice that SSRC or other SACs should be encouraged to follow.

All those who expressed a view in the open call for evidence supported the retention of ANDPB status for all of the Agency's SACs and their advice appears to have been ignored.

Several SSRC Committee members have reported their concerns that bringing scientific advice 'in house' has led to a reduction in the real or perceived independence of advisory committees in other areas of Government. Their concerns were reported in the teleconference of SAC Chairs on 19 January but the note of that meeting, taken by David Self, appears not to have been made public.

One of the reasons given in the Review for changing the status of SSRC is that its role is mainly internal to the FSA – but the Review then encourages SSRC to take a more outward-facing role, including greater interaction with OGDs.

More specifically, we see no justification for the proposed name-change of the SSRC (to the Applied Strategic Science Committee) which was greeted with incomprehension at GACS.

We note, with regret, the diminished role of lay members in the SACs for which no rationale is provided.

We also have concerns about the proposed size of the Science Council. With just 4-5 members, it is unlikely to include a social scientist, at a time when the Agency acknowledges that the need for social science advice has never been greater.

While we welcome the reassurances in Guy Poppy's letter to GACS members about the continued independence of the SACs, these assurances need to be incorporated in our Terms of Reference rather than relying on the goodwill of the current office-holder.

Finally, we would like to emphasise that these points are made with the best interests of the Agency at heart, reinforcing the need for all of the SACs to maintain their role in providing independent advice and challenge which their continued status as ANDPBs would ensure.

Sincerely

Professor Peter Jackson (Chair of SSRC) and Professor Anne Murcott (independent member of GACS)