



**Joint Plenary Meeting of the  
SCIENTIFIC COMMITTEES ON  
CONSUMER SAFETY (SCCS),  
HEALTH AND ENVIRONMENTAL RISKS (SCHER) AND  
EMERGING AND NEWLY IDENTIFIED HEALTH RISKS (SCENIHR)**

**Independence, Declarations of Interest and Confidentiality**

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*Health and  
Consumers*

**1**

- ❖ **1. Background**
- ❖ **2. Independence**
- ❖ **3. Declarations of Interest**
- ❖ **4. Transparency**
- ❖ **5. Confidentiality**



## 1. BACKGROUND:

Commission Decision 2008/721/EC, sets up the Advisory structure on scientific risk assessment areas for consumer safety, public health and the environment.

Provisions are set for the principles of :

- **Independence (Art. 15)**
- **Transparency (Art. 16)**
- **Confidentiality (Art. 17)**

## 2. INDEPENDENCE:

- Essential component ensuring high quality /reliability of scientific advice.
- Central principle together with excellence and transparency.
- Key requisite to empower public's trust and confidence.
- DoIs / CoIs (conflicts of interest) of members of scientific advisory bodies scrutinised by civil society, stakeholders, EP, NGOs...
- Zero tolerance approach to possible CoIs → driving force of some civil society organisations.

- Perception of independence is as important as the independence itself, but subjective.
- Mainly challenged in sensitive areas.
- Declaring an interest does not automatically imply a conflict of interest
- Policies on independence/rules of procedure constantly improved to respond to the increasing public demand for openness and transparency.
- Need to balance access to best scientific expertise versus need to prevent any CoIs.

## **3. DECLARATIONS**

### **3.1 The Declarations of Interest (DoIs)**

#### ***Why this tool ?***

- Scientific Advisory structures increasingly criticized on independence
- Research policies encourage public-private partnerships, innovation, knowledge transfer
- Experts have unavoidable links with industry
- Important to control potential CoIs
- Important to differentiate interests and CoIs
- DoI is only one of the tools of independence
- DoIs allows to ensure that, even if there is an interest, CoI will not occur

#### ***How does it work?***

DoI allows for:

- Collecting interests
- Screening Interests
- Deciding on participation
- Public screening

### ***When collecting interests ?***

- Nomination to the SCs and their WG (Annual DoIs)
- Before WG (Specific DoIs )
- At each meeting – first point of the agenda (Oral DoIs)

### ***What to declare →***

- Ownership of shares/investments
- Membership in Management Body/equivalent structure
- Membership in another Scientific Body
- Employment
- Consultancy/Advice
- Research
- Intellectual rights
- Other membership or affiliation
- Interest of close family members
- Others

### ***Screening of interests → avoiding CoIs***

- Depending on interest declared+ group's mandate + experts' role (chair/rapporteur, drafting) → full/limited/no participation allowed → decision recorded
- Not allowed to review / assess own work

### ***Consequences of a non-declared Interest ?***

- Breach of trust procedure
- Commission takes any action necessary, including dismissal of expert(s) concerned



## **3.2 Declaration of Commitment are required to ensure in particular that experts:**

- **act in the public interest (independent !)**
- **declare any direct or indirect interests prejudicial to independence**
- **comply with SCs' rules on DoIs and Independence**

### 3.3 Other mechanisms contributing to independence:

- **Collegiality:** scientific opinions adopted by college of independent scientists (avoiding any individual-led process).
- **Inter-disciplinarity and multi-disciplinarity:** all scientific aspects taken into account during preparation / finalisation of scientific advice.
- **Absence of hierarchical links** between experts.
- **Decisions** adopted by majority.
- **Minority opinions** recorded, with scientific reasoning.



## 4. TRANSPARENCY

- Key element in ensuring independence.
- Acts as a safeguard tool → public scrutiny.
- Article 16 of COM. Decision 2008/728/EC → activities carried out with a high level of transparency:
  - a) **Publication of all relevant documents concerning RA activity with undue delay**  
*(e.g. requests, agenda, minutes, opinions; minority opinions; DoIs; etc.)*
  - b) **Transparency rules applied in accordance with the requirements of Reg. 45/2001/EC (personal data protection) and Reg. 1049/2001 (access to docs).**

## 5. CONFIDENTIALITY

***"Members of the SCs, scientific advisors, external experts and trainees shall not divulge information acquired as a result of the work of the SCs, thematic workshops, working groups or other activities related to the application of Decision (2008/721), when they are informed that it is confidential."***

**All participants and observers of the work of the SCs are to respect the confidentiality during the preparation of the opinion.**

**Declaration concerning confidentiality → to be filled in.**

# Conclusions

- DoI/CoI is based on experts' information
- Importance of transparency
- Collegiate way of Committees' work guarantees independence
- Rules adapted to the increasing demands and levels of scrutiny
- Breach of trust: importance of remedial actions
- Balance scientific expertise with prevention of CoIs