

## Policy on Publication of Authority and Committee Papers

- Approved by Authority via written resolution issued 12 November 2010. Decision noted by Authority at meeting 8 December 2010

### 1. Policy Statement/Intentions

- 1.1. This document sets out the Authority's policy on the publication on its website, of papers (including agenda and minutes) that relate to meetings of the:
  - a) Authority;
  - b) Audit and Governance Committee;
  - c) Compliance Committee;
  - d) Remuneration Committee;
  - e) Scientific and Clinical Advances Advisory Committee (SCAAC);
  - f) Ethics and Law Advisory Committee (ELAC);
  - g) Executive Licensing Panel;
  - h) Licence Committee;
  - i) Research Licence Committee;
  - j) Appeals Committee.
  - k) Register Research Panel;
  - l) Register Research Review Panel; and
  - m) Oversight Committee
- 1.2. In drafting this policy, the Authority has had regard to the requirements of the Information Commissioner's Model Publication Scheme which was adopted by the Authority at its meeting on 17th December 2008.
- 1.3. This policy will come into effect on 1st October 2009.

### 2. Procedures

#### 2.1. Roles and responsibilities

- 2.1.1. The secretary to the Authority or relevant committee or panel shall be responsible for ensuring that documents, which include the agenda, any papers and presentations, and minutes, are published on the Authority's website in accordance with the policy set out in this document.
- 2.1.2. Should the relevant secretary be absent from work or otherwise unable to comply with this policy, the Private Secretary shall be responsible for ensuring compliance with this policy.
- 2.1.3. Where there is an issue as to whether documents, or parts of documents, should be redacted or withheld from publication, the secretary shall refer the matter to the Chair of the Authority or Chair of the relevant committee or panel for decision.

- 2.1.4. The Chair may obtain advice from the Authority's legal team or Freedom of Information Officer, before making a decision.

### **3. Documents To Be Published On The Authority's Website**

#### **3.1. Authority meetings**

- 3.1.1. Subject to sections 4 and 5 below, the following documents will normally be published on the website 2 working days in advance of any Authority:
- a) agenda;
  - b) background papers to be relied on at the meeting; and
  - c) presentations (including slides or handouts).
- 3.1.2. Subject to sections 4 and 5 below, tabled papers considered at the Authority meeting which were not published in advance of the meeting will normally be published on the website within 2 working days of the Authority meeting at which they were considered.
- 3.1.3. Within 2 working days of the Authority meeting, a summary of the decisions taken at that meeting will normally be published on the website.
- 3.1.4. The minutes of an Authority meeting will normally be considered at the next subsequent meeting of the Authority and subject to sections 4 and 5 below, the approved minutes will normally be published on the website within 8 working days of the day on which the minutes were ratified by the Chair.

#### **3.2. Committees not concerned with licensing**

- 3.2.1. Subject to sections 4 and 5 below, the following documents will normally be published on the website 2 working days in advance of any committee meeting (other than a committee or panel concerned with licensing):
- a) agenda;
  - b) background papers to be relied on at the meeting; and
  - c) presentations (including slides or handouts).
- 3.2.2. The publication of presentations made to the Authority's Advisory Committees (SCAAC and ELAC) should be considered on a case by case basis as there may be legitimate concerns about the confidential nature of research.
- 3.2.3. Subject to sections 4 and 5 below, the following documents will be normally be published on the website within 8 working days of the committee meeting to which they relate:
- a) minutes; and
  - b) tabled papers not published in advance of the meeting.

**3.3. Committees concerned with licensing**  
*(Executive Licensing Panel; Licence Committee; Research Licence Committee; Appeal Committee)*

3.3.1 Subject to section 4 below, the following documents will normally be published on the website 2 working days in advance of a meeting of the Executive Licensing Panel; Licence or Research Licence Committee, or of the Appeal Committee:

- a) agenda.

3.3.2 Subject to section 4 below, the following documents will normally be published on the website within 8 working days of the meeting of the Executive Licensing Panel; Licence or Research Committee or of the Appeal Committee **(redacted where necessary to preserve the anonymity of any patients concerned, and additionally in the case of papers relating to applications for research, redacted to preserve any commercially sensitive information or sensitive personal data relating to clinic staff, which is exempt from publication in accordance with the provisions of the Freedom of Information Act 2000)**:

- a) minutes of the meeting where that panel or committee considered an initial or renewal licence application, or an interim inspection report;
- b) minutes of the meeting where that panel or committee considered whether to vary, suspend or revoke a licence (and any decision notices in relation to such decisions);
- c) minutes of meetings relating to consideration by that panel or committee of Grade A Serious Incidents or Serious Adverse Reactions;
- d) minutes of meetings where that panel or committee considered applications for Pre-implantation Genetic Diagnosis;
- e) any inspection report relating to an initial inspection or a renewal or interim inspection which was considered by the panel or committee, or any other type of inspection report on which the panel or committee made its decision to vary, suspend or revoke a licence;
- f) reports of Grade A Serious Incidents or Serious Adverse Reactions considered by the panel or committee;
- g) documents relating to applications for Pre-implantation Genetic Diagnosis.

**4. Documents that will not be published on the Authority's website**

4.1. The following documents will not normally be published on the website:

- a) confidential reports and draft papers relating to ongoing research presented to the Scientific and Clinical Advances Committee;

- b) material that is covered by copyright not held by the Authority. In instances where the publication of papers on the Authority's website is prohibited by copyright the full title and reference of the paper will be provided;
  - c) information which is exempt from disclosure under the Data Protection Act 1998 or Part II of the Freedom of Information Act 2000 ('FOI Act');
  - d) information, the disclosure of which would be a breach of section 33A of the Human Fertilisation and Embryology Act 1990 ('the HFE Act');
  - e) transcripts of representations hearings; and
  - f) Inspection reports and minutes of Licence and Research Licence Committees prior to 2004.
- The documents set out in paragraph 4.1 (a) relate to ongoing research and are not published on the Authority's website if they have not yet been published in clinical or scientific journals by the author. This is because there may subsequently be further advances in the research which render the report or paper obsolete.
  - The documents set out in paragraph 4.1(e) will not normally be published on the website because transcripts are not always commissioned, and where transcripts are produced, the resource implications required to redact the transcript before publication would be intensive. However, copies of any transcripts which have been commissioned and received by the Authority would be available under the Authority's Freedom of Information Regime.
  - The documents set out in paragraph 4.1(f) exist in a form which is not suitable for publication on the website without significant redaction to preserve patient confidentiality. These documents would be available under the Authority's Freedom of Information Regime and where requested, the particular documents would be redacted as necessary before release.

## **5. Documents that will be published on the Authority's website only after a time delay**

- 5.1 The High Level Risk Register considered by the Audit and Governance Committee, and subsequently by the Authority will be published on the website 12 months after the meeting on which it was considered by the Authority.

## **6. Review period**

- 6.1 This policy is subject to review by the Authority at least every three years.

**Control sheet**

**Document control**

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**Version/revision control**

Version	Changes	Updated by:	Release date
1.0			
1.1	Draft amended following comments at Authority meeting in July 2009; further amended to include Appeal Committee and publication of PGD documentation	D Gomez	1 <sup>st</sup> October 2009

\* Excluding control sheet