



Department
for Environment
Food & Rural Affairs

Animal Sentience Committee Terms of Reference

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Contents

Animal Welfare Centre of Expertise (AWCE).....	5
Terms of Reference	7
Statutory functions.....	7
Aims and purpose.....	7
Scope	8
Objectives and responsibilities	8
Engagement with government Departments	9
Engagement with Parliament.....	10
Engagement with stakeholders and the public	10
Work plan	11
Reports and recommendations.....	11
Publication of reports.....	12
Communications.....	12
Transparency.....	13
Committee Operations.....	14
Appointments to the Committee	14
Role of the Chair.....	14
Role of members	16
The Seven Principles of Public Life	17
Register of members' interests	17
Members' fees and expenses.....	17
Secretariat	17
Governance.....	18
Links with AWC and AWCE affiliates.....	19
Membership.....	19
Cross-referral of issues	20
Joint working.....	20

Shared resources21

Governance21

Glossary of key terms22

Annex A23

Register of members' interests23

Members' fees and expenses25

DRAFT

Animal Welfare Centre of Expertise (AWCE)

The Animal Welfare Centre of Expertise is the Government's expert advisory group that supports policy decisions on animal welfare. It acts as a hub of expert and specialist advice to the UK Government, and to the Devolved Administrations, on matters pertaining to the welfare of animals.

Defra is responsible for supporting AWCE, whose members provide independent advice and/or scrutiny. AWCE is organised into constituent committees, which have their own distinct purpose whilst also sharing joint interests.

Membership of each constituent committee are discrete appointments. Membership of one constituent committee does not confer membership or rights related to another. However, suitably qualified individuals may serve on more than one committee at any given time (see the Membership section for more information) and members are in equal standing as members of AWCE.

Given their distinct remits and memberships, no constituent committee is under a duty to seek approval from another to issue a given report or piece of advice. Instead, AWCE constituents are encouraged to draw on each other's expertise when fulfilling their responsibilities (see the Joint Working section for more details).

AWCE's constituents are the Animal Sentience Committee, the Animal Welfare Committee (AWC) the Welfare at Killing (WAK) committee, and the Zoos Expert Committee (ZEC). The respective roles and remits of AWCE constituents are summarised below.

Animal Welfare Committee (AWC)

The Animal Welfare Committee is a non-statutory expert committee which provides advice to government on animal welfare issues.

AWC issues advice as requested by Defra, the Welsh Government and the Scottish Government.

AWC's terms of reference can be found [here](#).

Welfare at Killing Committee (WAK)

The Welfare at Killing Committee is a statutory expert Committee which provides substantive scientific advice to government on the protection of animals at time of killing.

WAK advises Defra and all three devolved administrations.

Zoos Expert Committee (ZEC)

The Zoos Expert Committee is a non-statutory expert committee which provides advice to government on animal welfare issues relating to zoos.

ZEC issues advice as requested by Defra, the Welsh Government, the Scottish Government and the Northern Ireland Executive.

ZEC's terms of reference can be found [here](#).

Animal Sentience Committee

The Animal Sentience Committee is established by the Animal Welfare (Sentience) Bill to furnish accountability to Parliament for consideration of animal welfare in Ministerial decisions.

The Committee scrutinises policy decision making by all UK Government Departments. Its remit does not extend to devolved matters.

Its Terms of Reference are provided the section below. A separate section provides more information on links between the Animal Sentience Committee and other AWCE constituents.

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Terms of Reference

Defra is issuing these Terms of Reference as the host Department for the Animal Sentience Committee (also referred to as 'the Committee'). They describe both aspects of the Committee's governance and oversight for which Defra is solely responsible, and day to day operations which are for the Committee to conduct as it wishes.

Statutory functions

When any UK Government policy is being or has been formulated or implemented, the Committee has statutory powers to produce reports containing its views on whether, or to what extent, the UK Government is having, or has had, all due regard to the ways in which the policy might have an adverse effect on the welfare of animals as sentient beings.

These reports should also contain recommendations on the steps the Committee considers the government should take for the purpose of ensuring that, in relation to any further formulation or implementation of the policy, the UK Government has all due regard to the ways in which that policy might have an adverse effect on the welfare of animals as sentient beings.

In relation to these powers, the term 'adverse effect' applies where a selected policy might harm or have a negative effect on the welfare of animals as sentient beings, such as animals being deprived of one or more of the five "welfare needs" as set out in the Animal Welfare Act 2006. The Committee may also consider positive effects on animals as sentient beings in the policy-making process.

Aims and purpose

The purpose of the Committee's reports is to support accountability to Parliament in relation to the UK Government policy decisions under consideration. The relevant Secretary of State will be required to lay a response in Parliament to each Committee report. It is then a matter for Parliament to decide how to consider such responses.

It may also be beneficial for UK Government Departments to seek advice from the Committee to assist them in understanding the effects of particular policies on the welfare of animals as sentient beings. In so doing, the Committee should engage closely with the Animal Welfare Committee (AWC), which holds similar non-statutory expert advisory responsibilities (see 'Links with AWC and AWCE affiliates' section below).

The Committee is a constituent of the Animal Welfare Centre of Expertise (AWCE - see section below), whose overarching aim is to help ensure that, and to provide assurance that, UK Government policy decisions are appropriately informed by an understanding of the impacts of those decisions on the welfare of sentient animals, and that this

understanding is duly taken into account alongside all other matters of public interest when final policy decisions are made. The Committee will likely benefit from working with affiliate committees which are also part of AWCE, particularly the Animal Welfare Committee (see Links with AWC and AWCE affiliates).

Scope

The Committee may issue a report on any policy for which UK Government Ministers are responsible. The Committee cannot issue a report on any policy which relates to legislative provisions falling within devolved competence.

When considering the welfare of animals as sentient beings, the term 'animal' has the same meaning as set out in section 5 of the Animal Welfare (Sentience) Act.

Objectives and responsibilities

Once established, it will be for the Committee to formally ratify its objectives and responsibilities. However, Defra would expect the committee to look at:

- Form an overview of all UK Government policy decisions which have a significant material or possible effect on the welfare of animals. This need not cover every single policy matter, instead the Committee's overview could cover policies which are of a higher priority from an animal welfare perspective.
- The selection of particular policy decisions for the purpose of producing a report. This choice will be a matter for the Committee. When exercising this choice, the Committee will likely wish to seek views from other interested parties such as UK Government Departments, Parliament (e.g., the EFRA select committee), stakeholders, and others.
- The Committee may also prioritise policies which are more significant in terms of the nature and scale of the effects on animals; or which are more significant in terms of the extent of Parliamentary, Departmental, stakeholder or public interest; or which are more significant in terms of the types of evidential issues they present. The Committee is not expected to consider individual operational decisions (e.g. planning adjudication decisions) nor to consider matters of fiscal policy
- In order to maximise its value-added, the Committee will likely be expected to take into account the extent to which some policy decisions are already subject to other scrutiny arrangements involving other bodies in respect to their impacts on animal welfare. For example, recognising existing advisory bodies and scrutiny mechanisms such as the Trade and Agriculture Commission and the Animals in Science Committee avoiding duplication of their functions such as scrutiny and reporting on Animal Welfare standards in Free Trade Agreements

- The Committee may be expected to prioritise considering current or recent policy decisions. Given the Committee's core purpose of furnishing Ministerial accountability to Parliament, the Committee may wish to prioritise policy decisions made by, or substantially affecting, the current government in place. This does not preclude the Committee from examining policy decision making by previous government where this has a significant bearing on ongoing policy making.
- The Committee can decide what form its reports may take. For example, the Committee may choose to issue more detailed reports in relation to past policy decisions, as set out in a work plan, and in addition the Committee may choose to issue smaller ad hoc reports at short notice in relation to a policy currently under formulation.
- In addition to producing statutory reports, the Committee may wish to provide UK Government Departments with non-statutory advice and support. This will comprise both general advice to policy makers (see below) and bespoke advice where requested by Departments. In so doing, the Committee would be expected to engage closely with AWC.
- When developing its reports, the Committee may also seek input, evidence and views from external persons and bodies, such as other specialist experts, other AWCE affiliates, Departments and stakeholders amongst others.
- The Committee's reports will provide its views on whether, or to what extent, the UK Government is having, or has had, all due regard to the ways in which the policy might have an adverse effect on the welfare of animals. The primary focus of the Committee's views may, however, relate more narrowly to providing an assessment of how well the Department in question obtained and assessed relevant evidence on the animal welfare effects of the policy in question. In this context, a wide interpretation of evidence may apply, and could include externally commissioned research, as well as drawing from other sources of expert advice, amongst other things. It is not for the Committee to reach a value judgment on whether a given policy decision balanced the welfare of animals with other matters of public interest
- The Committee's reports might also contain constructive recommendations on the steps the Committee considers the government should take for the purpose of ensuring that, in relation to any further formulation or implementation of the policy, the UK Government has all due regard to the ways in which that policy might have an adverse effect on the welfare of animals as sentient beings.

Engagement with government Departments

The co-operation of UK Government Departments is necessary for the Committee to be able to work most effectively. However, departments are not subject to a legal duty to consult with the Committee.

Defra will support the Committee in engaging with other government Departments and vice versa.

Defra expects government Departments to:

- Engage with the Committee to enable the Committee to form an overview of policy decisions, including prospective future policy and policy currently under formulation.
- Support the Committee as it prepares its reports, including providing the Committee with information when requested and assisting the Committee with its enquiries.
- Where relevant, consider engaging with the Committee about securing ad hoc non-statutory views and advice about the effects of policy decisions on animal welfare. Departments may benefit from doing this at the earlier stages of the decision-making process.

In the event that a Department fails to engage with the Committee or assist it with reasonable requests for information as it prepares a report, the Committee may record this non-cooperation in said report.

Departments will be provided by Defra with separate guidance relating to all of their responsibilities under the Animal Welfare (Sentience) Act. Defra will develop this in conjunction with the Committee.

Engagement with Parliament

The core purpose of the Committee is to furnish accountability to Parliament for Ministerial decision-making.

In light of this, the Committee might wish to engage with Parliament (in particular with the EFRA Select Committee) in relation to a range of matters, such as which policy decisions may be subject to a report from the Committee, and to the timing and nature of such reports.

Engagement with stakeholders and the public

In discharging its objectives and responsibilities, the Committee may choose to engage with a range of external bodies and individuals as the Committee sees fit. This may include other animal welfare experts, for example in specialist fields, as well as representatives of stakeholder groups. This may include considering the full range of stakeholder groups, for example industry groups as well as animal welfare groups (e.g., EuroFAWC, the European Forum for Animal Welfare Councils).

This engagement may also extend to other members of the public who are not necessarily representatives of stakeholder groups who the Committee considers can provide valuable support.

Work plan

The Committee is responsible for determining which policies it wishes to consider, and for deciding what form of reports it wishes to publish in each case. In so doing, the Committee may wish to produce a forward-looking work plan which indicates which policy decisions the Committee intends to consider over the coming year. This may help facilitate effective engagement with key parties such as the relevant UK Government Departments affected.

The Committee may adjust and amend this work plan during the year, including if the Committee chooses to issue a timely short report at short notice in response to an emerging development.

The Committee should likely co-ordinate its work plan with other constituents of the Animals Centre of Expertise, and is encouraged to liaise with Defra so as to minimise duplication.

Whilst there are no legal restrictions or limits on the number of reports which the Committee issues, taking into account the outputs of other expert advisory reports, Defra expects that the Committee's work plan will cover six to eight substantive reports per year. This would not be inclusive of any additional timely short reports that the Committee produces.

Reports and recommendations

The Committee has the statutory power to issue reports giving its opinion on whether, or to what extent, the Government is having, or has had, all due regard to the ways in which a policy might have an adverse effect on the welfare of animals as sentient beings. When publishing its reports, the Committee may include (non-binding) recommendations to the Government on how it could ensure all due regard is had in the future development or implementation of the policy.

The Committee may structure its reports how it wishes. However, Defra recommends that each report set out:

- A high-level outline of the context of the policy decision in question.
- A description and timeline of the policy decision.
- An account of the actions taken by the Department to assess the adverse effects of the policy decision on the welfare of animals as sentient beings.

- The Committee's views on the Department's actions.
- If applicable, recommendations to the Department as to the steps that could be taken to ensure that any potential adverse effects on animal welfare arising from future development or implementation of the policy are given all due regard.

Committee members should use their best endeavours to reach a consensus on the contents of a report. Where full agreement cannot be reached, members should seek a mutually acceptable position. If this is not possible, reports should indicate the areas of disagreement. The Committee's final recommendations will be a matter for the Chair to determine.

Publication of reports

Reports will be issued by the Committee in its own name and are not subject to review or approval by other bodies, such as by the relevant UK Government Department, or by the Committee's secretariat, or by AWC.

The Committee's secretariat will be responsible for placing signed-off reports on the Committee's public website. The Chair will, with assistance from the secretariat:

- Inform the relevant government Department of the report's publication.
- Remind the Department of their statutory duty to submit a written response to Parliament, within the timeframe set out in section 3 of the Animal Welfare (Sentience) Act.
- Refer the Department to the separate non-statutory guidance which will be prepared for Departments (including advice on preparing responses to Committee reports).

Communications

The secretariat will operate an integrated online presence for the Committee together with that for AWC. Communications activity may include the use of social media by the secretariat, with support from Defra's communications division. The Committee will have discretion to decide what material to place on its public website and will have discretion to issue press notices in relation to its work plan and its reports.

Communications between the Committee and Departments will usually involve the Chair, with support from the secretariat, except where the Chair agrees that an individual member should act in his or her place.

Approaches from the media regarding the Committee's work should be directed to the secretariat in the first instance. Approaches may then be referred to the Chair, who will act as spokesperson if necessary.

Committee members may be approached, including in a personal capacity or as a representative of the Committee, to address conferences and other events. Attendance will be for Committee members to decide. It should be made clear to the event organisers and the audience whether the member will be speaking on behalf of the Committee or in a personal capacity.

If representing the Committee at an event, it is important to present the agreed view of the Committee. If a member is speaking personally but is identified as a member of the Committee, then it should be made clear that the individual's view is not necessarily that of the Committee.

Transparency

The Committee will be expected to promote a culture of openness. It will prepare a publication scheme in accordance with section 19 of the Freedom of Information Act 2000, and the Committee will comply with all other requirements of the Act. Reports will be published on the Committee's website.

Committee publications are subject to Crown copyright administered by Her Majesty's Stationery Office. Publications may be reproduced free of charge if information is reproduced accurately and not used in a misleading context. Material must be acknowledged as Crown copyright with the title and source of the publication specified.

The secretariat will aim to resolve complaints about any aspects of the Committee's work. Where this is not possible, the complainant should address the issue to the Chair (who may refer the matter to the full Committee). If the complainant is not satisfied with the Chair's response, the matter may be referred to Defra's Complaints Adjudicator who will make an impartial assessment of the case. If the matter remains unresolved, the complainant may refer it to the Permanent Secretary at Defra.

Committee Operations

Appointments to the Committee

Members will be appointed by the Secretary of State for Environment, Food and Rural Affairs through open competition. Although appointments to the Committee are not regulated by the Office of the Commissioner for Public Appointments, the Secretary of State will generally adhere to its guidelines on best practice¹. The Secretary of State will seek to appoint experts with appropriate experience relating to policy decision-making and/or the welfare of animals. The Secretary of State may, at his or her discretion, invite Committee members to participate in recruitment panels in a personal capacity, but the Committee itself will have no role in the recruitment process.

The Committee shall be guided by expertise, including on scientific matters. The Secretary of State may seek to promote a diversity of expertise, such that the Committee is able to offer high-quality advice on policy decision-making and its animal welfare implications across the remit of central government.

The Secretary of State will appoint between 8-12 Committee members, working on a part-time basis. They are expected to work on Committee business for 15-20 days per year. Appointments will usually be made for a term of four years, which may be renewed once (eight years in total). However, in line with the Governance Code on Public Appointments, extensions may occasionally be sought if the Secretary of State decides an individual's skills and expertise is needed beyond such a tenure.

The Secretary of State reserves the right to terminate appointments if he or she considers that a member's performance, attendance or conduct has been unsatisfactory. Additionally, the Secretary of State may terminate an appointment if a member discloses, or is found to have, a conflict of interest which threatens the integrity of the Committee's work or could otherwise bring the Committee into disrepute.

Role of the Chair

The Chair will be responsible for providing the Committee with effective leadership. The Chair may act as the Committee's spokesperson, although this function may be delegated to other members. The Chair of the Committee will work on a part-time basis, dedicating at least 20 days per year to Committee business.

¹ [Microsoft Word - 20161216 Governance Code FINAL in CO template.docx \(publishing.service.gov.uk\)](#)

In addition, it is proposed that the Chair link would be responsible for:

- The operation and output of the Committee, including approving final reports and ensuring they are robust and of high quality, and managing the Committee's workload.
- Acting as the public spokesperson for the Committee, and (with support from the secretariat) managing the Committee's public, media and web presence and profile.
- Ensuring that the Committee meets at appropriate intervals, and that the minutes of meetings accurately record the decisions taken.
- Ensuring that every Committee member has the opportunity to be heard and that no view is ignored or overlooked, using, where appropriate, a structured process which ensures that all views are captured and explored.
- Ensuring that any significant diversity of opinion among the members is fully explored and discussed and, if it cannot be reconciled, is accurately reflected in the advice.
- With support from the secretariat, liaise with government Departments developing policies that are, or will be, under consideration by the Committee.
- Engaging informally with government Departments after the Committee has issued recommendations.
- With support from the secretariat, engage with Parliament (especially EFRA).
- Engaging with other key stakeholders as required.
- Ensuring that new members are briefed on appointment and their training needs considered.
- Responding appropriately to complaints, if necessary, with reference to Defra as the host Department.
- Overseeing liaison between the Committee and other affiliates of AWCE.
- Managing other engagement with other external individuals or bodies who may provide valuable support to the Committee.

It is envisaged that these responsibilities would be included in any advertisements produced by the Secretary of State when recruiting the Chair. The Secretary of State has discretion to vary the description of the role, and any changes should be discussed with the outgoing Chair, where appropriate.

Should the Chair encounter any difficulties fulfilling the responsibilities and commitments associated with the post following appointment, he or she should inform the secretariat or Committee SRO promptly (senior responsible officer- see the Governance section below).

Role of members

Members of the Committee have collective responsibility for the operation of the Committee. Their responsibilities could include:

- Engaging fully in collective consideration of the issues, taking account of the full range of relevant evidence.
- Ensuring that the Committee works within its statutory remit
- Ensuring that the Committee's policy on transparency is adhered to.

Members are expected to contribute approximately 15-20 days a year to Animal Sentience Committee work. This includes attending meetings, visits, drafting or preparation work.

These responsibilities and expectations will be included in any advertisements produced by the Secretary of State when recruiting members. However, the Secretary of State has discretion to vary the description of the role, and any changes may be discussed with the Chair, where appropriate.

Should a member encounter any difficulties fulfilling the responsibilities and commitments associated with the post following appointment, he or she should inform the Secretariat or Chair promptly.

Any member wishing to resign mid-term should do so by writing to the Secretary of State, copying to the Chair. In certain circumstances (e.g., conflict of interests, poor attendance, improper conduct) members may have their term of appointment terminated by the Secretary of State.

Members' names, a brief pen picture and a register of members' interests will be made available on the Committee's public website. Defra's secretariat will adhere to regulations under the Data Protection Act 2018, and any superseding regulations, at all times when handling personal data.

The Seven Principles of Public Life

Committee members are expected to uphold the standards of conduct set out in the Committee on Standards in Public Life's Seven Principles of Public Life² and are expected to adhere to the Code of Conduct for board members of public bodies³. At all times, Committee members are expected to observe the highest standards of impartiality, integrity and objectivity in relation to the advice they provide.

Failure to adhere to the Code of Conduct could result in suspension or termination of an individual's membership of the Committee. Any suspected breaches of the Code should be reported to the Chair and the Committee's SRO. The Chair and the SRO should investigate any such complaint and report their findings to the Secretary of State. It would be for the Secretary of State to determine what, if any, action should be taken.

Register of members' interests

Annex A provides more details about how members' interests, and potential conflicts of interest, will be managed.

Members' fees and expenses

Annex A provides more details about how members' fees and expenses will be covered. Total expenditure on the Committee will be similar to that on other AWCE affiliates, and will not exceed £500,000 per annum.

Secretariat

Responsibilities of the secretariat will include, but will not be limited to:

- Maintaining proper records.
- Creating and maintaining a register of interests.
- Correspondence, including managing the mailbox and processing of Freedom of Information Act requests.

² [The Seven Principles of Public Life - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

³ [Code of Conduct for Board Members of Public Bodies June 2019 - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

- Supporting the Committee in liaising with government Departments (including other Defra officials), with Parliament (EFRA) and with key stakeholders as required.
- Ensuring good governance, including secretariat support for Committee meetings.
- Monitoring the Committee's expenditure.
- Processing members' claims and expenses.
- Recruitment and (re)appointment of members.

Governance

Defra recommends that the Committee adopt the following structure and processes, in line with other constituent committees of AWCE:

Plenary meeting: The full Committee could meet four times a year to discuss the Committee's strategic direction, current and forthcoming projects and other relevant issues, and sign off reports. We propose that plenary meetings should require a quorum of two-thirds of serving members (rounded down). Meetings may be held in Defra offices or may take place virtually. Plenary meetings are not open to the public, but it is expected that summaries of these meetings should be published on the Committee's webpage.

Performance review meeting: The plenary meeting may be complemented by an annual performance review meeting between the Chair, Defra officials (including the Committee's SRO) and the secretariat to report on progress on the Committee's work plan, on representative events and other issues relating to the Committee.

Work plan review meeting: The Committee could meet once a year to draft its workplan for the next calendar year.

Working groups: Smaller working groups may be assembled to draft reports, but the Committee may wish to require the publication of a report to be subject to approval by the Chair at a meeting of the full Committee.

AWC Plenary meeting: Defra recommends that AWC invites members of the Committee to attend its annual plenary meeting, for the purposes of sharing information and co-ordinating work programmes.

Additionally, an annual consultative meeting will be held, to which members of all constituent committees of AWCE are invited.

The Committee's SRO will be a senior official nominated by Defra. The SRO will be responsible for high-level oversight of expenditure by the Committee (including members' expenses) and ensuring good governance, such as by managing conflicts of interest and complaints.

Links with AWC and AWCE affiliates

Whilst the Committee and other AWCE affiliates have some distinct and differing roles and responsibilities, they also have some common functions. For example, AWCE affiliates might provide non-statutory advice on the effects a policy decision may have on animal welfare. All AWCE affiliates also operate as expert bodies in understanding, assessing and considering the welfare needs of animals as part of AWCE- which is managed by Defra.

In addition, AWCE is served by a joint secretariat based in Defra. AWCE affiliates are subject to similar governance arrangements and have the same senior responsible officer (SRO) at Defra. All affiliates share the same website. Some individuals may sit on – all AWCE committees, and one individual may serve as Chair of more than one committee. and AWCE affiliates -may draw from the other's expertise where this provides valuable support- this means that suitably qualified members of one committee may be invited to contribute to working groups of another to contribute to the preparation of reports and/or advice. Final reports of the Committee are subject to approval of the Committee's plenary meeting, in which only full Committee members may participate in decision making

It is expected that the Committee will have a particularly close working relationship with AWC. The two committees may refer some issues to each other where another is best placed to offer non-statutory advice. The Committee's statutory scrutiny function may only be fulfilled by the Committee itself.

Membership

Membership of the Committee, AWC and other AWCE affiliates are discrete appointments. Membership of another AWCE affiliate does not automatically confer membership of the Committee, and vice versa.

At the same time, members of the Committee, AWC and other AWCE affiliates may hold other appointments as these are not full-time posts. Suitably qualified members of the Committee may apply for any vacancies on AWC and other AWCE affiliates (on the same basis as other applicants) and vice versa. This also applies to the Chairs of AWC and of the Committee.

Where an individual is appointed to more than one committee, they may only act in their capacity as a member of one committee at any given time. Additionally, any member who has advised a government Department on a policy issue, via their membership of AWC or another AWCE committee, may not participate in the Committee's scrutiny of a related policy decision.

Cross-referral of issues

Where government Departments approach the Committee for non-statutory advice on how the welfare of animals might be affected by a possible policy decision, the Chair of the Committee may engage with AWC about whether AWC would be better placed to provide this advice. AWC may wish to accept such a referral where expert advice is being sought on animal welfare matters, and where AWC's supporting administrations (Defra, the Welsh Government and the Scottish Government) agree with this referral. The policies of the Scottish and Welsh Governments are within AWC's remit, but not the Committee's. It is therefore likely that agreement to refer a matter between the two would only be reached if the policy issue is relevant to all administrations in Great Britain.

In preparing its work plan, the Committee may wish to take account of the AWC's work programme, including the timing of the reports that the AWC is due to publish. Equally, AWC's work programme may reflect the Committee's reports and their recommendations, especially where the Committee recommends for example that policy decisions are based on more expert evidence, and where AWC may be best placed to provide that additional evidence.

Joint working

The roles of the Committee and of AWC are closest in relation to situations when UK Government Departments wish to seek non-statutory views and advice from the Committee about the effects on animal welfare of policy decisions, including prospective future policy and policy currently being formulated.

The Committee should be expected to engage closely with AWC especially in these circumstances, and the Committee and AWC may agree in some cases that AWC may be better placed to furnish UK Government Departments with such non-statutory expert advice and support.

The Committee's case by case engagement with individual experts who are external to the Committee may also extend to engaging with individual members of AWC where this provides valuable support.

In relation to individual remits, both AWC and the Committee may draw valuable support from experts external to their committees, and it would be possible for those expert persons to be members of the other committee, where they successfully apply for membership of both.

In relation to the provision of non-statutory advice, rather than the Committee referring matters to AWC it would also be possible for the Committee and AWC to jointly provide such expert advice, subject to the agreement of Defra, the Welsh Government and the Scottish Government.

Members of the Committee may attend the AWC plenary meetings, and AWC members may attend the Committee's plenary meetings, to help facilitate mutual awareness and coordination for example in relation to areas of priority interest.

Shared resources

As constituents of AWCE, the Committee and AWC share a dedicated joint secretariat, sitting within Defra. The secretariat will maintain one joint website and point of contact for the committees.

The Committee and AWC are supported financially from the same Defra budget, with remuneration for committee members being the same. Additional expenditure arising from the establishment and maintenance of the Committee will not exceed £500,000 per annum.

Governance

AWC and the Committee share similar governance and accountability arrangements, in terms of all key aspects of committee operations and their oversight. The AWC and the Animal Sentience Committee share a joint SRO, nominated by Defra.

Glossary of key terms

- A **policy** is a decision made or implemented by a UK Minister which affects the activities of government, business, charities or members of the public. This includes, but is not limited to, the processes of making regulations, legislating, allocating resources or promoting a course of action.
- **Recommendations** may be issued to government Departments by the Committee in its reports. The Committee is authorised by the Animal Welfare (Sentience) Act to make recommendations for the purpose of ensuring that, in any further formulation or implementation of a policy, the Government has all due regard to the ways in which the policy might have an adverse effect on the welfare of animals as sentient beings. Recommendations are non-binding.
- **Effects on the welfare of animals** are the direct or indirect implications of a policy on the welfare of live animals deemed sentient for the purposes of the Animal Welfare (Sentience) Bill.
- **Sentience** may be defined by the Committee for its own purposes; however, the Committee may only scrutinise government policymaking with respect to animals defined as sentient under the Animal Welfare (Sentience) Bill, as may be amended by the Secretary of State by regulations.
- **Individual operational decisions** are decisions for which no bespoke Ministerial direction is sought or required⁴. For example, an official-level decision to grant an individual a licence under a licensing scheme would constitute an operational decision and therefore not fall within the scope of the Committee. By comparison, the establishment and design of the licensing scheme would constitute a policy, and therefore be in the Committee's scope.
- **Adverse effects** are where a policy may have a negative effect on the welfare of animals as sentient beings, such as animals being deprived of one or more of the five "welfare needs" as set out in the Animal Welfare Act 2006. The Committee may also consider positive effects on animals as sentient beings in the policy-making process.

⁴ Additionally, operational decisions include routine or official-level decisions which are subsequently referred to Ministers as part of an appeals process

Annex A

Register of members' interests

The Chair and Committee members will serve as individuals and not as representatives of any organisation or sector.

To avoid public concern that commercial and/or non-commercial interests might affect the advice of the Committee, information on significant and relevant interests of the membership should be on public record. A declaration of interest form should be completed by new members and updated by existing members each year and cleared by the senior responsible owner (SRO). A register of members' interests is maintained by the secretariat and available on the Committee's public website.

To avoid any danger of members being influenced, or appearing to be influenced, by their private interests in the exercise of their public duties, all members should declare any personal or business interest which might, or might be perceived to, influence their judgement. This should include, as a minimum, personal direct and indirect financial interests. The register of interests is maintained by the secretariat and is open to the public on request.

The following is a guide to the kinds of interests that should be declared. Where members are uncertain as to the relevance of a particular interest, they should seek guidance from the secretariat. If there are interests not specified in this guidance but which members believe could be regarded as influencing their advice, they should declare them.

A commercial interest involves payment directly to the member. For our purposes, this relates to interests connected with animal welfare. The main examples are:

- a) **Employment:** In an area directly relevant to the farming industry, animal protection societies, research bodies or veterinary profession.
- b) **Consultancies:** Any consultancy, directorship, position in or work for the farming industry, animal protection societies, research bodies or the veterinary profession which attracts regular or occasional payments in cash or kind.
- c) **Fee Paid Work:** Any work commissioned by the farming industry, animal protection societies, research bodies or the veterinary profession for which the member is paid in cash or kind.
- d) **Shareholdings:** Any holding or other beneficial interest in shares in any of the above. This does not include shareholdings through unit trusts or similar arrangements where the member has no influence on financial management.

There are other positions of influence for which members do not receive remuneration (other than expenses) but which, nonetheless, should be declared:

- e) **Fellowships:** The holding of a fellowship, e.g. endowed by the industry.
- f) **Support:** Any payment, other support or sponsorship by the farming industry, animal protection societies, research bodies or the veterinary profession which does not convey any pecuniary or material benefit to a member personally, but which does benefit their position, for example:
 - i. A grant from a company for the running of a unit for which a member is responsible.
 - ii. A grant or fellowship or other payment to sponsor a post or a member of staff in the unit for which a member is responsible. This does not include financial assistance for students.
 - iii. The commissioning of research or other work by staff employed in a unit for which a member is responsible.
- g) **Trusteeships:** Any investment in the farming industry, animal protection societies, research bodies or the veterinary profession held by a charity for which a member is a trustee. Where a member is a trustee of a charity with investments in the industry, the secretariat can agree with the member a general declaration to cover this interest rather than draw up a detailed portfolio.
- h) **Memberships:** For example, of any organisation relevant to the work of the Committee particularly if a position of influence is held.

Neither the members nor the secretariat are under an obligation to search out links between one company and another. For example, there might be instances where a company with which a member is connected has an interest in another relevant company of which the member is not aware and could not reasonably be expected to be aware.

Some members may be bound by the terms of a contract which require them to keep the fact of the contractual arrangement confidential. Any member so affected should seek to agree an entry for the public register with the other party. If such agreement does not prove possible, the member should seek a waiver permitting them to disclose their interest, in confidence, to the secretariat who will maintain a confidential register of such disclosures which will not form part of the public record.

Committee members are required to declare any direct commercial interest in matters under discussion at each meeting, whether they then decide, in consultation with the Chair of the meeting, to excuse themselves from discussions or not.

Members and applicants must declare any political interests, such as holding an office in a political party or membership of a direct-action group.

In members' public roles, members should be, and be seen to be, politically impartial. Members should not occupy a paid party political post or hold a particularly sensitive or high-profile role in a political party. Members should abstain from all controversial political

activity and comply with the principles set out in Cabinet Office rules on attendance at party conferences and on conduct during the period prior to elections and referendums, whether local or national.

On matters directly related to the work of the Committee, members should not make political statements or engage in any other political activity. Additionally, members should inform the Chair and/or Defra before undertaking any significant political activity.

Subject to the above, members may engage in political activity but should, at all times, remain conscious of their responsibilities as a Committee member and exercise proper discretion.

Committee members who are MPs, members of the House of Lords, members of a devolved legislature, directly elected mayors, local councillors or police and crime commissioners, are exempt from these requirements. There is no bar on such representatives taking a political party whip relating to their political role. Members must, however, exercise proper discretion on matters directly related to the work of the Committee and recognise that certain political activities may be incompatible with the role of the Committee. Members should not allow themselves to become embroiled in matters of political controversy.

In their capacity as members of the Committee, members should be even-handed in all dealings with political parties.

The Secretary of State reserves the right to decline to consider an application from an individual whose previous or ongoing conduct suggests that individual's membership could damage the reputation or credibility of the Committee, for example membership of an extremist organisation.

Members' fees and expenses

Members will be entitled to the same allowances as AWC members. This includes an attendance fee of £300 per day for meetings, and the Chair to £500 per day. These fees are in line with members' fees for the AWC.

Members can claim the daily fee (or half day) for time spent on Committee business not associated with a particular meeting, e.g. for research or drafting work, with the agreement of the secretariat and within available resources.

Members can claim an hourly fee of £37.50, and the Chair an hourly fee of £62.50, for time spent on Committee business not associated with a particular meeting, e.g. for research or drafting work, with the agreement of the secretariat and within available resources.

Members can be reimbursed for all reasonable expenditure incurred in connection with attendance at Committee meetings, visits and representative events. This includes

reimbursement of standard-class rail travel or mileage for use of private cars at 45p per mile. First-class rail travel cannot be reimbursed.

In line with Defra's target of reducing domestic flights under Greening Government Commitments, air travel between locations on mainland England, Wales and Scotland is not permitted.

Those needing to stay away from home for Committee business will have reasonable claims reimbursed. Members should be guided by the current Defra rates of allowance for hotel accommodation, which set a ceiling for actual bed and breakfast costs of £130 in London, £100 in Bristol, £90 in Warrington, £85 in Reading and £75 elsewhere. Members should keep overnight expenses (lunch, dinner, newspapers, telephone calls, etc.) within the current Defra 24-hour rate of £20. No costs relating to alcohol will be reimbursed.

Completed claim forms should be submitted, with an original or electronic signature, to the secretariat within a reasonable timeframe of the work being undertaken and, in any event, before the end of the financial year. Emailed/scanned copies of the claim forms and receipts can be accepted. All forms will be accompanied by receipts for all expenses being claimed. Claims should be submitted on the following forms:

For all meetings held in London:

- **For all expenses** (e.g. fees for meetings and drafting time and any travel expenses) on form NTWK58.

For all meetings held outside of London:

- **For non-taxable expenses** (e.g. travel & subsistence) on form SOP21.
- **For taxable expenses** (e.g. fees for meetings and drafting time) on form NTWK58.

Where members attend meetings, seminars or conferences as a representative of the Committee, the usual fee will be payable, provided representation has been agreed with the secretariat. If the organisers of an event, and not the Committee, are considered to be the prime beneficiary from a member's attendance, no fee is payable, the expectation being that a fee can be claimed from the organiser.