

FARM ANIMAL WELFARE COUNCIL RESULTS OF 2009 REVIEW – GOVERNMENT RESPONSE TO RECOMMENDATIONS

Note: The comments on resource implications and priorities are those of the reviewer

- 1. Sources of advice (page 22).** Defra and the devolved administrations should keep under review the scope of advice on farm animal welfare they request from different sources, including FAWC. In FAWC's case, this is also relevant to guiding its strategy, appointing its members and encouraging the use of expert advisers.

Resource implications: none. Priority: in the course of usual day-to-day work.

Defra and devolved administrations (DAs) will keep under review the advice they request on farm animal welfare and officials will be actively involved with development of the next FAWC Strategic Plan for 2011-2015, which will be agreed with Ministers before publication. Defra and the DAs are already closely involved in decisions on the type of expertise that should be recruited to FAWC and in the recruitment process and new appointments. They offer expert advice to FAWC where they have this capacity or can suggest where expert advice could be obtained. Defra and the DAs recognise that FAWC is an independent advisory committee.

- 2. Terms of reference (page 24).** Defra and the devolved administrations should consider the following revised terms of reference:

"To further the welfare of farm animals by:

- keeping under review practices on agricultural land, at market, in transit and at any place of killing;
- investigating issues arising from such review ;
- investigating any related issues as requested by Government;
- advising the Government of any legislative or other changes that may be necessary; and
- making public its key findings and advice independently."

The accompanying rider could then be reduced to: "In pursuing this remit, the Council can communicate freely with outside bodies, the European Commission and the public."

Resource implications: insignificant. Priority: part of immediate follow-up to review.

There seems to be some merit in updating FAWC's terms of reference. Defra and the DAs will want to speak to the Council about amended terms of reference before agreeing these with Ministers. Agree that FAWC's objective is to further or improve animal welfare but this could be regarded as implicit in the Committee's remit. The reference to 'place of slaughter' in the current terms of reference brings in abattoirs.

Killing elsewhere is covered by the reference to welfare on agricultural land etc. but any ambiguity could be removed by replacing 'at the place of slaughter' with 'at any place of killing'.

- 3. Devolved administrations (page 31).** FAWC, Defra and the devolved administrations should consider ways in which the Scottish and Welsh Assembly Governments can become more involved in FAWC activities.

Resource implications: insignificant –options are straightforward and limited.

Priority: part of immediate follow-up to review and on-going.

FAWC already rotates its Council meetings between London, Edinburgh and Cardiff. Officials in England, Scotland and Wales receive all Council, Standing Committee and Working Group agendas and meeting papers and are welcome to attend any meetings. The DAs are also fully consulted as FAWC develops its strategic plan and FAWC aims to hold at least an annual meeting with DA officials, including CVOs, and Ministers if they are available. The DAs can also (and do) refer specific issues to FAWC for advice. However, they have limited resources to attend meetings. **DAs and FAWC**

- 4. New English animal health body (page 33).** Defra's Animal Welfare Team should maintain close contact with the Responsibility and Cost Sharing Advisory Group. The team should ensure welfare considerations are fully taken into account; that any new body is aware of the advice FAWC can offer; and that this is covered in any Service Level Agreement. The team also needs to consider how the work of the England Implementation Group (EIG) on the delivery of welfare strategy may best be taken forward by the sector councils and others.

Resource implications: none – part of Team's day-to-day work. Priority: high.

Defra will ensure that animal welfare is fully taken into account in the report of the independent advisory group, chaired by Rosemary Radcliffe, and that welfare is considered before any decision is taken on how to take forward the commitment in the coalition agreement for government to investigate ways to share with livestock keepers the responsibility for preparing for and dealing with outbreaks of animal disease.

- 5. Relations with Government (page 37).** Defra and the devolved administrations need to ensure that FAWC's strategic plan matches their priorities and that FAWC is clear about EU and other timetables. They should agree deadlines with FAWC for the production of advice and also agree how outcomes may be monitored and measured.

Resource implications: none. Priority: high, in the course of the current strategic planning process.

Defra and the devolved administrations will keep FAWC informed of their requirements for advice on farm animal welfare, and the wider EU and other developments, by active involvement with the development of the next FAWC Strategic Plan for 2011-2015. Deadlines will be agreed and outcomes monitored to ensure the effectiveness of FAWC advice.

- 6. Choice of topics (page 38).** Defra and the devolved administrations should keep under review whether there are more topics on which they would welcome FAWC's advice.

Resource implications: none. Priority: in the course of usual day-to-day work.

In addition to feeding priority topics for farm animal welfare advice into the development of the Strategic Plan for 2011-2015, **Defra and the devolved administrations** will continue to refer ad hoc requests as necessary. They will also ensure that any ad hoc requests for advice that arise during the Plan period are prioritised and achievable within the resources and workload at the time.

- 7. Review of outcomes (page 38).** FAWC should review selectively but systematically the outcomes of its earlier advice and raise any concerns with Defra and the devolved administrations.

Resource implications: potentially considerable. Would need to replace additional new work to some extent. Priority: medium.

FAWC has undertaken reviews of some of its previous reports and will continue to assess the use its advice is put to by government, particularly the impact of FAWC recommendations on policy and legislation. Recent government responses to FAWC Reports have given a helpful indication of how recommendations will be used and these responses will assist future reviews. FAWC accept that it is no longer possible for Government to respond in detail to each individual recommendation, but more general feedback on how FAWC's recommendations will be addressed is helpful. The commitments within the last Strategic Plan for 2006-2010 have been, or are in the process of being delivered.

- 8. Form of advice (page 38).** FAWC, Defra and the devolved administrations should review how FAWC currently presents its advice.

Resource implications: none unless a review cannot be fitted in by adjusting priorities in the short-term. In the longer term, this recommendation should result in savings through the production of more relevant and easily-handled advice. Priority: high.

FAWC, Defra and the devolved administrations will discuss how FAWC presents its advice to suit subject matter and audience. In particular, the need for short executive summaries in simple language will be considered. Opinions and letters are vehicles for quicker, more targeted advice that Government find very useful and

expects to make more requests for these. Proposals for wider provision of information to the public should be set out in the Strategic Plan.

- 9. Relations with other UK organisations (page 40).** FAWC should:
- regularly update its stakeholders by email on developments. Such an update could be used to alert stakeholders to new material on FAWC's website, including notes of meetings, reports and opinions. It could also give advance warning of publications and news of any other significant developments;
 - seek to make its annual open meeting more productive, perhaps by focusing on a single subject. It could also consider holding open meetings before and/or after reports are published;
 - put fuller notes of Council meetings on its web-site;
 - consider whether it should make Council meetings open if demand emerges for that.

Resource implications: (1) up-date could require 10 EO/HEO days a year, costing about £5k; (2) any additional open meetings would cost about £5 k plus Secretariat time in preparation and attendance; (3) the costs of putting fuller notes of Council meetings on the web-site would be about 2 days of SEO/HEO time. Might be off-set by producing shorter notes for members, or using the same ones Priority: medium.

Ministers have asked FAWC to consider what further improvement can be made within existing or future budget constraints. For example by:

- trial use of an e-mail alert system when significant new material is put on the website.
- review the format of its annual Open Meeting in order to make it more effective.
- put fuller notes of meetings on the website, subject to confidentiality.
- reconsider open Council meetings if demand emerges.

- 10. Publicity (page 40).** Defra, the devolved administrations and FAWC should consider how FAWC's work might be made known more widely.

Resource implications: depends how it is done. Employing consultants for 10 days would cost about £7k. Using in-house staff for a similar period would cost about £3k Priority: high.

Where opportunities arise and within existing or future resource parameters and Government expenditure criteria, **FAWC, Defra and the devolved administrations** will highlight the work of FAWC but are not proposing any further specific targeted action. We welcome the development of FAWC's Website as the Council's main communication route with more than 150,000 hits per month and nearly 15,000 report/opinion/advice downloads per month (2010 first six months). The main focus of FAWC's work will remain its advice to Government but the Secretariat will ensure that influential groups such as the veterinary and farming press; producer, welfare, retailer and consumer organisations; the larger retailers; and assurance schemes remain on its stakeholder list. FAWC will also contribute articles to relevant

publications, so that its views are made known to those who can directly affect the welfare of farmed animals.

- 11. Relations with international organisations (page 42).** FAWC might usefully build closer links with the European Commission, either directly or through Defra, to ensure that there is no duplication of work.

Resource implications: about £2k a year if an annual meeting in Brussels is required. Insignificant if not. Priority: medium.

Ministers note that considerable progress has been made recently in bringing together advisory bodies on animal welfare within Europe through the establishment of the European Forum of Animal Welfare Advisory Councils (EuroFAWC), which has the support of the EU Commission. FAWC has played an important role in this success. FAWC Chairman has met with officials in the relevant Commission DG and will maintain contact. FAWC is on the Commission's consultation lists for relevant issues. A FAWC member is also a member of the European Food Safety Authority (EFSA) panel on animal health and welfare. Relevant Commission officials are included on FAWC's stakeholder list. These links will be used to help ensure that FAWC and the Commission are more aware of each other's work.

- 12. Impact assessment (page 43).** FAWC, Defra and the devolved administrations should consider what assessment FAWC should make of the costs and other impacts of its recommendations before submitting them to Government.

Resource implications: insignificant – should be absorbed in day-to-day work. Priority: medium.

Ministers expect FAWC to indicate in broad terms the economic and other impacts of its advice on risk assessment and management of farm animal welfare issues. As the review noted, FAWC is increasingly interested in both economic and ethical analysis and accepts that costs, practicalities and possible perverse incentives must be taken into consideration when recommendations are made. Detailed impact assessments are prepared by Defra and the DAs when regulatory changes are proposed and FAWC would not be expected to duplicate this effort.

- 13. Transparency in appointments (page 48).** Defra and FAWC should make it clear that the criteria for membership vary from time to time and that there is no permanent balance.

Resource implications: none. Minor web-site amendment required. Priority: part of immediate follow-up to review.

FAWC will place this clarification on its website.

- 14. Membership balance (page 48).** More effort should be made to attract candidates from ethnic minorities. The new Defra action plan should be followed.

Resource implications: may be extra advertising costs (borne by Defra centrally).

Priority: in the course of the next appointments round and as required by the Defra plan.

Recruitment exercises follow the Defra action plan on diversity and attracting candidates from ethnic minorities and are conducted in line with the Code of Practice of the Office of the Commissioner for Public Appointments.

- 15. Evaluation of members (page 48).** The FAWC Chair should review the performance of new members, who should serve a probationary year. Defra and FAWC should review the overall outcomes of appointment procedures periodically.

Resource implications: half a day a year for the FAWC chair. About two days of staff time every two years for the review. Priority: medium.

Recruitment procedures are subject to the Code of Practice of the Office of the Commissioner for Public Appointments (OCPA) and are occasionally audited by the same. **FAWC** will ensure regular assessment of members' performance. OCPA regulates just the appointment process and does not specify arrangements such as a probationary period. FAWC but would not want special arrangements for it as opposed to other NDPBs.

- 16. Pay rates (page 49).** Defra should bring the remuneration of FAWC members into line with other Defra advisory NDPBs. The median rate for members appears to be £172. FAWC chairs are already paid about the median rate.

Resource implications: increasing members' daily rates from £146 to £172 would cost about £4k a year (12 members for an average of 12 days a year). Priority: high.

Increasing members' daily remuneration rates to £172 per day is not recommended as it would require resources in the existing budget to be diverted from other activities for a nominal increase in daily rate.

- 17. Eligible work (page 49).** Defra and FAWC should review the unpaid work that FAWC members are undertaking. They should ensure that FAWC members are not assigned tasks that are more appropriate for the FAWC Secretariat. They should agree how far members should be paid for any other work that is currently unpaid.

Resource implications: the review could require about ¾ days of staff time, plus inputs from FAWC members. Paying for an additional 40 days spent on tasks such as drafting would cost about £8k if divided equally between chairs and other members. Priority: high.

FAWC members are paid for attending meetings and any associated travel time. Within existing budget or future budget constraints, the current ad hoc arrangements for making payments where members spend additional time on FAWC business e.g. drafting reports or responses to consultation, will be formalised. The Secretariat will ensure as far as possible that it undertakes tasks that are more appropriate to the Secretariat than to Council members.

- 18. Training (page 50).** The FAWC Secretariat should investigate whether members would like training provided in, for example, IT skills.

Resource implications: depend on the outcome of the investigation, which should not itself require significant resources. Priority: low.

FAWC offers training to new members and will investigate whether further training e.g. in IT skills, media handling or chairing meetings would be helpful.

- 19. Working structures (page 51).** FAWC should consider the points made by consultees about the drafting burden on some chairs; the possible appointment of vice chairs; the distribution of work among chairs; the movement of members between Standing Committees; and the presentation of material to Council.

Resource implications: insignificant. Priority: medium.

FAWC will consider the points made on working structures in order to make construction of advice as effective as possible.

- 20. Experts (page 52).** Defra, the devolved administrations and FAWC should think further about the scope for co-opting experts onto working groups. An alternative would be to make some short-term appointments to the Council.

Resource implications: insignificant. Co-optees would need to be paid but the costs would be offset by reduced use of FAWC members and/or Defra staff. Priority: medium.

Recruitment of FAWC members is tied to the Strategic Plan to ensure that appropriate expertise is available within the membership and that the membership is balanced in terms of academic, veterinary, livestock production and other necessary expertise. However, FAWC has used co-opted expertise in previous studies and has no difficulty in doing this again should additional expertise be required. FAWC Chairman and Secretariat will ensure that any co-option of expertise is done within existing budgets.

- 21. Government contributions (page 53).** Defra should remain committed to providing the current levels of expert advice to FAWC standing committees and working groups. The devolved administrations should keep under review the scope for them to contribute expertise too.

Resource implications: no addition required by Defra. Possibly some increase for the devolved administrations. Priority: high.

Defra envisages that it will continue to provide FAWC with expert advice where available. **Governments in Scotland and Wales** will review what contribution they can make.

- 22. Secretariat support (page 54).** Defra should increase the overall capacity and drafting capability of the FAWC Secretariat. If FAWC's workload remains at its current levels, an additional HEO should be sought. Care should be taken to recruit staff with first-rate drafting skills. If it is not possible to increase Secretariat staffing, FAWC's output should be reduced.

Resource implications: an additional HEO in the Secretariat would cost about £53k a year (compared with £45k for an EO). Priority: high.

Defra has strengthened the Secretariat from 8 March by replacing a part time EO with a part time HEO to improve the Secretariat's drafting capacity. The balance between staffing and workload will be kept under review.

- 23. Secretariat location (page 54).** As the reasons for creating a shared secretariat with EIG and SEAC no longer apply, the FAWC Secretariat should be relocated with the Animal Welfare Team to improve day-to-day contact on animal welfare issues.

Resource implications: insignificant. Priority: high.

The Secretariat has relocated with the Animal Welfare Team with effect from 1 April 2010.

- 24. Secretariat training (page 54).** Secretariat staff should have both induction and regular refresher training on animal welfare issues.

Resource implications: about 8 staff days a year (Secretariat trainees and Animal Welfare Team trainers). Priority: high.

FAWC Secretariat staff are improving links with the Animal Welfare Team and will receive training in animal welfare issues at induction and as issues arise.

25. Technology (page 55). The FAWC Secretariat should, in order of priority:

- (1) Consult those to whom it sends papers and publications to see whether they would like electronic copies in addition to, or instead of, hard copies.
- (2) Check electronic contact details for stakeholders are up to date and whether other stakeholders could be included on electronic mailing lists.
- (3) Consult stakeholders on whether they would like to receive regular electronic updates on FAWC's work and produce them.
- (4) Consider making more use of teleconferences, in consultation with the devolved administrations.
- (5) Consider with FAWC members what more material might be put on the website. Investigate providing a search facility and an interactive area on the website.
- (6) Investigate use of webcasts and other means of remote access to Council meetings.

Resource implications: the FAWC Secretariat could need additional EO/AO support for about two months, at a cost of about £7k. Priority: high

FAWC Secretariat will consult members about electronic circulation of papers and will make electronic copies of papers available as necessary. Sub-group papers are already circulated electronically where small numbers of papers are involved and there is no danger of overloading mailboxes. Teleconferences, rather than more expensive webcasts, will be arranged where there is demand and this is practical.

FAWC members have been consulted about the website: no major changes are envisaged at present, although a review of content and structure will precede the move of domain name required by the Cabinet Office website rationalisation programme (from www.fawc.org.uk to www.independent.gov.uk/fawc) by end March 2011.

The stakeholder list is being updated. Stakeholders will be consulted about whether they would like e-mail updates as part of the trial process initiated in response to recommendation 9.

26. Spreading good practice (page 58). (1) Defra should send this report to Cabinet Office for information. (2) Defra and the devolved administrations should draw attention to the way in which FAWC operates whenever appropriate.

Resource implications: insignificant. Priority: (1) as part of the immediate follow-up to the review; (2) in the course of day-to-day work.

Defra will send a copy of the FAWC review to the Cabinet Office and will draw attention to the good practice identified in the review to other Defra advisory NDPBs through Defra's focal point for Defra NDPBs.

27. **Priority 1: output quality (page 59).** Defra should give priority to addressing members' concerns about Secretariat support and remuneration (Recommendations 16,17and 22.)

Resource implications: As above: an additional HEO in the Secretariat would cost about £53k a year (compared with £45k for an EO). Increasing members' daily rates from £146 to £172 would cost about £ 4 k a year (12 members for an average of 12 days a year). Paying for an additional 40 days spent on tasks such as drafting would cost about £8k if divided equally between chairs and other members. Priority: high.

This point is covered in responses to recommendations above

28. **Priority 2: effective outcomes (page 59).** Defra and the devolved administrations should give priority to guiding the subject, form and timing of FAWC's advice (Recommendations 5 and 8)

Resource implications: no additional resources needed unless a review of how FAWC presents its advice cannot be fitted in by adjusting priorities in the short-term. In the longer term, these recommendations should result in savings through the production of more relevant and easily-handled advice. Priority: high.

This point is covered in responses to recommendations above

29. **Priority 3: increasing awareness (page 60).** Defra should ensure that the FAWC Secretariat has the resources to investigate the technological improvements suggested by consultees (recommendation 25). Defra, the devolved administrations and FAWC should give further thought to how FAWC advice can best be publicised (recommendation 10).

Resource implications: for recommendation 25, the FAWC Secretariat could need additional EO/AO support for about two months, at a cost of about £7k. For recommendation 10, employing consultants for 10 days would cost about £7k. Using in-house staff for a similar period would cost about £3k. Priority: high.

This point is covered in responses to recommendations above