



EUROPEAN COMMISSION
HEALTH & CONSUMER PROTECTION DIRECTORATE-GENERAL

"HEALTHY DEMOCRACY"

*Conclusions and Actions following the DG SANCO 2006
Peer Review Group on Stakeholder Involvement*

February 2007

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1. Executive Summary

1. 1 Introduction

This Synthesis Report reports on DG SANCO's 2006 Healthy Democracy Process. A draft of it was circulated to all participants who attended one or more meetings of the DG SANCO Stakeholder Involvement Peer Review Group and was discussed in detail at the final meeting on 1st December 2006. This final version includes both the comments made orally at the 1st of December meeting and the ones made in writing by 22nd of December 2006.

The responsibility for this report rests with the Chairman of process. The document is public and will be posted on DG SANCO website and may be posted and distributed at will, but only in its entirety and without modification.

The purpose of this report is twofold:

- to outline the key themes and recommendations that have emerged from the DG SANCO Healthy Democracy Process; and
- to give a proposed way forward for the process as a whole.

This document has been kept deliberately brief. More detailed reports of the research and meetings that underpin this work are contained in the Annexes.

1. 2 Rationale and History of the Healthy Democracy Process

Connecting with citizens and stakeholders is intrinsic to DG SANCO's mission and in early 2006 DG SANCO embarked on a new process to take this agenda further. Known as the Healthy Democracy process, this new process has built upon DG SANCO's extensive track record of stakeholder engagement in particular the 2005 DG SANCO Scoping Paper Guidelines¹. The purpose of the Healthy Democracy process is to improve stakeholder involvement and participation. In the long term, the aim is to establish a solid network of stakeholders and research bodies to improve its substantive performance.

The Healthy Democracy Process consists of three major components:

A. Establishing a DG SANCO Stakeholder Involvement Peer Review Group

The Peer Review Group was established in early 2006 to assist DG SANCO in reviewing its experience concerning stakeholder involvement and to identify best practices and improvements to the existing consultation system (see *Annex E*). It included a mixed representation of stakeholders affected by the different SANCO policy areas. Industry (federations and individual firms), Non-Governmental Organisations (NGOs) and Member States as well as local and regional authorities were all represented in the group. In addition to stakeholders, the group also included experts on public participation.

¹ weblink to be established.

The group met four times in the course of 2006 (13th June, 7th September, 11th October and 1st of December) and focused its work on four main issues: “*Stakeholders & Inequalities*” (WG A), “*Feedback & Communication*” (WG B), “*Stakeholder Planning & Resources*” (WG C) and “*Comitology*” (WG D).

B. Production of supporting materials

This Synthesis Report is the fifth and last of a series of reports. The other reports in chronological order are:

- Minutes from the 11th October Meeting (see *Annex B*)
- Minutes from 7th September Meeting (see *Annex C*)
- Report of the 13th June Meeting (see *Annex D*)
- Preliminary Report of Main Findings and Issues for Discussion (see *Annex E*)

C. A Conference in Spring 2007

The findings and the recommendations of the Peer Review Group will be shared and validated at a conference in spring 2007, involving all DG SANCO stakeholders, other DGs and EU Institutions and experts on public participation.

1.3 Key Recommendations

The Healthy Democracy Process has been founded on a principle of shared responsibility, recognising that the goals of this work cannot be achieved by DG SANCO alone. In that vein the findings contained in this document have been drawn directly from the Peer Review Group and been developed taking into account the comments received throughout the process.

The meetings of 7th September and 11th October provided an opportunity to discuss in detail the issues of ‘Stakeholders and Inequalities’, ‘Feedback & Communication’, ‘Stakeholder Planning & Resources’ and ‘Comitology’. A total of 50 recommendations were generated through these discussions (for a full list of these recommendations see *Annex A*).

The Synthesis Report only highlights the Top-10 recommendations. In other words, those recommendations that are of central importance for the goal of this process and where the Chair considers possible to make concrete progress on them. The Top-10 recommendations listed below are explained in full details in Chapter 2 “Synthesis”. Chapter 2 also includes per each recommendation a DG SANCO response.

- **Recommendation I: Establish a “Stakeholder Dialogue Group” to get advice on process**

The Peer Review Group recommended the establishment of a Stakeholder Dialogue Group to advise DG SANCO on processes rather than on content.

- **Recommendation II: Improve Transparency through better "Forward Planning"**

The Peer Review Group recommended more transparency through greater access to timetables of individual consultations as contained in DG SANCO Annual Management Plan (AMP).

The Peer Review Group also recommended to refine DG SANCO web-tools in order to allow for a reminder by email on individual consultations and their planned timetable and for an easy mapping of upcoming consultations.

- **Recommendation III: More and Better Feedback**

The Peer Review Group stressed the importance of providing feedback to stakeholder views and recommended that, after each consultation, a synthesis report should be produced and circulated following each consultation to all consultees. The synthesis report should clearly state the main outcomes of the consultation and should provide reasons why certain stakeholder views were or were not taken on board.

- **Recommendation IV: Engage the Un-engaged & Going Local**

The Peer Review Group agreed that engaging the un-engaged is difficult and recommended publishing a list of affiliations/memberships of relevant European federations in all consultation documents and requiring that the federations consulted inform their respective affiliates/members.

- **Recommendation V: Driving Up Data Quality**

The Peer Review Group noted that quality and reliability of data is a big concern and recommended that, as from 2007, the source / basis of data used in the consultation process will be cited and explained.

- **Recommendation VI: Definition of Representativeness**

The Peer Review Group noted that achieving representativeness in consultation processes is a key challenge and recommended the establishment of criteria to ensure a representative stakeholder involvement.

- **Recommendation VII: Be Aware of Stakeholder Asymmetries**

The Peer Review Group acknowledged stakeholders asymmetries and recommended tailor-made methods for consultation which respect and adapt to the context of the stakeholders. Several participants also noted that additional funding to NGOs is required to ensure a more balanced participation.

- **Recommendation VIII: More Flexible and Longer Consultation Timeframe**

The Peer Review Group noted that the minimum timeframe of eight weeks is not always long enough and recommended that consultation timeframes should be variable in accordance with the purpose of the exercise. If the purpose is to go beyond "the Brussels village", more time than the standard eight-week period is needed.

- **Recommendation IX: Improvement of Inter-DG Coordination**

The Peer Review Group recommended that stakeholder consultations are properly coordinated from the centre, in order to ensure that they are mutually supportive and minimise the burden on stakeholders.

- **Recommendation X: More Transparent Comitology**

The Peer Review Group recommended the production of a clear and accessible guide to comitology (“Dummies Guide” to Comitology) that would help external parties to understand and engage where appropriate with comitology processes. The group also suggested to classify comitology measures in categories and to match these categories with different methods of stakeholder involvement.

2. Synthesis

In this section we seek to highlight the Top-10 recommendations that have emerged from the 7 September and 11 October meetings on the issues of *“Stakeholders and Inequalities”*, *“Feedback & Communication”*, *“Stakeholder Planning & Resources”* and *“Comitology”*. These Top-10 recommendations were discussed in detail at the final meeting of 1 December and agreed by all the members of the Peer Review Group. As indicated in the executive summary, the Top-10 recommendations are those recommendations of central importance for the goal of this process and where the Chair considers possible to make concrete progress on them.

Clearly a great many more ideas and recommendations emerged from the discussions than the 10 covered in this report. The point however of this document is not to be comprehensive, but to clearly outline what can be taken forward now by DG SANCO and can contribute to the wider European Transparency Initiative. Although the aim of this process was to primarily look at stakeholder consultation and involvement in DG SANCO's field of activity, some of the recommendations made throughout the process lie outside the remit of DG SANCO. DG SANCO undertakes to pursue the latter category of issues internally and bring it to the attention of the Secretariat General.

Commitment I: Establish a "Stakeholder Dialogue Group" to get advice on process

The recommendation for the establishment of a Stakeholder Dialogue Group was specifically raised by Working Groups B & C respectively on *“Feedback & Communication”* and *“Stakeholder Planning & Resources”* and addresses concerns raised at 13 June 06 meeting such as *“understanding stakeholder needs”*. The Peer Review Group agreed that the Stakeholder Dialogue Group should advise DG SANCO only on process and not on content. Its role should be to ensure that DG SANCO stakeholder involvement processes are better tailored to stakeholders needs and to support mainstreaming best practice in DG SANCO's consultations.

The terms of reference of this group have not been agreed, nor have practical issues such as membership, size or meeting schedule. However, at the 1 December meeting, a consensus was reached on the fact that the membership should be on a personal basis, change over time (e.g. 5 permanent + others rotating) and that it should be a relatively small group (possibly less than 15 individuals). Members also agreed that the composition of the group should be balanced and should be validated by the Peer Review Group.

- ***DG SANCO commits to establishing a group of stakeholders to advise on process. Members of the group will be selected through a call for expression of interest to be launched in March 2007. The group will be small (no more than 15 people), it will include a mixed representation of stakeholders (both industry and NGOs) affected by the different SANCO policy areas and its composition will change over-time. The mandate of the group will be drafted by DG SANCO and finalised by the Stakeholder Dialogue Group at its first meeting.***

Commitment II: Improve Transparency through better "Forward Planning"

Throughout the Healthy Democracy process the Peer Review Group made clear the link between the transparency of the decision-making and its credibility and legitimacy. Stakeholders will not participate if there is a perception that their contributions are not valued and taken into account in the decision-making system. At the 1 December meeting, the Peer Review Group noted that although the commitment to transparency is particularly relevant in the context of this recommendation, it is equally crucial in many of the Top-10 recommendations (i.e. feedback, comitology, etc.).

More concretely, the Peer Review Group considered that registering on DG SANCO website means receiving a large number of emails, without any guidance on how to identify the most relevant information to them. The group recommended the establishment of a better online early warning system (also for comitology decisions) that will give advance notice to stakeholder groups of emerging consultations and their planned timetable. It was felt that freeing up time thanks to a better designed online early warning system would be likely to improve the quality of consultation as stakeholders could better prepare and would have the time to build constructive relationships with other stakeholders and DG SANCO officials. There was also a strong feeling that if DG SANCO wished to engage with stakeholders outside the Brussels policy community more time would be required to establish relationships with these groups, and any early warning system would help with this.

The stakeholders in Working Group C on "*Stakeholder Planning & Resources*" expressed the need to be able to compare the different consultation processes through an activity tracker so informed decisions could be made about where and when to invest time.

The issue of consultation fatigue was also highlighted and it was stressed that it is not possible for stakeholder organisations to participate in all processes. It is important therefore for organisations to be able to make informed decisions about what processes to get involved with and to get a better access to planning tools such as the Annual Management Plan.

- ***DG SANCO agrees on the importance of transparency.***
- ***As of 2007 DG SANCO has begun to provide greater access to its Annual Management Plan (AMP). At the beginning of each year it will hold a public presentation on its AMP and will disclose timetables of individual consultations.***
- ***DG SANCO will also study how to refine its web-tools in order to allow for a reminder by email on individual consultations and their planned timetable and for an easy mapping of upcoming consultations, including major comitology decisions.***

Commitment III: More and Better Feedback

The Peer Review Group stressed the importance of providing feedback to stakeholder views in order to ensure that they continue to engage in the future. In this instance feedback is specifically meant in terms of a response from DG SANCO to stakeholders following any stakeholder engagement process. Working Group B dealt specifically with this subject and the detail of their discussions can be seen in *Annex C*.

The group identified communication as being central to effective stakeholder engagement. Communication should be continuous before, during and after any scheduled event or process.

The stakeholders in Working Group A highlighted the issues of “restitution” (accountability) where following a consultation the Commission has a responsibility to produce high quality feedback.

Already at the 13 June meeting, the Peer Review Group recommended that DG SANCO should produce – within a reasonable timeframe and in any case before the next step is taken or attitudes are set in concrete – a short synthesis report following every stakeholder engagement process which will be circulated to all stakeholders/consultees. The stakeholders also suggested putting the synthesis reports online to support stakeholder responses as well as dedicated staff training on feedback.

The purpose of this synthesis report would be:

- To have a clear and agreed record of the process
- To be transparent about who was involved
- To indicate the next steps
- To be clear about what proposals from stakeholders DG SANCO is and is not taking forward

- ***DG SANCO commits that, as from January 2007, a synthesis report will be produced and circulated to all consultees following each consultation on proposals set out in the Commission Work Programme (WP) and in the Annual Policy Strategy (APS). The synthesis report will clearly state the main outcomes of the consultation and will provide reasons why certain stakeholder views were or were not taken on board.***

Commitment IV: Engage the Un-engaged & Going Local

The Peer Review Group agreed that engaging the un-engaged is difficult. A particular challenge is engaging groups who may not identify themselves as stakeholders or may not have a full understanding of the relevancy of EU policy to their experiences.

Engaging the right individuals, in terms of quality and representativeness, is a vital factor in order to achieve a successful involvement process. DG SANCO needs to better understand the wants and needs of the different parties whose involvement is required. It was thought that this could be done by researching stakeholder expectations to find out what they really want to achieve from engagement.

In order to ensure a better engagement, DG SANCO should 1) consider the use of Commission's delegations in Member States as platform for the debate 2) work together with existing stakeholders (in particular NGOs) to identify the "unengaged".

The Peer Review Group noted that the challenges of achieving representativeness and engaging hard-to-reach groups are exacerbated at the European level where there are few tangible connections between citizens and the Brussels institutions.

Working Group B also suggested making better use of European stakeholder networks to access wider groups of people. Working Group A suggested that the EC could invest in building links more directly with non Brussels-based stakeholders. In particular, the EC should use its delegations in Member States and local partners to build relationships with this wider group of stakeholders and their networks.

The responsibility for engaging people in consultations does not rest with DG SANCO alone, but is shared with European federations and networks. The European networks are, at present, an underused resource. The European networks should systematically ensure that their members are kept informed and there is an effective engagement at national, regional and local level. The group considered that greater involvement at national/regional/local level could also be facilitated by publishing a list of affiliations/memberships of relevant European federations in all consultation documents and requiring that the federations consulted inform their respective affiliates/members. This would also allow DG SANCO to have a better map of what countries/stakeholders are not covered by the existing networks of European stakeholders. This is

particularly important considering the recent enlargement of the European Union to 27 Member States.

- ***DG SANCO commits that, as from March 2007, a list of affiliations/memberships of relevant European federations will be published in all consultation documents and federations will be invited to inform their respective affiliates/members. It is clear that this commitment will also depend on the willingness of European federations to provide DG SANCO with membership/affiliation lists and to establish effective mechanisms to inform their affiliates/members.***

Commitment V: Driving Up Data Quality

The concerns on data could be grouped into two broad camps: those relating to judging the quality of information sources and those relating to the difference (asymmetries) in access to data between different stakeholders. According to the participants, the measures adopted to address these two concerns should not affect the existing rules on confidentiality.

In particular, the Peer Review Group noted that quality and reliability of data is a big concern. Data are often controversial and contested by stakeholders. The difficulty of accurately citing evidence especially in emerging fields where information sources are dispersed was also raised. For all data used by DG SANCO there should be clear quality indicators on how the data was assessed and how it will be used.

Some participants suggested that when there is controversial information a panel of experts could be used to decide on what information is submitted, and if any further research needs to be undertaken. However, this idea was not agreed on by all as others thought this would not be a viable solution and would be the responsibility of the European Food Safety Authority (EFSA).

- ***DG SANCO commits that, as from March 2007, the source / basis of data used in the consultation process will be cited and explained.***

Commitment VI: Definition of Representativeness

The Peer Review Group agreed that the legitimacy of stakeholder involvement processes often hinges upon the ability of a stakeholder to represent a target group and having a representative group of stakeholders involved in a consultation. The group agreed that a minimum level of transparency is needed on a structured basis as to the purpose, governance, funding and target constituents of any stakeholder.

Concerns over stakeholder representation were raised at the 13 June and 7 September meetings. In particular the link between representativeness and the quality and legitimacy of the process were raised.

At present, there are not always the mechanisms in place for stakeholders to act as genuine representatives, or sufficient incentives for representative

stakeholder involvement. This is especially true for those stakeholder groups with limited resources.

As an example of the problem, stakeholders in Working Group B raised concerns over inequality in representativeness of Member States. In particular, the group registered a constant high representation from one Member State and a low representation from the New Member States. It was suggested that existing stakeholder networks in underrepresented areas be investigated.

The members stressed that quality of the contributions is as important as the weight of the stakeholder. They agreed more transparency on representativeness was needed and it could be useful to draw up "fiches" for each individual stakeholder with all the essential information. This issue should be looked in more details by the Stakeholder Dialogue Group. The group recommended the establishment of criteria to ensure a representative stakeholder involvement.

- ***DG SANCO commits to further discuss this issue with the Stakeholder Dialogue Group.***

Commitment VII: Be Aware of Stakeholder Asymmetries

The Peer Review Group acknowledged that stakeholders are different in their structures, capacities and decision-making processes. There exist great disparities in access to resources between stakeholders, which undermine the legitimacy and representativeness of involvement processes as certain stakeholders can engage with processes more easily. In particular, the asymmetry in access and production of information was seen as a key issue leading to stakeholder inequality.

On June 13 the stakeholders acknowledged that asymmetries exist within sectors themselves with different private, public and voluntary sector organisations having very different capacities to effectively contribute to stakeholder engagement processes. When designing the stakeholder engagement process, Working Group A and C highlighted the importance of making each consultation 'tailor-made' with careful consideration of the needs and capacity of those involved.

Working Group A highlighted that policy arguments are often won and lost on available evidence; therefore the ability of a stakeholder to produce evidence would affect the balance of any decision-made.

Working Group A acknowledged that stakeholder asymmetries brought the issue of stakeholder funding into sharp focus. It was noted that more funding will facilitate a more active involvement of certain groups. There was not however any agreement on how to provide such a support. Indeed fundamental differences were exposed on the role of government in providing financial support for group representation. The group identified 4 main categories of funding: 1. Core funding, 2. Funding for awareness raising, 3. Service contracts and grants and 4. Travel costs and reimbursement of expenses. None objected to the latter category of funding.

A consensus was reached however on the issue that whatever stakeholder funding does take place it should be made transparent. It was noted that the effectiveness of funding should be monitored through financial audits.

The group recommended tailor-made methods for consultation which respect and adapt to the context of the stakeholders. Several participants also noted that additional funding to NGOs is required to ensure a more balanced participation.

- ***DG SANCO commits to further discuss this issue with the Stakeholder Dialogue Group. Action towards more effective funding to reduce stakeholder inequalities has already been taken in the context of the Health Programme 2003-2008.***

Commitment VIII: More Flexible and Longer Consultation Timeframe

The Peer Review Group noted that it is important that there is sufficient interaction and engagement before a consultation to maximise the potential of the consultation. Stakeholders made it clear that there should be more time allocated at an early stage in the process to ensure all parties are clear and agree on the purpose of the consultation.

The minimum timeframe of eight weeks is not always long enough, and when seeking involvement beyond Brussels-based organisations an extended amount of time may be needed.

Effective stakeholder involvement can take time, especially when:

- engaging with disperse groups (e.g. outside the Brussels policy community),
- translation is required,
- consensus is sought,
- building relationships is sought.

Therefore, stakeholders in each meeting expressed concern of the constraints imposed by the current eight week minimum consultation time. Especially in light of the UK Better Regulation Task Force (BRTF) finding that at least one quarter of the Commission's consultations do not comply with this minimum requirement.

Working Group A highlighted that the timing of stakeholder involvement should depend on when their involvement would be most productive. Early "upstream" involvement should be sought when more policy options remain open, while "downstream" one should be sought when the issue is more tangible, often requiring a higher degree of expertise. Working Group A suggested that a wide public involvement may be appropriate "upstream" in the decision-making process and as a decision becomes "closed-down" a more focused professional stakeholder involvement would be appropriate.

The group recommended that consultation timeframes should be variable in accordance with the purpose of the exercise. If the purpose is to go beyond “the Brussels village”, more time than the standard eight-week period is needed.

- ***DG SANCO agrees with this recommendation. There are already some cases (e.g. Timeshare) where DG SANCO extended the consultation period up to 12 weeks. Some of the concerns that have been raised can be addressed by the commitments made by DG SANCO in the context of recommendation II on better planning. The Stakeholder Dialogue Group could look more in details which consultations needs more time (i.e. more than 8 weeks). Stakeholders should systematically indicate in their feedback to the Commission whether the time allowed was considered adequate.***

Commitment IX: Improvement of Inter-DG Coordination

Cross DG Coordination was raised since the first meeting on 13 June, and remained an important element of discussions. It was felt that often Commission’s stakeholder consultations are not co-ordinated and this results in a loss of synergies and efficiencies. Cross DG Coordination could help in terms of:

- sharing best practice between DGs, and
- preventing stakeholder fatigue by avoiding conflicts between different stakeholder involvement processes and allowing stakeholders make best use of their time

Each DG should be aware of what consultations are happening across other DGs to ensure they are properly coordinated and mutually supportive, maximising value for the Commission and minimising the burden on stakeholders.

The group suggested a body responsible for monitoring and coordinating stakeholder involvement activities across all the DGs, in order to ensure that they are mutually supportive and minimise the burden on stakeholders.

- ***DG SANCO agrees and stresses that the SEC GEN has already established civil society contact groups to discuss best-practices and improve co-ordination.***

Commitment X: More Transparent Comitology

Working Group D was specifically dedicated to Comitology. The group noted that one problem of comitology is that the emphasis is on speed of decision-making rather than efficacy, legitimacy and transparency. At the moment, better regulation principles are not applied for the development of stakeholder involvement in comitology.

A central finding was that very few stakeholders had in depth knowledge of Comitology, although many perceived it as complicated and difficult to engage

with. It was felt that new Member States found engaging with comitology processes especially difficult and needed specific support to do so. Joint training on comitology was seen as a good solution for all sides to better understand the system of comitology and in particular for stakeholders to know when and how they can be involved in the process.

Stakeholders in Working Group D felt that there is an inherent tension between the rationale for comitology (i.e. to efficiently and speedily develop and deliver policy) and the needs of stakeholder involvement.

A clear priority was action to overcome the lack of understanding of the comitology process and in particular how stakeholders may or may not engage with this process.

In that vein the group recommended the production of a clear and accessible guide to comitology ("Dummies Guide" to Comitology) that would help external parties to understand and engage where appropriate with comitology processes. The group also suggested to classify comitology measures in categories and to match these categories with different methods of stakeholder involvement.

- ***DG SANCO will organise specific meetings to discuss the issue of comitology, between the chairs of comitology committees and the Advisory Group on the Animal Food Chain and Plant Health with the participation of the Stakeholder Dialogue Group.***

Table 1: Follow-up Table

	<u>Commitments</u>	<u>Responsible for Action within DG SANCO</u>	<u>Timescale</u>
I.	To organise a conference	02 with CECOFORMA	May 2007
II.	To establish a Stakeholder Dialogue Group	A1 (with 02 advice)	March 2007 (call for expression of interest) Already started
III.	To improve access to DG SANCO AMP	A3 (with 02 advice)	
IV.	To create an online early warning system for individual consultations	A4 (with 02 advice)	June 2007
V.	To produce synthesis reports after each stakeholder consultation or involvement process	03, B1 and C5 monitoring with A1 overall coordination	From January 2007
VI.	To publish a list of affiliations/memberships of relevant European federations in each consultation document	03, B1 and C5 monitoring with A1 overall coordination	From March 2007
VII.	To cite and explain data sources in each consultation document	03, B1 and C5 monitoring with A1 overall coordination	From March 2007
VIII.	Definition of Representativeness	Stakeholder Dialogue Group	From June 2007
IX.	Be Aware of Stakeholder Asymmetries	Stakeholder Dialogue Group	From June 2007
X.	More Flexible and Longer Consultation Timeframe	Stakeholder Dialogue Group	From June 2007
XI.	To organise specific meetings between the chairs of comitology committees and the Advisory Group on the Animal Food Chain and Plant Health with the participation of the Stakeholder Dialogue Group	03	From June 2007

Annex A – Full List of Recommendations

The purpose of this section is to list all the steers that were suggested and discussed by the stakeholders during the meetings on 7 September and 11 October. The table highlights specific recommendations for DG SANCO as well as possible other issues relating to the Commission as a whole.

The recommendations have been listed under each working group. The numbering does not correspond to any prioritisation. For each of the recommendations, a DG SANCO's response to it is included in the right hand-side column. To facilitate the reading, responses to specific recommendations where DG SANCO can take immediate action are highlighted in yellow, while responses to other issues relating to the Commission as a whole are highlighted in red. Both categories of recommendations, and in particular the latter, constitute an important contribution to the ongoing European Transparency Initiative (<http://ec.europa.eu/comm/eti/index.htm>) and will be communicated to the Secretariat General.

Table 1: Working Group A - Stakeholders & Inequalities (7 Sept)	
<i>Recommendations</i>	<i>DG SANCO's Response</i>
1. Research stakeholder expectations to find out what they really want to achieve from engagement.	The Eurobarometer already provides a good and robust tool to gather public opinion. It could also be used to research stakeholder expectations.
2. Publish a list of affiliations / memberships of relevant European federations in all consultation documents and require that the federations consulted inform their respective affiliates / members.	DG SANCO commits that, as from 2007, a list of affiliations / memberships of relevant European federations will be published in all consultation documents and federations will be invited to inform their respective affiliates / members.
3. Be aware that non moderated pools and surveys only provide limited information.	DG SANCO agrees.
4. Ensure that there is transparency around funding and monitor its effectiveness through financial audits.	Transparency in funding is one of the main topics of the European Transparency Initiative and will be dealt at horizontal level for all Commission's departments.
5. Engage upstream by better use of DG SANCO stakeholder networks (ECCG, Health Policy Forum, Advisory Committee on the Animal Food Chain) to discuss future strategic issues and define priority areas.	This recommendation will be taken into account when reviewing the existing DG SANCO stakeholder networks.
6. Allow stakeholders to 'be heard'.	DG SANCO is always open to hear stakeholders and will try in the future to give the opportunity to all relevant stakeholders to be heard at an early stage in the policy making process.

Table 2: Working Group B - Feedback & Communication (7 Sept)	
<i>Recommendations</i>	<i>DG SANCO's Response</i>
7. Transparency, accountability, and quality are essential for credibility.	DG SANCO commits that, as from 2007, a synthesis report will be produced and circulated following each consultation to all consultees. This improved feedback will increase DG SANCO's accountability and build credibility in the process.
8. All information and communication must be clear and simple.	DG SANCO will try to ensure that all consultation documents are clearly written and can be easily understood. DG SANCO will also work towards more clarity as regards the purpose of each individual consultation.
9. Provide feedback throughout the process.	DG SANCO commits that, as from 2007, a synthesis report will be produced and circulated following each consultation to all consultees.
10. Feedback should not be seen as an isolated event.	This recommendation will be taken into account when reviewing the existing DG SANCO stakeholder networks.
11. Encourage co-ownership of the process.	DG SANCO is very favourable to involve all relevant stakeholders at a very early stage in the policy making process (see Scoping Paper Guidelines). DG SANCO has also recently developed policy initiatives where stakeholders are in the driving seat (e.g. Nutrition Platform) and it will continue to do so in the future.
12. Allocate additional resources to consultation.	This is an issue that should be dealt at horizontal level for all Commission's departments.
13. Define rules for confidentiality.	This is an issue that should be dealt at horizontal level for all Commission's departments.
14. Set up a panel to decide on confidential/controversial information.	This is an issue on which the Peer Review Group could not reach any consensus. It should be dealt at horizontal level for all Commission's departments.
15. Set up a steering group of interested stakeholders to ensure co-ownership of the process.	DG SANCO commits to establishing a group of stakeholders to advice on process.

Table 3: Working Group C - Stakeholder Planning & Resources (11 Oct)

<i>Recommendations</i>	<i>DG SANCO's Response</i>
16. The source / basis of data used in stakeholder engagement processes must be made transparent. Where new data is produced the research process for identifying the data (or body commissioned to undertake research) should be agreed. Criteria for data assessment and quality should be published prior to launching the consultation.	DG SANCO commits that, as from 2007, the source / basis of data used in the consultation process will be cited and explained.
17. DG SANCO to explore joint capacity building options for its staff and stakeholders. This could include undertaking an audit of available training options.	DG SANCO will explore whether there are possibilities for a joint training.
18. DG SANCO to draw the Secretariat General's attention to the importance of coordinating the different stakeholder consultations and legislative initiative in order to maximise efficiency and synergies.	This is an issue that should be dealt at horizontal level for all Commission's departments.
19. DG SANCO to explore how to best communicate the outputs and outcomes sought from a process.	DG SANCO as of 2007 will hold a public presentation on its AMP and will disclose timetables of individual consultations. At this meeting, it will also make clear the purpose of the consultation process.
20. DG SANCO to draw the Secretariat General's attention to the importance to define a clear terminology that everybody understands.	This is an issue that should be dealt at horizontal level for all Commission's departments.
21. DG SANCO's AMP should be used to give early warning of emerging issues and forthcoming stakeholder involvement processes.	DG SANCO as of 2007 will hold a public presentation on its AMP and will disclose timetables of individual consultations.
22. Timeframes allocated for consultations must fit the purpose. If you are going beyond 'the Brussels village' you need more time than the standard eight-week period.	This is one of the main topics discussed in the European Transparency Initiative and will be dealt at horizontal level for all Commission's departments.
23. Design tailor-made stakeholder involvement processes for the need in question and involve stakeholder representatives in the design.	This is an issue that should be dealt at horizontal level for all Commission's departments.
24. DG SANCO to explore how to best use its existing networks of stakeholders.	This recommendation will be taken into account when reviewing the existing DG SANCO stakeholder networks.

25. Adopt plain language principles for document production. Include a glossary of terms where necessary.	It is not always possible to use a plain language because many of the issues under DG SANCO responsibility are very technical. However, DG SANCO will take this recommendation into account in the production of future consultation documents.
26. DG SANCO to explore the use of electronic tools to improve stakeholder involvement.	DG SANCO will also study how to refine its web-tools in order to allow for a reminder by email on individual consultations and their planned timetable and for an easy mapping of upcoming consultations
27. Set-up an activity tracker for consultations and increase transparency over informal consultation processes.	DG SANCO will also study how to refine its web-tools in order to allow for a reminder by email on individual consultations and their planned timetable and for an easy mapping of upcoming consultations
28. Develop stakeholder involvement best practice guidelines, and include a list of FAQs.	When reviewing the Scoping Paper Guidelines, DG SANCO will make sure that there is a better guidance on stakeholder involvement and consultation
29. Establish and publicise success criteria of consultation from the start.	It is not always easy / possible to define success criteria at the start of a consultation. However, DG SANCO will take this recommendation into account in the production of future consultation documents
30. DG SANCO should establish a stakeholder dialogue group to advise on stakeholder involvement processes and oversee the implementation of the action plan to be agreed by the Peer Review Group at the end of its work.	DG SANCO commits to establishing a group of stakeholders to advice on process
31. DG SANCO to draw the attention of the Secretariat General to the need of a better joining up and mapping of EC consultation activities.	This is an issue that should be dealt at horizontal level for all Commission's departments.

Table 4: Working Group D – Comitology (11 Oct)	
<i>Recommendations</i>	<i>DG SANCO's Response</i>
32. DG SANCO to draw the Secretariat General's attention to supporting new Member States on participation in comitology processes.	This is an issue that should be dealt at horizontal level for all Commission's departments.
33. DG SANCO to develop comitology guidelines linking measures with consultation options.	This is an issue that should be dealt at horizontal level for all Commission's departments.
34. DG SANCO to draw the Secretariat General's attention to producing a dummies guide to consultation and comitology.	This is an issue that should be dealt at horizontal level for all Commission's departments.
35. DG SANCO to draw the Secretariat General's attention to improving existing online / communication tools to enhance comitology consultation. Upcoming meeting documents will be available online.	This is an issue that should be dealt at horizontal level for all Commission's departments.
36. Make public to stakeholders the whole policy process, including comitology stages and where stakeholder input can be best applied.	This is an issue that should be dealt at horizontal level for all Commission's departments.
37. The consultation process must fit the purpose.	DG SANCO agrees and will take this recommendation into account in future consultation processes.
38. Support cross-DG learning on comitology consultation.	This is an important issue that should be dealt at horizontal level for all Commission's departments.
39. Member States should be actively involved in developing best practice on comitology consultation.	This is an issue that should be dealt at horizontal level for all Commission's departments.
40. Classify comitology measures in specific issue / subject areas and target consultation at the relevant interested groups.	This is an issue that should be dealt at horizontal level for all Commission's departments.
41. All documents should be published well in advance of the consultation, and feedback and responses as soon as possible after the event.	DG SANCO agrees and will take this recommendation into account in future consultation processes.

**Annex B – Minutes from 11 October 2006 Meeting of the DG
SANCO 2006 Peer Review Group on Stakeholder Involvement**

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About this Document

The purpose of this document is to accurately reflect the outcome of the third meeting of the DG SANCO Stakeholder Involvement Peer Review Group held in the Borschette Centre (Rue Froissart 36 - 1040 Brussels) on 11 October 2006.

The meeting was run in a workshop style with a mixture of breakout and plenary sessions. See Annex 1 for the Agenda of the meeting.

The two Working Groups *Stakeholders Planning & Inequalities* and *Comitology* were conducted in facilitated break-out sessions with the conversations recorded on flip chart paper. These flip charts have been transcribed and can be found in Annex 7 and 8.

All conversations were conducted under Chatham House Rule unless a stakeholder asked to go on the official record, which none did.

These minutes not only record the discussion of 11 October but also indicate possible steers to improve DG SANCO Stakeholder Involvement Policy. The contents of this document will directly inform the basis of the final report to be discussed and agreed by all participants at the fourth and final meeting on 1 December.

The Healthy Democracy Process

Table 1 below outlines the Healthy Democracy Process. Other reports and relevant information can be accessed at the following web link using your login provided by DG SANCO:

<http://forum.europa.eu.int:80/Members/irc/sanco/Home/main>

Should you have any problems contact:

Orsolya Sudar, DG SANCO, Orsolya.SUDAR@ec.europa.eu

For more information please contact:

Mattia Pellegrini, DG SANCO, Mattia.Pellegrini@ec.europa.eu or

Ali Howes, Involve, ali@involve.org.uk

Table 1: Healthy Democracy Process

1. First Meeting of DG SANCO Stakeholder Involvement Peer Review Group (Plenary Discussion of Preliminary Findings Report) – 13 June 06
2. Second Meeting of DG SANCO Stakeholder Involvement Peer Review Group with 2 Working Groups on Stakeholders & Inequalities and Feedback & Communication - 7 September 06
3. Third Meeting of DG SANCO Stakeholder Involvement Peer Review Group with 2 Working Groups on Stakeholder Planning & Resources and Comitology - 11 October 06
4. Fourth and Final Meeting of DG SANCO Stakeholder Involvement Peer Review Group (Plenary Discussion and Adoption of Final Report) – 1 December 06

Possible Steers for DG SANCO

Table 2: Possible Steers for DG SANCO - Stakeholder Planning & Resources

Steer 1: The source / basis of data used in stakeholder engagement processes must be made transparent. Where new data is produced the research process for identifying the data (or body commissioned to undertake research) should be agreed with the stakeholders.

Steer 2: DG SANCO to explore capacity building options for its staff and stakeholders. This could include undertaking an audit of available training options.

Steer 3: DG SANCO will draw to the attention of the Secretariat General the importance of coordinating the different stakeholder consultations in order to maximise efficiency and synergies.

Steer 4: DG SANCO to explore how to best communicate the outputs and outcomes sought from a process.

Steer 5: DG SANCO will draw to the attention of the Secretariat General the importance to define a clear terminology that everybody understands.

Steer 6: DG SANCO AMP should be used to give early warning of emerging issues and forthcoming stakeholder involvement processes.

Steer 7: Timeframes allocated for consultations must fit the purpose. If you are going beyond 'the Brussels village' you need more time than the standard eight-week period.

Steer 8: Design tailor-made stakeholder involvement processes for the issue in question and involve stakeholder representatives in the design.

Steer 9: DG SANCO to explore how to best use its existing networks of stakeholders.

Steer 10: Adopt plain language principles for consultation documents.

Steer 11: DG SANCO to explore the use of electronic tools to improve stakeholder involvement.

Steer 12: Set-up activity tracker for consultations.

Steer 13: Increase awareness of stakeholder involvement best practice guidelines.

Steer 14: Establish and publicise success criteria of consultation from the start.

Steer 15: DG SANCO should establish a stakeholder reference group to advise on stakeholder involvement processes and oversee the implementation of the action plan to be agreed by the Peer Review Group at the end of its work.

Steer 16: DG SANCO will draw to the attention of the Secretariat General better joining up and mapping of EC consultation activities.

Table 3: Possible Steers for DG SANCO – Comitology

Steer 17: DG SANCO will draw to the attention of the Secretariat General the need to support individual Member States on participation on comitology with a particular emphasis on the new Member States.

Steer 18: DG SANCO to develop comitology guidelines linking measures with consultation options.

Steer 19: DG SANCO will draw to the attention of the Secretariat General the need to produce a dummies guide to consultation and comitology.

Steer 20: DG SANCO will draw to the attention of the Secretariat General the need to improve existing online / communication tools to enhance comitology consultation.

Steer 21: Make public and publicise to stakeholders the whole policy process, including comitology stages and where stakeholder input can be best applied.

Steer 22: The consultation processes must fit the purpose.

Steer 23: Support cross-DG learning on comitology consultation.

Steer 24: Member States should be actively involved in developing best practice on comitology consultation.

Steer 25: Consider classifying comitology measures in specific issue / subject areas and target consultation at the relevant interested groups.

Steer 26: All communication published well in advance of the consultation, and feedback and responses made as soon after the event as possible.

1. Introduction to the Meeting

1.1 Introduction (John Bell, Head of Strategy and Analysis, DG SANCO)

An introduction was given by John Bell on what DG SANCO wants to achieve from the process, and how this meeting would be the final look at the issues identified on 13 June. He noted how there has been a decline in attendance, from over 60 at the first meeting to only 30 in October. He stated that DG SANCO would very much welcome full attendance at the final meeting in December for the stakeholders and DG SANCO to agree and commit to the actions together. He welcomed the representatives from Member States and the importance of their participation. He finally explained that there would be a factual presentation from Secretariat General on Comitology.

1.2 Presentation on the work so far (Mattia Pellegrini, Strategy and Analysis, DG SANCO)

Mattia Pellegrini presented the work completed so far, and explained that this was a continuation and development of ideas from the 13 June Meeting. Six main issues had been identified on 13 June and have subsequently been regrouped into four categories to be discussed in detail at the 7 September and 11 October meetings. He explained that this meeting would look at the final two categories: Stakeholder Planning & Resources and Comitology. He emphasised that the report will be based on stakeholder suggestions to DG SANCO.

Mattia Pellegrini also asked the stakeholders to think about what their needs were and if they needed training to help them in consultations.

1.3 Summary of 7 September Meeting (Rodrigo Gouveia, EURO COOP)

As one of the stakeholders from the 7 September meeting Rodrigo Gouveia gave a brief summary of the results from the last meeting. For further details please see his full presentation in Annex 3 as well as the 7 September Minutes at: <http://forum.europa.eu.int:80/Members/irc/sanco/Home/main>

1.4 Explanation of the process (Richard Wilson, Director of Involve)

Richard Wilson explained that the process for this meeting would be the same as for the September meeting, with two working groups running simultaneously in the morning, and then presentations of the discussions in the afternoon to Robert Madelin (Director-General of DG SANCO).

The only change from the last meeting is that the final draft report will be disseminated on 10 November rather than 1 November as previously stated. He asked the stakeholders to focus on developing concrete recommendations for DG SANCO. The September Meeting produced lots of good information on generic issues like funding and transparency, but for the December Report,

specific actions are needed, to give participants something to sign up to at the meeting.

1.5 Comitology Procedure (Roberto Hayder, Secretariat General)

Roberto Hayder explained that comitology refers to the 250 committees which are run by the Commission services. About 20 Directorate Generals (DGs) are responsible for these Comitology committees. The Commission aims to keep the number of committees stable. The difference between these committees and consultative expert groups is that expert groups provide advice at the initial phase of the legislative process whereas comitology concerns implementing measures of adopted secondary legislation.

Comitology committees have a pre-determined structure and there is little discretion in terms of stakeholder involvement.

He stressed that Council decision 1999/486/EC, which determines the three procedures (consultative, management and regulatory) that have to be observed by the Commission, was amended this year. The new decision 2006/512/EC gives a right of scrutiny to the European Parliament.

The structure of Comitology is defined, and this limits the transparency of the process and the extent to which stakeholders can participate. The Commission chairs the committees made of representatives of Member States. The rules at present state that third parties cannot participate unless there is a legal basis for doing so, in which case they can take part only as an observer and not play an active role (e.g. they are not allowed to vote). Representatives from accession countries (i.e. Romania and/or Bulgaria) usually participate in comitology committees. Voting can only be done by Member States. Once the Commission has submitted its draft measure to the committee, the committee issues an opinion on the measure under consideration. If the committee opinion is positive the draft then goes to the College for adoption. Where the committee is not in favour (99% are favourable), the case will be referred to the Council, for their reaction in agreement or not.

Very occasionally non-governmental bodies take part, but they still require a legal basis to be included. Another exception to the standard rule is that the chairman of the committee can invite experts to speak to the committee on a specific question, but not as continuous observers. It is also important to note that stakeholders and lobbyists may seek to influence Member State representatives that attend a committee.

With the 2006 decision, there are two ways for stakeholders to influence the process: via their respective government or via the European Parliament.

The Secretariat General of the Commission is regularly informed of which stakeholders are accompanying Member States, to determine whether there may be a conflict of interest. So far one has never been identified. The Secretariat General tries to be transparent about the process and publishes online all the documentation, agendas and summary records of the proceedings

which are accessible to the public. It is possible to search a specific committee and view all the documents that have been produced.

For more details look at:

<http://ec.europa.eu/transparency/regcomitology/registre.cfm?CL=en>

2. Working Group C – Stakeholder Planning and Resources

Following the breakout sessions in the morning, the presentation on 'Stakeholder Planning & Resources' (Working Group C) was given to Robert Madelin by Anne Hoel (European Public Health Alliance).

Please see Annex 5 for the PowerPoint presentation and Annex 7 for the transcribed flip chart notes from the breakout sessions.

Below we list the points from the presentation. We have presented the conversations in the form of:

- point raised by the speaker
- plenary discussion
- *steer for DG SANCO (in italics)*

2.1 Working Group C Presentation

Relevant factors

Data quality, standards, collection, evaluation

Disagreements over the quality or independence of data can exacerbate conflict within or derail a stakeholder engagement process. An agreed basis for determining the quality of the information is therefore required between stakeholders and the commission. Approaches such as peer review or establishing quality standards should be explored. Some stakeholders expressed the view that is the job of the Commission to collect and assess the data.

Steer 1: The source / basis of data used in stakeholder engagement processes must be made transparent. Where new data is produced the research process for identifying the data (or body commissioned to undertake research) should be agreed with the stakeholders.

Need for expertise (Institutional Capacity Building)

There is a need for the development of expertise in the practice of delivering stakeholder engagement within DG SANCO. Stakeholder capacity must also be built to enable stakeholders to shape and engage effectively with engagement processes.

Steer 2: DG SANCO to explore capacity building options for its staff and stakeholders. This could include looking at available training options.

The broader picture (Joined Up Government)

It is important for the Commission to take into account broader society when thinking about policy changes. DG SANCO should increasingly assess the impact of their decisions on other DG SANCO policy areas. For example, a decision on food safety could affect DG Trade, Consumer Protection as well as having an impact on citizens.

Coordination between different Stakeholder Consultations across the Commission

Each DG should find out what consultations are happening across other DGs to ensure they are properly coordinated and mutually supportive, maximising value for the Commission and minimising the burden on stakeholders.

Steer 3: DG SANCO will draw to the attention of the Secretariat General the importance of coordinating the different stakeholder consultations in order to maximise efficiency and synergies.

Early Engagement

Stakeholders should not receive only occasional correspondence but be consulted from the beginning of the process. Stakeholders should be able to participate in meetings, and be provided with feedback after the consultation.

Clarity of consultation

There should be clarity around the consultation with a clear definition of the expected outcome². The Commission should explain what kind of responses it wants to receive, and whether they should be detailed or broad in scope.

Steer 4: DG SANCO to explore how to best communicate the outputs and outcomes sought from a process.

Timing

The timing and timeframe should be considered thoroughly before a consultation. Some stakeholders felt that the eight-week period was not enough time, especially if the Commission really wants the consultation to reach people at the local level.

² Outcomes are the broad goals of a stakeholder engagement process; outputs are the discrete deliverables, i.e. publications or events. It is important to define how outputs and outcomes are distinct but dependent on one another.

Transparency

The stakeholders requested that the Commission be transparent in regards formal and informal consultations. The stakeholders thought it would be beneficial to know, or be able to find out, when a company or NGO has had a meeting with an EU official.

Terminology

The language used by the Commission must be standardised and clear for everybody to understand. Documents must be readable and accessible for local citizens and NGOs to enable people to engage. The difference between stakeholder engagement and lobbying needs to be made clear, and DG SANCO should aim for real stakeholder engagement.

Steer 5: DG SANCO will draw to the attention of the Secretariat General the importance to define a clear terminology that everybody understands.

Challenges

Timing

Timing was seen as an important challenge for DG SANCO and more in general for the Commission. The stakeholders recommended that the Annual Programme be used by the Commission to signal upcoming issues to the stakeholders. The stakeholders requested an alert phase be established before a consultation. The stakeholders wanted to receive early warnings about consultation as they felt that advanced warnings allow them time to prepare and have rigorous discussions with their own members if necessary.

Steer 6: DG SANCO AMP should be used to give early warning of emerging issues and forthcoming stakeholder involvement processes.

Timeframe

The stakeholders again emphasised that to maximise the potential of the consultation a longer period of time is needed to reach the local level and engage citizens properly. It is important that the Commission puts focus on trying to reach the local level and not only consult the 'usual suspects'.

Steer 7: Timeframes allocated for consultations must fit the purpose. If you are going beyond 'the Brussels village' you need more time than the standard eight-week period.

Tailor-made methods

There must be a defined assessment criteria and the Commission must not assume a 'one size fits all' strategy for consultation. There should be a brainstorming period before a consultation to decide on the most appropriate method, e.g. using a Forum, survey or Eurobarometer.

Steer 8: Design tailor-made stakeholder involvement processes for the issue at stake and Involve stakeholder representatives in the design.

Better use of networks

The Commission and stakeholders should try to improve its use of existing networks and especially national and regional ones (not only European networks).

Steer 9: DG SANCO to explore how to best use its existing networks of stakeholders.

Communication & Accessing Information

One of the main challenges for DG SANCO and more in general for the Commission is ensuring communication with stakeholders and citizens is readable by all, and that all terminology is explained and understandable.

Steer 10: Adopt plain language principles for consultation documents.

Solutions

Early warning system

Flash emails were identified as an effective tool for informing stakeholders about upcoming consultations. DG SANCO should try to make best use of the electronic tools available, and to inform stakeholders as early as possible about consultations in order for them to be able to plan and prepare for the event.

Steer 11: DG SANCO to explore the use of electronic tools to improve stakeholder involvement.

Common training / joint capacity building

There should be common training between the Commission and stakeholders to increase expertise and understanding of the challenges faced on both sides.

See Steer 2

Increased human and financial resources

The stakeholders felt that DG SANCO should allocate more resources (both financial and human) to consultation in the future.

Transparency

One solution for improving transparency would be to set up an activity tracker so that stakeholders can see the planning and development of consultations. During the planning stage particularly information should be available online. The stakeholders thought there should be transparency regarding informal consultations between other stakeholders and the Commission.

Steer 12: Set-up an activity tracker for consultations.

User-friendly guidelines

The stakeholders felt that although there are Commission's guidelines on consultation, they should be made more easily accessible to all users including stakeholders.

Steer 13: Increase awareness of stakeholder involvement best practice guidelines.

General / technical questions

For a consultation to have a broader reach there should be a division between technical and general input. The Commission should respect both expert and non-expert knowledge, and allow a stakeholder to choose the level they want to engage.

Assessment measures and criteria tools

How does DG SANCO evaluate whether a consultation has been successful? There should be an assessment criteria established beforehand to clarify how the success of the consultation will be measured.

Steer 14: Establish and publicise success criteria of consultation from the start.

Terminology simplification

Keywords should be clearly defined in the guidelines, and when necessary a glossary of keywords should be written to outline how words are being used and in what context.

See Steers 5 and 10.

Quality standards on data collection

For all data used by DG SANCO there should be indicators on how the data was assessed and how it will be used. A peer review system could be used to ensure these are regulated quality standards. Stakeholders should also be responsible for providing sound data at the appropriate time.

See *Steer 1*

Stakeholder reference group

DG SANCO should establish a reference or steering group, which could be formed from these existing fora. The group can be used to brainstorm ideas, and help the Commission identify what methods they should use for consultation and the most suitable timeframe.

Steer 15: DG SANCO should establish a stakeholder reference group to advise on stakeholder involvement processes and oversee the implementation of the action plan to be agreed by the Peer Review Group at the end of its work.

2.2 Plenary Discussion on Working Group C Presentation

Robert Madelin (RM) chaired the plenary discussion on Stakeholder Planning & Resources following WG C's presentation by Anne Hoel (European Public Health Alliance).

Timing and early warning

DG SANCO currently publishes consultation information on its website and stakeholders can register on the website to receive updates.

The stakeholders commented, however, that registering on the website meant receiving a large number of emails from DG SANCO, but this did not help them to identify relevant information. They requested that DG SANCO send more specific emails and set up an email alert system for consultations which includes the planned timetable. It was agreed that DG SANCO will consider setting up an email alert system (RM). This e-mail alert system should allow for reminder on individual consultations and for an easy mapping of upcoming consultations.

See Steer 11 DG SANCO to explore options for improving the use of electronic media, which may include an improved alert system.

Joined up Consultations

It was recognised that stakeholders can have problems with planning and capacity if there are a number of related consultations taking place in an uncoordinated manner. If the Commission could map out consultations across the DGs this would help planning and enable stakeholders to create synergies across the DGs. DG SANCO agreed that it is important to identify and forward information on related consultations from other DGs (RM).

Steer 16: DG SANCO will draw to the attention of the Secretariat General better joining up and mapping of EC consultation activities (see also Steer 3).

Hard Copy Communication

A few stakeholders requested information on paper, as they found it difficult to engage their networks (e.g. doctors) via email and would prefer to be able to fax documents, but on this issue there was not a general consensus.

Transparency (also for informal processes)

The question about what is meant by transparency and how much is really useful was raised. DG SANCO stated that it would be possible to have a level of clarity of planned policy developments up to a year or 18 months ahead, but that the APS horizon was the limit. Robert Madelin offered the stakeholders online access to his diary, but questioned whether that was really of use for the stakeholders. The stakeholders felt that there is a perception that certain actors (e.g. corporates) have higher levels of influence over EU officials than others, and that improved transparency may help redress this imbalance. Robert

Madelin noted that every meeting he holds is recorded and the record could be made public if necessary.

Stakeholder Fatigue

DG SANCO noted that in general they want more consultations than the stakeholders are able to participate in.

Stakeholder Funding

The question was raised of whether regular consultees should be funded, in order to maintain continuity of involvement and encourage attendance, or if paying their travel costs is enough.

Using the EC Missions

A participant suggested that major consultations could be run through the Commission missions, to engage people at a national level and thus increase legitimacy. RM raised two principle constraints on this suggestion: that experts would have to be sent to each Member State and therefore they would not be in Brussels for a long time, and that the language barrier would prevent experts from working in some countries.

It was thought that it would be possible to conduct a generic debate, e.g. on labelling, across Member States, but that detailed work needs expert input by specialists in Brussels. A participant recognised that this related back to the ideas from the last meeting (7 September) of the difference between 'being heard' and having a constructive input in policy.

Reference / Steering group

RM stated that he was in favour of establishing a group of stakeholders to take forward the issues emerging from this process. He asked how DG SANCO could ensure that this was a fair process for electing members for the reference or steering group, to ensure the group would be accepted by all the stakeholders.

A number of comments were made in regards the selection of the steering group:

- The stakeholders need to get to know each other better to build trust.
- Membership of the group could be 'revolving' and time limited, with group membership renewed on a rolling basis.
- People could be nominated in regards to their expertise and experience at the European level.
- An accreditation system could also be used.
- A number of good NGOs would be ruled out if the group members were decided in relation to their experience of European-level working, as they do not have remit over the whole of the EU (RM).

In conclusion it was agreed that there must be an agreed and clear selection method for the stakeholders to trust and commit to the working of the group.

See Steer 16.

Accessing Information

It was agreed that all documentation should be made as accessible as possible, and that both sides should avoid jargon, but where it was unavoidable a glossary should be provided or the keywords defined.

See Steers 5 and 10.

In regards to general vs. specialist consultations and questions, one of the points noted was that some consultations, particularly web-based ones, suffer from quality problems in relation to open and closed questions that are used to facilitate answers for the same question from different audiences. As an example it was explained that the data from a consultation on radio frequency, which targeted the general public, had been very difficult to understand and analyse.

Concluding remarks by Robert Madelin

1. Stakeholder Consultation Mapping

It was agreed by all that the efficiency of a consultation would be improved if it was mapped, planned and explained better. RM agreed that every six months DG SANCO could inform its stakeholders on its current thinking and its future plans. DG SANCO would agree with stakeholders on a case-by-case basis on what was needed for a consultation. On the 'big issues' there should be more regional and national discussions. It was also noted that although it is important that there is sufficient interaction and engagement before a consultation, extending the timeframe (eight-week period) does not necessarily improve the process.

2. Reference Group

The idea of a non-permanent group, which did not act as a secret high court but a sounding board, whose advice on process would be validated by the wider community, was seen as an appealing option. This would enable DG SANCO to discuss ideas, monitor success and failure, and give assistance in resource allocation and capacity building.

3. Resources

The question of resources must be decided on as part of the process design, as there are not unlimited funds for consultation.

4. Consensus and Practicalities

There is no guarantee that everything will be perceived as collective or consensual and that unforeseen emergencies may mean that best practice cannot always be followed.

Table 2: Possible Steers for DG SANCO - Stakeholder Planning & Resources

Steer 1: The source / basis of data used in stakeholder engagement processes must be made transparent. Where new data is produced the research process for identifying the data (or body commissioned to undertake research) should be agreed with the stakeholders.

Steer 2: DG SANCO to explore capacity building options for its staff and stakeholders. This could include undertaking an audit of available training options.

Steer 3: DG SANCO will draw to the attention of the Secretariat General the importance of coordinating the different stakeholder consultations in order to maximise efficiency and synergies.

Steer 4: DG SANCO to explore how to best communicate the outputs and outcomes sought from a process.

Steer 5: DG SANCO will draw to the attention of the Secretariat General the importance to define a clear terminology that everybody understands.

Steer 6: DG SANCO AMP should be used to give early warning of emerging issues and forthcoming stakeholder involvement processes.

Steer 7: Timeframes allocated for consultations must fit the purpose. If you are going beyond 'the Brussels village' you need more time than the standard eight-week period.

Steer 8: Design tailor-made stakeholder involvement processes for the issue in question and involve stakeholder representatives in the design.

Steer 9: DG SANCO to explore how to best use its existing networks of stakeholders.

Steer 10: Adopt plain language principles for consultation documents.

Steer 11: DG SANCO to explore the use of electronic tools to improve stakeholder involvement.

Steer 12: Set-up an activity tracker for consultations.

Steer 13: Increase awareness of stakeholder involvement best practice guidelines.

Steer 14: Establish and publicise success criteria of consultation from the start.

Steer 15: DG SANCO should establish a stakeholder reference group to advise on stakeholder involvement processes and oversee the implementation of the action plan to be agreed by the Peer Review Group at the end of its work.

Steer 16: DG SANCO will draw to the attention of the Secretariat General better joining up and mapping of EC consultation activities.

3. Working Group D - Comitology

Following the breakout sessions in the morning, a presentation on 'Comitology' (Working Group D) was given to Robert Madelin by Philip Clarke (Food Standards Agency, UK).

Please see Annex 6 for the PowerPoint presentation and Annex 8 for the transcribed flip chart notes from the breakout sessions.

Below we list the points from the presentation. We have presented the conversations in the form of:

- point raised by the speaker
- plenary discussion
- *steer for DG SANCO (in italics)*

3.1 Working Group D - Presentation

Relevant factors

Complexity of the process

Comitology is seen as a very complex process. There are 250 different committees operating under different agendas, all aiming to implement different measures. There are different implementing measures which impact differently, e.g. in regards to regulation, decision, or amending annexes.

Speed vs. efficiency of the process

The stakeholders noted that one problem of comitology is that the emphasis is on speed of decision-making rather than efficacy or legitimacy.

Matching comitology with better regulation principles

Some kind of better regulation principles should be applied for the development of stakeholder involvement in comitology.

Acknowledging the importance of comitology

Comitology is increasingly important and there is thus a need for improved stakeholder engagement, which at present is very patchy.

Imbalances across Member States

There is an imbalance across Member States in relation to their input in comitology committees. At present there are no guidelines for Member States in

how to participate in comitology. Each Member State follows its own procedures, which may lead to problems in the future.

Steer 17: DG SANCO will draw to the attention of the Secretariat General the need to support individual Member States on participation on comitology with a particular emphasis on the new Member States.

Challenges

Getting the speed right

The stakeholders recognised that getting the speed of involvement right (not too fast / not too slow) was something that is very easy to commit to, but difficult to actually deliver in practice.

Classifying implementing measures

Different implementing measures need to be classified, e.g. into regulations or amending annexes. The stakeholders recommended that DG SANCO should link different methods of consultation and stakeholder engagement to the different measures.

Steer 18: DG SANCO to develop comitology guidelines linking measures with consultation options.

Involving and supporting new Member States

New Member States need help and support to engage with comitology as it is a difficult and fast moving process.

See Steer 17.

Proportionate Impact Assessment and Stakeholder Consultation

Impact Assessment and stakeholder consultations must be targeted and efficient, and in proportion to the amount of time and resources available.

Access to information

Stakeholders must be allowed access to information (e.g. draft agendas, background documentation, minutes and lists of participants) in good time (e.g. two weeks before meetings).

Role of EP

The role of the European Parliament is a new challenge and will have an impact on stakeholder involvement and stakeholder input in the future.

Solutions

A dummies guide to comitology!

The stakeholders recommended a 'Dummies Guide to Comitology' to assist stakeholders and civil servants. It was agreed that all terminology must be clear and easy to understand.

Steer 19: DG SANCO will draw to the attention of the Secretariat General the need to produce a dummies guide to consultation and comitology.

Communicate and improve the existing tools (i.e. comitology register)

Some of the stakeholders claimed they had used the online consultation register but that the information available only included past consultations, with no information about upcoming processes. There are a number of communication tools that are available to the Commission but not utilised to their best ability.

Steer 20: DG SANCO will draw to the attention of the Secretariat General the need to improve existing online / communication tools to enhance comitology consultation.

Better use of IT

The Commission should develop and use new technology available to them, such as developing an email alert system to inform stakeholders, as used by the UK Food Standards Agency for fast moving comitology proposals (see <http://www.food.gov.uk/foodindustry/regulation/europeleg/euupdates/>). This will allow people to be kept up-to-date on the progress of a consultation, and therefore hopefully continue their involvement in the process as well.

See Steer 20.

Advance timetable of overall process

There should be a timetable of the whole process given to stakeholders in advance of the first consultation.

Steer 21: Make public and publicise to stakeholders the whole policy process, including comitology stages and where stakeholder input can be best applied.

Consultation model depending on type of measure

The consultation model should depend on type of measure. For example, certain measures such as very scientific ones may not need full consultation.

Steer 22: Consultation processes must fit the purpose.

Dissemination and sharing of best practice

The Commission should seek to provide guidance and support learning between the committees, Member States and stakeholders, in order to share models of best practice.

Steer 23: Support cross DG SANCO learning on comitology consultation.

Assisting the New Member States

The New Member States would benefit from assistance and training in how they can achieve the most from their involvement in comitology work.

See Steer 17.

Engaging key decision makers

The stakeholders felt that it would be important to engage all power holders, in particular elected representatives, in the comitology process, as their support will be critical to its success.

3.2 Plenary Discussion on Working Group D Presentation

Robert Madelin (RM) chaired the plenary discussion on 'Comitology' following the WG D Presentation by Philip Clarke.

A Tension Between Consultation & Comitology

Comitology is the implementation of something that has already been discussed and agreed with stakeholders. It is thought that it could be seen as duplication of effort if there is stakeholder consultation on comitology when they should already have been consulted before the secondary legislation was written.

'Opting in' / Email Alert System

It was suggested that there be a change in how stakeholders engage. Rather than DG SANCO having a general list of people to consult and then stakeholders choosing to opt out, stakeholders could choose to 'opt in' by showing their interest in a specific area. DG SANCO would then have a short mailing list of people who are interested and willing to be consulted on a specific issue.

Upstream Engagement

It was noted that the further upstream consultation occurs, the harder it is for people to engage. There is a challenge between the institutional need for early consultation and the ability of stakeholders to engage in a meaningful way upstream, especially on complex issues.

Classification

Some stakeholders thought that because of the vast amount of information on comitology, it would be better if the measures were classified so that stakeholders could easily identify those with relevance to them, e.g. classify measures around a specific issue such as animal health. It was agreed that as DG SANCO makes over 400 decisions per year there is a need to define subsets of comitology measures where stakeholders do have a genuine interest. The stakeholders did not want to be flooded with information on comitology that was not relevant to them.

Steer 25: Consider classifying comitology measures in specific issue / subject areas and target consultation at the relevant interested groups.

Communication

The stakeholders requested that agendas for events should be published well before the date, and that conclusions be circulated as soon as possible after the event.

Steer 26: All communication published well in advance of the consultation, and feedback and responses as soon after the event as possible.

Stakeholder input

As an example of how stakeholders can be involved successfully in comitology decisions at an early stage, RM referred to the case of fusarium toxine in animal feed when the Commission was thinking of legislating. The stakeholders were asked to put forward data and were able to convince DG SANCO that there was no need of regulating. Stakeholders were also able to help DG SANCO by providing input on risk management decisions, e.g. acrylomide. It was highlighted, however, that if stakeholders are involved at the beginning of the process, but then have no input at the implementation stage, they might feel like spectators that are missing out on substantive decisions.

Accountability

The question was raised about the accountability of the comitology committees and whether they request feedback from their members. In reply, DG SANCO said that the committees do not ask for feedback, as in the end it is the Commission who makes the decision, and therefore the accountability lies with them.

Robert Madelin concluded by indicating that:

1. The European Parliament adds a new element to the issue of comitology, and will contribute to shaping its future.
2. Classification of comitology measures is useful for stakeholders and DG SANCO will consider this and how consultation can be useful for certain types of comitology measures.
3. DG SANCO will try to build the capacity of the stakeholders, the New Member States and internal staff to better understand comitology, and to remove the idea of comitology as a 'black box'.

Table 3: Possible Steers for DG SANCO – Comitology

Steer 17: DG SANCO will draw to the attention of the Secretariat General the need to support individual Member States on participation on comitology with a particular emphasis on the new Member States.

Steer 18: DG SANCO to develop comitology guidelines linking measures with consultation options.

Steer 19: DG SANCO will draw to the attention of the Secretariat General the need to produce a dummies guide to consultation and comitology.

Steer 20: DG SANCO will draw to the attention of the Secretariat General the need to improve existing online / communication tools to enhance comitology consultation.

Steer 21: Make public and publicise to stakeholders the whole policy process, including comitology stages and where stakeholder input can be best applied.

Steer 22: Consultation processes must fit the purpose.

Steer 23: Support cross-DG learning on comitology consultation.

Steer 24: Member States should be actively involved in developing best practice on comitology consultation.

Steer 25: Consider classifying comitology measures in specific issue / subject areas and target consultation at the relevant interested groups.

Steer 26: All communication published well in advance of the consultation, and feedback and responses made as soon after the event as possible.

4. Concluding Comments

4.1 Robert Madelin, Director-General for DG SANCO

The work of the Stakeholder Involvement Peer review Group will hopefully produce a product that is true to what all of those present want, as well as a common understanding of what DG SANCO can deliver. There will be a list of maximum 8 or 10 actions that can realistically be achieved, and that can transform how DG SANCO and its stakeholders work together. The draft report will capture the essence and outcomes of the four workshops, with concrete recommendations on what DG SANCO can do in the future, with consideration of DG SANCO's remit especially in regards to comitology. The actions will be clearly stated with allocated ownership and responsibilities, and a timeframe. The December meeting will be an opportunity to find a steering group that can assist DG SANCO in the preparation for the Spring event. The purpose of the Spring event would be to share with the larger audience of DG SANCO stakeholders the main outcomes of this process.

There needs to be clarity around the December workshop outcomes, and a clear understanding of commitments and responsibilities, but there does not need to be consensus on everything.

4.2 John Bell, Head of Strategy & Analysis, DG SANCO

This process of four working groups has enabled DG SANCO to have a full picture of the issues surrounding stakeholder consultation. The next phase will be to document the comments and disseminate a report on 10 November. The content of the report will be taken directly from the meetings, and DG SANCO will seek to avoid reworking the information. The stakeholders were asked to inform DG SANCO of anything they believe to be missing from the report by scrutinising the minutes and final report itself. The report will form the building blocks for future implementable actions, which will be discussed at the final meeting in December. The process will be evaluated and feedback forms will be disseminated on 10 November to the stakeholders. In Spring 2007 DG SANCO will continue the dialogue with the stakeholders.

4.3 Mattia Pellegrini, Strategy & Analysis, DG SANCO

The final report will have a clear section on the outputs, so that in December there can be in-depth discussions about the suggestions. The stakeholders were requested to make comments on the draft report which will be sent out on 10 November by email.

4.4 Richard Wilson, Director of Involve

The emphasis of the final meeting in December and the final report should be to look into the future. It should be possible for the Steering Group to use the report in one year to reflect on what has been achieved. In order for this to happen, both the stakeholders and DG SANCO must feel real ownership of the steers in the report. There will be an event in Spring 2007 where DG SANCO will give their response to the report which will also be an opportunity for showcasing examples of good and bad practice.

Annex 1 – Agenda



EUROPEAN COMMISSION
HEALTH & CONSUMER PROTECTION DIRECTORATE-GENERAL

02 - Strategy and Analysis

Brussels,
DG SANCO/02/MP/os D(2006)20123

Healthy Democracy

Building Stakeholder Involvement in DG SANCO

DG SANCO STAKEHOLDER INVOLVEMENT PEER REVIEW GROUP – 3rd meeting

AGENDA

Date: 11 October 2006

Time: 10:00 – 17:15

Venue: **Borschette Centre** (Rue Froissart 36 - 1040 Brussels)

Aim of the meeting:

- Develop the ideas generated from 13 June
- Produce Action Plans on:
 - (1) Stakeholder Planning & Resources (WG 3)
 - (2) Comitology (WG 4)

Chairman: *Robert Madelin, Director General of DG SANCO*

Project Co-ordinator: *Mattia Pellegini, Unit 02 Strategy and Analysis, DG SANCO*

Rapporteur: *Richard Wilson, Director, Involve*

10:00 *Registration & Coffee*

10:30 Introduction to the Meeting (Plenary)

Presentations by: *J Bell* (SANCO) – Introduction
M Pellegrini (SANCO) – Work so far
R Gouveia (Eurocoop) – Review of 7 September Meeting
R Wilson (Involve) – Explanation of process
R Hayder (Secretariat General) – Comitology Procedure

11:20 Working Groups (Breakout Sessions)

13:00 *Lunch*

14:30 Developing Action Plan 3 (Presentation by WG 3 to Plenary)

15:45 *Refreshments*

16:00 Developing Action Plan 4 (Presentation by WG 4 to Plenary)

17:00 Conclusions & A Way Forward

Date of fourth and final Peer Review Meeting: 1 December 2006

Annex 2 – List of Participants

Working Group C: Stakeholder Planning & Resources

Chairman: John Bell

Facilitator: Ali Howes

Coleman, David	McDonalds
Costongs, Caroline	EuroHealthNet
Crossick, Stanley	European Policy Centre (EPC)
de Looz-Corswarem, Rodolphe	Brewers of Europe
Dennerborg, Ulrika	AmCham EU
Franzone, Daniele	DG Environment
Fresu, Mari	Mental Health Europe
Giordano, Paolo	L'Union Européenne de l'Hospitalisation Privée (UEHP)
Gouveia, Rodrigo	European Community of Consumer Cooperatives (EUROCOOP)
Grobe, Antje	Stuttgart University
Hendrickx, Luc	European Association of Craft, Small and Medium-sized Enterprises (UEAPME)
Hutchins, Ian	Tesco
Hoel, Anne	European Public Health Alliance
Kayaer, Guido	Nestle
Marquis, Don	European Patients' Forum (EPF)
Papazahariou, Christianna	EuroCommerce
Parent, Anne Sophie	European Older People's Platform (AGE)
Thibaut, Hugues	Test Achats

Working Group D: Comitology
Chairman: Mattia Pellegrini
Facilitator: Richard Wilson

Barnes, Brendan	European Federation of Pharmaceutical Industries and Associations (EFPIA)
Caspari, Conrad	Agra CEAS Consulting
Cimaglia, Maria	European Association of Craft, Small and Medium-sized Enterprises (UEAPME)
Clarke, Philip	Food Standards Agency (FSA)
Federspiel, Benedicte	Danish Consumer Council
Feller, Roxane	COPA COGECA
Georgoutsakou, Ourania	Assembly of European Regions (AER)
Granata, Enrico	European Banking Federation (FBE)
Guthke, Thorsten	European Federation of Animal Feed Additive Manufacturers (FEFANA)
Janson, Anne-Kristine	European Commission: Secretary-General
Kadi, Andreas	Coca Cola
Kettlitz, Beate	Confederation of the Food and Drink Industries (CIAA)
Porter, Martin	The Centre
Riecken, Silke	UK: Better Regulation Executive
Salviano, João	Youth Forum Jeunesse
Wittmann-Stahl, Irene	Germany: Ministry of Health

Annex 3 – Rodrigo Gouveia Summary of 7 September Meeting

DG Sanco Stakeholder
Involvement Peer Review Group

Review of 7 September Meeting

Group A

Group B

Stakeholders and inequalities Feedback and Communication

- Relevant Factors
 - Challenges
 - Solutions

Group A
Stakeholders and inequalities

- Who are the Stakeholders?
- Who or what interests do they represent?
- Differences and similarities

Group A

Stakeholders and inequalities

Relevant Factors:

- Definition: stakeholder groups, representativeness, scope/range
- Stakeholders are different and the process should reflect their needs / capacity
- Information: asymmetry of production and access

Group A
Stakeholders and inequalities

Challenges:

- Know the stakeholders: diversity of views and voices
- The process should be inclusive and engage the un-engaged
- Be realistic: strike the right balance

Group A

Stakeholders and inequalities

Solutions:

- Tailor-made methods to define stakeholders
- Improvement of information to counterbalance inequalities
- Improve efficiency in engaging stakeholders (e. g. use of existing networks)

Group B

Feedback and Communication

- How to communicate with stakeholders?
- Stakeholders are entitled to get something back from the process

Group B

Feedback and Communication

Relevant Factors:

- Quality of information
- Transparency

Credibility

- Accountability

Group B
Feedback and Communication

Challenges:

- Achieve co-ownership of the consultation process
- Get financial resources
- Improve inter and intra DG feedback and communication

Group B
Feedback and Communication

Solutions:

- Ongoing, time-efficient structured dialogue with stakeholders
- Develop an overall communication strategy to address these issues

Annex 4 – Richard Wilson Introduction



Healthy Democracy

DG SANCO Stakeholder Democracy Peer Review Group

11 October 2007
Borschette Centre, Rue Froissart 36 - Brussels



Aim:

- Develop ideas from 13 June meeting
- Produce Action Plans on:
 - Stakeholder Planning & Resources (WGC)
 - Comitology (WGD)



Agenda

- 10:00 ■ Start
- Introduction to the meeting
- Working Group (Breakouts)
- 13:00 ■ Lunch
- Presenting & Developing Action Plan C
- Refreshments
- Presenting & Developing Action Plan D
- Conclusions & Way Forward
- 17:15 ■ Close



Ground Rules

- One Person Speaking at a Time
- Non Attribution Unless Requested
- Switch-Off Mobiles



Overall Process

- 7 Sept: Action Plan Workshop 1**
(Stakeholders & Inequalities; Feedback & Communications)
- Today: Action Plan Workshop 2**
(Stakeholder Planning & Resources; Comitology)
- 10 Nov: Draft of Final Report Circulated**
- 1 Dec: Draft of Final Report Workshop**
- Spring 07 Commission Response & Event**

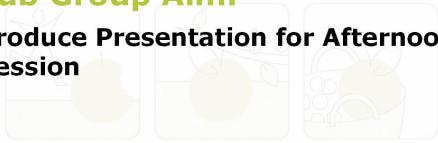


SUB GROUPS

Sub Group Aim:

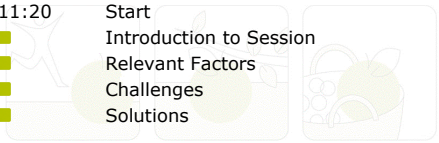
Produce Presentation for Afternoon Session



Sub Group Agenda

11:20	Start
■	Introduction to Session
■	Relevant Factors
■	Challenges
■	Solutions
12:40	Finalisation of Presentation
13:00	Close

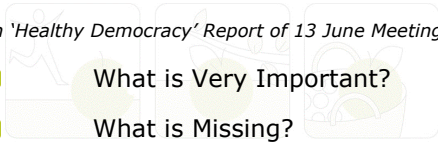


Key Questions

In 'Healthy Democracy' Report of 13 June Meeting:

- What is Very Important?
- What is Missing?
- Specific – Concrete Steers



Annex 5 – Working Group C: PowerPoint Presentation



WORKING GROUP C
Stakeholder Planning & Resources
stakeholder presentation



RELEVANT FACTORS

- Data quality, standards, collection, evaluation
- Need for expertise
- Take into account broader picture and its multilevel impact on society
- Coordination between different DGs
- Stakeholders engagement
- Clarity of consultation
- Timing
- Transparency of formal and informal consultations
- Terminology – to standardise the Commission language to be clear for everybody



CHALLENGES

- Timing – the Commission Annual Programme to signal upcoming issues for the stakeholders, pre-definition phase established/early warning
- Timeframe – need for longer consultation period
- Reaching the local level
- Tailor-made methods of consultations and need for assessment criteria
- Better use of networks not only European ones
- Terminology to be readable to everyone



SOLUTIONS 1/2

- Early consultation and early warning system: eg flash emails/electronic tools, events about early planning,
- Common training/joint capacity building between the Commission and stakeholders
- Increased human and financial resources for consultation
- Transparency: planning of consultations (Set up activity tracker); informal consultations need to be transparent as well
- User-friendly guidelines and possibility to divide general from technical questions



SOLUTIONS 2/2

- To set up assessment measures, criteria tools for success
- Simplifying the terminology – keywords within the guidelines for consultation
- Quality standards on data collection, indicators how they are assessed and used
- Stakeholders reference group – existing fora can be used

Annex 6 – Working Group D: PowerPoint Presentation



WORKING GROUP D
Comitology
stakeholder presentation



RELEVANT FACTORS /
CONTEXT – Setting the scene

- **Complexity of process:**
 - 250 committees, all operating apparently differently but all aiming to implement measures
 - Different implementing measures (regulation, decision, amending annexes)
- Speed vs. efficiency of the process
- Matching comitology with better regulation principles: IAs and stakeholder involvement
- Acknowledging the importance of comitology (often beyond the merely technical) requires proper stakeholder engagement
- No guidelines for Member States – imbalance across MS regarding consultation and feedback



CHALLENGES

- Getting the speed right – not too fast / not too slow
- Classifying implementing measures
- Involving and supporting new Member States
- Proportionate – IA – and Stakeholder Consultation – targeted and efficient
- Access to information – at the right time
- Role of EP



SOLUTIONS

- A dummies guide to comitology! Terminology
- Communicate and improve the existing tools
- Better use of IT technology – i.e. e-mail alert system (e.g. UK contaminants)
- Advance timetable of overall process
- Consultation model depending on type of measure
- Dissemination and sharing of best practice – providing guidance and supporting learning between committees and MS
- Assisting New Member States – e.g. training
- Engaging key decision makers, e.g. involve EP Secretariat

Annex 7 – Working Group C: Flip Chart Notes

Stakeholder Planning & Resources

Sub Group One – John Bell

Relevant Factors

1. Transparency Vs competitive confidentiality.
2. Data
 - o Quality
 - o Independence
 - o Standards (peer reviewed)
 - o Collection
 - o Contested
 - o Data banks
 - o Entry of data and IA → public facilitation on data and commissioning.
 - o Timeframe
 - o Private sector roll – “think small”
3. Lobbying Vs engaging / involvement.
 - o Proactive and resources.
4. Relevance / need / subsidiary → question of level
5. Identifying real influence / power / impact of involvement.
6. Informal start – narrow / representativeness → formal / widen

Challenges

1. Babel
 - o Language / terminology
 - o Readable
2. Time – timing links to EU languages version (8 weeks).
8 weeks with 25 Member States and outreach.
 - o Or usual suspects
 - o Stakeholders ‘play the game’.
3. Tailor-made methods – consultations on what matters.
 - o Priority
 - o Tools → stakeholder fatigue
 - o Minimums → less / better
 - o Methods → surveys / focus groups /
 - o Information Vs involvement – identify?
4. DG Coordination – Voice in Europe

Solutions

1. Stakeholder Reference Group
 - o To monitor the process
 - o Solutions / priorities?
 - o Use existing fora?
2. Timeframe
 - o Planning / transparency
 - o Online availability – early warning email
 - o Prioritise methods
3. Data
 - o Agreed standards on quality
 - o Commissioning high quality data
 - o Access to commercial data (rules)
 - o Indicators / peer review
 - o Criteria data collection
4. Evaluation – how it went feedback
5. No solution to language.

Sub Group 2 – Agnes Ajour

Relevant Factors

1. Purpose
 - o For stakeholder planning, purpose of consultation is important
→ effectiveness / best use of resources.
 - o What do we want to achieve? e.g. behind objectives could also be achieving competitiveness etc...
2. Time
 - o Importance of predefinition phase clarifying the unequal levels of purpose, and having a dialogue with stakeholders at this stage. e.g. scoping paper.
 - o The timeframe should be stated at an early stage.
 - o Unequal elements are taken between the beginning and end of the whole process. If objectives are not initially clearly defined, risk to forget them thus leaving stakeholders aside.
3. Terminology
 - o Language can be an issue for small-sized stakeholders.
 - o Translation into different foreign languages or terminology in general can lead to misunderstandings.
 - o Green papers are good opportunities, but national stakeholders feel that there is a gap in the communication process. The European NGOs have to translate (e.g. Mental Health Green Paper) the documents to be clear and understandable to stakeholders 'in the field'.

4. Formal Vs Informal

- o Know the needs of stakeholders.
- o Some stakeholders may feel that not being involved in informal consultations is an issue.
- o What are the rules on informal consultation?

Challenges

1. Time planning

- o Should include a predefinition phase (even before green papers)
- o Use of the CLWP which gives list of proposals
- o Should include an activity tracker

2. Use of networks

- o Risk of leaving aside some stakeholders should be tackled with adequate tools (early information).
- o Stakeholders need also to be proactive and seek information, but this is difficult for small-sized EU NGOs and even more so for national NGOs with no European representation.
- o The Commission should provide information early and with objectives / process / challenges stated clearly, so that networks can transmit and raise awareness early.
- o More networks than EU networks, but problem of capacity building for the members of EU networks.
- o Develop structures to strengthen the networks and collect information.

Solutions

1. Early consultation – with a predefinition phase.

2. Communication including terminology, activity tracker and events.

- o Clear consultation documents that national members can understand directly.
- o Glossary of terms, e.g. institutionalisation.
- o EU level information needs much more 'translation' and communication to national and regional levels.
- o Improve and personalise the links between the various levels. Each relay is supposed to pass on the information. For example the Commission could hold an event for civil society when it presents its annual programme / publication.

3. Common understanding and common training.

- o Common training could resolve the main misunderstandings between stakeholders and the Commission → improved transparency and understanding.
- o The Commission is a very specific and unique body which not everybody knows or understands.

4. Measurement tool of results and success.
 - o Linked to the objectives.

Sub Group 3 – Anna Konarzewska

Relevant Factors

1. Capacity building through common training of stakeholders and the Commission together to increase expertise.
2. Clarity of the consultation – clear goals. Clear content and data, and precise questions. Guidelines to indicate how to respond to the consultation. There should be a general and technical part to the consultation – so that people can choose which questions to answer.
3. Timeframe / timing – awareness and early warnings.
4. Consultation should be seen as part of the institutional culture.
5. Coordinate approaches of the different DGs.
6. International market consultation – whether we can answer only a part of consultation.
7. Working group on financial services too broad.

Challenges

1. Awareness
2. Resources
3. To create better conditions for successful consultation.
 - o Check whether resources are available.
 - o Spend resources on the content.
4. Competing objectives – why do you respond? Do you want to influence?
5. Use of European networks
 - o How to use all stakeholders?
 - o How to reach them?
 - o How to communicate better?
 - o How to get representativeness?
6. Measuring success – what are the criteria?

Solutions

1. Simplify the language and terminology.
2. Clarifying guidelines
 - Consultation methods
 - Keywords
 - Content / data
3. Early warning / roadmaps
4. Common training of stakeholders and the Commission → capacity building.
5. Allocate financial and human resources.

Annex 8 – Working Group D: Flip Chart Notes

Comitology

Sub Group 1 – Mattia Pellegrini

Relevant Factors

1. Inequality in committees → more or less powers
Food safety Vs Pharma
 ↓ ↓
Add substances Quasi-legislative
2. Speed / efficiency
Email alerts by Member States to Stakeholders (Solution)
3. Pharma Committee not very efficient / Members States not applying legislation
4. IA on Comitology and Implementability
5. Need for at least minimum standards / guidelines for quasi-legislative measures.
6. Challenge for new Member States / listen mode, e.g. medicine

Challenges

1. Enlargement / need to better understand for new Member States (absence of guidelines).
2. Speed (unknown challenge). Even two weeks is not enough (for sending draft measures to Member States).
3. European Vs national interests.
4. New EP Powers (2006 / 5 YR) → New powers for stakeholders?
5. Stakeholder targeting Issue (solutions)
 - o Email alerts (UK/LT)
 - o Update website (UK/LT)
 - o Joint meetings state / stakeholders (LATVIA)

Solutions

1. Communication
 - o Email alerts at national level. Early warning system from Commission to Member States and with key message.
 - o Update websites at national level.
2. Classification
 - o Classification of the different committees in terms of stakeholder involvement.
 - o Consultation modes according to the type of committee.
3. Rules of procedure should be more understandable for new Member States, including training and guidelines.
4. Disclosure of who has been consulted.
5. Joint meetings of state / stakeholders at national level.

Sub Group 2 – Wojciech Dziworski

Relevant Factors

1. Complicated procedure.
2. Management of committee's workload.
3. Access to information at the right time, e.g. contaminants (CIAA).
4. Stakeholder engagement at Member States level.

Challenges

1. Proportionate regulatory impact assessment.
2. Opposing views → prolonged procedure, (e.g. Novel Food too lengthy and Coca Cola).
3. Consultation at EU level.
4. Approval procedures.
5. Lack of common rules (right of appeal).
6. Consultation with stakeholders with appropriate competence → right balance

Solutions

1. Sign-up lists.
 - o Receive information on specific issues / areas.
 - o Issue tracker.
2. Timetable
3. Consistency of approaches
 - o Best practice
 - o Guidelines
 - o Code of conduct
4. Respecting deadlines
5. Comitology for dummies

Sub Group 3 – Aude L’Hirondel

Relevant Factors

1. Access to documents explaining Comitology.
 - o Q & A?
 - o What?
 - o What for?
 - o Weight of Comitology?
- 2a. Stakeholders should be able to intervene – definition of implementation.
 - o Classification of measures
 - o Modification of annexes – sometimes very technical legislation.
e.g In the context of Animal Health Policy
 - o Simplification of Comitology
 - o Streamline body of texts going to Comitology.
- 2b. Quantity of decisions (secondary legislation) taken in committees unequal to the legislation taken in co-decisions (primary legislation).
The balance switched from primary to secondary legislation → more important that stakeholders are involved.
! Disagreement ! Definition of primary Treaties / Secondary Directives, Regulations etc
3. Compatible?
Should be a parallel involvement of stakeholders / Comitology better regulation.

Challenges

1. Speed of decision → if there is stakeholder consultation, this delays the speed of the decision.

Need to find balance between stakeholder consultation and speed of decisions (linked to Point 1 under Relevant Factors – information for stakeholders).

2. Financial implications for stakeholders.
 - o Consultation needed (operators)
 - o Challenge to classify body of texts implementing measures in groups→ need to find criteria.
e.g. co-financing measures combating animal disease.
3. Access to documents – draft agenda and background documents / minutes / lists of participants.
4. Degree of involvement – need to find a balance. “Indirect involvement undermines transparency”.
5. How do they choose experts to participate in committee meetings?
6. Transparency Vs confidentiality.

Solutions

1. Q & A on Comitology.
2. Classification of texts that go through the Comitology (criteria). Assess the relevance of the texts for stakeholders, to enable them to decide on their involvement.
3. Communication
 - o Early warning system.
 - o Improvement of website – registration on DG SANCO website (suitable enough to stakeholder objective needs).
 - o Publicise the existing tools.
4. EP Representative (Secretariat General)

**Annex C – Minutes from 7 September 2006 Meeting of the DG
SANCO 2006 Peer Review Group on Stakeholder Involvement**

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About this Document

The purpose of this document is to accurately reflect the outcome of the second meeting of the DG SANCO Stakeholder Involvement Peer Review Group held in the Borschette Centre (Rue Froissart 36 - 1040 Brussels) on 7 September 2006.

The meeting was run in a workshop style with a mixture of breakout and plenary sessions. See Annex 1 for the Agenda of the meeting.

The two Working Groups “Stakeholders & Inequalities” and “Feedback & Communication” were conducted in facilitated break-out sessions with the conversations recorded on flip chart paper. These flip charts have been transcribed and can be found in Annex 7 and 8.

All conversations were conducted under Chatham House Rules unless a stakeholder asked to go on the official record, which none did.

These minutes not only record the discussion of 7 September but also indicate possible steers to improve DG SANCO Stakeholder Involvement Policy. The contents of this document will directly inform the basis of the final report to be discussed and agreed by all participants at the fourth and final meeting on 1 December.

The Healthy Democracy Process

Table 1 below outlines the Healthy Democracy Process. Other reports and relevant information can be accessed at the following web link using your login provided by DG SANCO:

<http://forum.europa.eu.int:80/Members/irc/sanco/Home/main>

Should you have any problems contact:

Orsolya Sudar, DG SANCO, Orsolya.SUDAR@ec.europa.eu

For more information on the process please contact:

Mattia Pellegrini, DG SANCO, Mattia.Pellegrini@ec.europa.eu or

Ali Howes, Involve, ali@involve.org.uk

Table 1: Healthy Democracy Process

1. First Meeting of DG SANCO Stakeholder Involvement Peer Review Group (Plenary Discussion of Preliminary Findings Report) – 13 June 06
2. Second Meeting of DG SANCO Stakeholder Involvement Peer Review Group with 2 Working Groups on Stakeholders & Inequalities and Feedback & Communication - 7 September 06
3. Third Meeting of DG SANCO Stakeholder Involvement Peer Review Group with 2 Working Groups on Stakeholder Planning & Resources and Comitology - 11 October 06
4. Fourth and Final Meeting of DG SANCO Stakeholder Involvement Peer Review Group (Plenary Discussion and Adoption of Final Report) – 1 December 06

Possible Steers for DG SANCO

Table 2: Possible Steers for DG SANCO - Stakeholders & Inequalities

- Research stakeholder expectations to find out what they really want to achieve from engagement
- Publish a list of affiliations/memberships of relevant European federations in all consultation documents and require that the federations consulted inform their respective affiliates/members
- Be aware that unmoderated polls and surveys only provide limited information
- Ensure that there is transparency around funding and monitor its effectiveness through financial audits
- Engage upstream by better use of DG SANCO stakeholder networks (ECCG, Health Policy Forum, Advisory Committee on the Animal Food Chain) to discuss future strategic issues and define priority areas
- Allow stakeholders to 'be heard'

Table 3: Possible Steers for DG SANCO – Feedback & Communication

- Transparency, accountability, and quality are essential for credibility
- All information and communication must be clear and simple
- Provide feedback throughout the process
- Feedback should not be seen as an isolated event
- Encourage co-ownership of the process
- Allocate additional resources to consultation
- Define rules for confidentiality
- Set up a panel to decide on confidential/controversial information
- Set up a steering group of interested stakeholders to ensure co-ownership of the process.

1. Introduction to the Meeting

1.1 Introduction (John Bell, Head of Strategy and Analysis, DG SANCO)

An introduction was given by John Bell on what DG SANCO wants to achieve from the process.

John Bell explained that the aim of the meeting was to:

- Develop the ideas generated on 13 June
- Produce Action Plans on:
 - (1) Stakeholders & Inequalities
 - (2) Feedback & Communication

John Bell concluded by stressing that it is very important that Member States actively participate in this process.

1.2 Presentation on the work so far (Mattia Pellegrini, Strategy and Analysis, DG SANCO)

Mattia Pellegrini presented the work completed so far, and explained how this session was a continuation and development of ideas from the 13 June meeting. Six main issues had been identified on 13 June and have been subsequently regrouped into four to be discussed in detail at the 7 September and 11 October meetings. He explained that at this meeting stakeholders would be divided into two Working Groups looking at either 'Stakeholders & Inequalities' or 'Feedback & Communication'.

1.3 Explanation of the process (Richard Wilson, Involve)

Richard Wilson outlined the process for the day and the key questions that the participants should keep in mind throughout the day.

He explained that participants would be divided into Working Groups A and B for the morning breakout sessions, with three sub-groups per room. Each sub-group would be facilitated by a member of DG SANCO, and a rapporteur would be nominated from the group. A member of Involve would oversee each Working Group (WG). After lunch, Robert Madelin would chair the session, where each WG would make a presentation on their discussions of the morning and then the ideas and issues would be discussed in plenary.

2. Working Group A – Stakeholders & Inequalities

Following the breakout sessions in the morning, a presentation on "Stakeholders & Inequalities" (Working Group A) was given to Robert Madelin by Tamsin Rose (Strategic Advisor for IOGT-NTO).

Please see Annex 7 for the flip chart notes from the breakout sessions and Annex 5 for the PowerPoint presentation.

Below we list the points from the presentation. We have presented the conversations in the form of:

- point raised by the speaker
- plenary discussion
- steer for DG SANCO (highlighted in yellow).

We have also grouped the steers for DG SANCO at the end of each section.

2.1 Working Group A Presentation

Relevant factors

Credibility of the existing consultation processes

In order for the process to be seen as credible it must be transparent, well-resourced and efficient.

Transparency of access to decision makers

Certain stakeholders enjoy much greater access to senior decision-makers and EU officials than others. There needs to be more transparency about these contacts in order not to undermine the more open consultation process.

Stakeholders are different and the process should reflect their needs / capacity

There needs to be acknowledgement that stakeholders are different in their structures, capacities, decision-making processes and thematic focus.

Engaging the un-engaged

This was seen as one of the most difficult parts of the stakeholder engagement, as people are un-engaged for many numbers of reasons. Some people have no information about the consultation, some have no interest, some do not have the capacity to participate, and some a mixture of them all. It is important to try and engage these people in order to ensure quality and representativeness.

Definition: stakeholder groups, representativeness, scope / range, transparency

A consultation is all about making sure that the right mix of stakeholders are in the room and that a range of voices are represented. This starts with how

stakeholders are defined, the scope of the consultation and the transparency of the process.

Information – asymmetry of production and access, confidentiality; rules to define

Information is crucial to effective participation in consultations. The asymmetry of access and production of information was seen as a key issue leading to stakeholder inequality. It was noted that the difficulty of gathering information from the membership was a common problem for industry and the voluntary sector. The issue of confidentiality of information arose and how to define what information should be considered as confidential in a public policy consultation.

Information vs. Evidence

A major goal is evidence-based policy but there is often a large gap between information which is used to support a specific position, and data or evidence used for decision-making which needs to be more neutral.

Challenges

Diversity of views and voices (at all levels)

One of the major challenges is to identify and engage all the people affected within the timeframe given.

Inclusivity – methods which engage hard-to-reach groups

The challenges of achieving representativeness and engaging hard-to-reach groups are exacerbated at the European level where there are few tangible connections between citizens and the Brussels institutions. There is a need to engage people at the European level as well as at a national and regional level.

Acknowledge stakeholder knowledge base – using low barrier methods, respecting non-expert views

All stakeholders have specific knowledge or viewpoints that can be relevant and should be acknowledged and appreciated. It is particularly important to ensure non-expert views are respected and that there is consideration of the fact that many organisations are not familiar with EU institutions or processes.

Be realistic about who can and should be involved

Although a consultation is designed to be as comprehensive as possible, there also needs to be realism about what is possible to achieve given the available timescale and resources.

Shared responsibility between EC & networks – acknowledge the potential of wider networks and use them more effectively

The responsibility for engaging people in consultations does not rest with the EC alone, but is shared with European level federations and networks. The Commission should develop the use of networks to improve engagement, as at present they are an underused resource. The networks also have a responsibility to their members to ensure they are kept informed.

Funding – reduction of SANCO budget – impact on NGOs

Many of the NGOs specifically saw funding as vitally important because it ensures that they are able to participate in the policy process. A reduced budget is likely to have a very negative impact on NGO operational capacity. Increased funding was not seen as the only important factor, but all funding must be processed in a transparent and open manner.

Expertise – mobilising, access and quality – building upon existing expertise in public domain

The access to and quality of expertise was seen as one of the major challenges, as well as how it is mobilised. It is important to ensure that a uniform level of quality exists, building upon existing expertise in the public domain.

Being heard vs. policy discussions

There was a distinction made between organisations needing to voice their opinions and issues, as opposed to more constructive policy discussions. It was thought that if people are not able to speak about their problems, they will tend to use consultations as a opportunity to voice their complaints rather than working on the policy issue in hand.

Solutions

Tailor-made methods for consultation – criteria to define stakeholders, ensuring that we gather and take account of values and ethics as well as technical feedback

The consultation process should respect and adapt to the context of the stakeholders, particularly the values, ethics and principles that may be fundamental to the nature of the stakeholders. This also means valuing all contributions both technical and non-technical.

Opportunities to be heard at an early stage

In order to maximise the ability of stakeholders to work together and to achieve something constructive from the consultation, people must be given the opportunity to be heard from an early stage in the process.

Transparent process using agreed terminology and clear language, well prepared, realistic and longer time scales

There is a need for a set structure and better preparation of the consultation and all related documentation. All terminology and language should be agreed prior to the event, and all documents should be written clearly and be easily understood. Planning should be done in a realistic way with longer time scales to ensure the inclusion of the full range of stakeholders.

Clarity of information used as basis of policy proposals

There is a need for transparency about which information has been used by the Commission to prepare their initiatives and what decisions have or will be made on the basis of this information.

Improve direct links with regional and local levels

One of the best ways to increase engagement is to improve the Commission's links with people at the local and regional levels.

More efficient use of existing channels / structures / networks

The stakeholders agreed that there are channels, structures and networks already in existence and that these underused resources should be developed and engaged.

Additional funding is required to ensure balanced participation

In order to ensure a balanced participation, funding is essential to enable NGOs to continue to participate.

Quality information and data may need to be commissioned

In some circumstances the Commission may have to request more information and research, to ensure that decisions are made with the most accurate data available.

Where appropriate, private-public partnerships may help

The Commission should not reject the possibility of partnerships with the private sector where appropriate, in order to secure more funding.

Restitution – high-quality feedback from Commission

After stakeholders have devoted time and resources to participating in a consultation, the Commission has a responsibility to provide feedback that is intelligible and of a high quality.

2.2 Plenary Discussion on Working Group A Presentation

Robert Madelin (RM) chaired the plenary discussion on "Stakeholders & Inequalities" following the WG A presentation by Tamsin Rose.

Relevant Factors

Engaging the un-engaged

All the stakeholders agreed that engaging the un-engaged is difficult. One option offered was to try and **make better use of the existing networks**, by engaging people from national to regional and local levels. They also considered that work needs to be done to better understand why certain people do not engage at present. It was thought that this could be done by **researching stakeholder expectations to find out what they really want to achieve from engagement** (RM).

A number of stakeholders felt there was an important difference between working at national/regional/local or European levels, and that much information was limited to people working at the European level. It was recommended to **increase awareness and develop greater links between national/regional/local and European networks. To ensure information accessibility improves, relationships between networks and member organisations must become more**

visible, and appropriate language needs to be used to enable effective communication.

Greater involvement at national/regional/local levels could also be facilitated by publishing a list of affiliations/memberships of relevant European federations in all consultation's documents and by requiring that the federations consulted inform their respective affiliates/members (RM).

Information vs. Evidence

Stakeholders agreed that there is a tension between hard evidence and information (which is also influenced by emotions). While information can also be provided by non-experts, evidence can only be provided by experts with technical knowledge.

The Eurobarometer³ was given as an example of a good and robust approach to gauging public opinion, but concern was raised about other approaches such as unmoderated polls/surveys which only provide limited information.

Challenges

Funding

The issue of funding was probably the most controversial discussion of the day. One stakeholder described the provision of public funding for lobbying activities as “anti-democratic” saying that “it is not the task of public authorities to fund participation”. Upon RM's request, this stakeholder clarified that it was acceptable for the public authorities to pay people's expenses to attend events.

This intervention prompted a very lively discussion amongst the stakeholders, and in response, the following comments were made:

- Many of the NGOs claimed they would not be able to undertake the core work of their organisations without some form of public subsidy.
- According to NGOs, the receipt of public funding does not undermine their independence, indeed the provision of such public funding can provide the stability upon which they can communicate civil society's interests most clearly.
- A participant noted that Scandinavian democracies are founded upon public funding of civil society groups.
- NGOs noted that without public support, there would be no civil society representation in many policy development processes. NGOs represent “diffuse interests” (e.g. consumer and health interests) and are very different from companies defending their own interests.
- For some participants it was a point of principle that it is the role of public authorities to ensure representation of all groups.
- Some stakeholders felt that it was highly unlikely that funding was ever inappropriately used to support civil society groups.
- The vast majority of the participants agreed that it should not matter who the Commission funds as long as it is made completely transparent.

³ http://ec.europa.eu/public_opinion/index_en.htm

- Consensus was reached on the need to monitor the effectiveness of public funding through financial audits.
- The need for funding was outlined with the statistic that not even one third of health agencies have the personnel to undertake advocacy at the European level.

RM concluded by stressing that the key issues were transparency in terms of the source of funding and governance of consultation processes (e.g. contestability of it). The objective of good consultation is to get a balanced, representative and meaningful input to policy. In that vein, Industry, NGOs and SMEs should be seen as constituent parts of the consultation community, and those who are under-represented should be financially supported (although some stakeholders felt it was acceptable for funding to be given to NGOs but not to Industry).

Solutions

Upstream / Downstream Engagement

It was suggested that there should be large, open and inclusive stakeholder consultations on key policy areas. These consultations would probably be upstream and relatively expensive. There was also a need seen for smaller and more focused consultations for specific technical policies, which would be further downstream and possibly cheaper.

Many stakeholders felt that it is vital to have engagement at an early stage, and that stakeholders should be involved in defining the issue right from the start. Participants welcomed the use of IA Roadmaps and other similar tools. It was also suggested that the Commission should first “consult on who it intends to consult”.

DG SANCO felt that there were already opportunities for civil society to have early input into the policy process, through their representatives that sit on DG SANCO networks (RM). There is an inherent tension about who goes first, commissioners or stakeholders. If it was the latter, consultation could be seen as subverting good democratic process. However, it was agreed that DG SANCO should better use its networks of stakeholders (ECCG, Health Policy Forum, Advisory Committee on the Animal Food Chain) to engage earlier with stakeholders in order to discuss future strategic issues and define priority areas.

Transparency and Clarity

The stakeholders recommended that much greater transparency is required in terms of DG SANCO making it clear how debates are framed and agendas set. One option was given that DG SANCO should make public the appointments that DG SANCO staff have with external stakeholders.

It is also important to have an agreed and clear terminology between the Commission and the stakeholders and clarity about the information used for the policy development.

Being Heard Vs Policy Discussion

There is a tension between groups needing to have their views points heard and constructive policy discussions. When stakeholder groups have limited opportunities to participate due to constrained resources or previous exclusions, they are more likely to engage by communicating key policy positions as opposed to engaging in the specific discussions being tabled. According to a participant, this was the case at the Open Health Forum.

Concluding remarks by Robert Madelin

The main obstacle to many of the proposed consultation innovations is the sense that they are lengthy processes that will increase the time required for policy development. The stakeholders need to work closely with DG SANCO officials to decide whether they wish to be engaged in early strategic discussions or later in more detailed ones, or possibly both.

Table 2: Possible Steers for DG SANCO - Stakeholders and Inequalities

- Research stakeholder expectations to find out what they really want to achieve from engagement
- Publish a list of affiliations/memberships of relevant European federations in all consultation documents and require that the federations consulted inform their respective affiliates/members
- Be aware that unmoderated polls and surveys only provide limited information
- Ensure that there is transparency around funding and monitor its effectiveness through financial audits
- Engage upstream by better use of DG SANCO stakeholder networks (ECCG, Health Policy Forum, Advisory Committee on the Animal Food Chain) to discuss future strategic issues and define priority areas
- Allow stakeholders to 'be heard'

3. Working Group B – Feedback & Communication

Following the breakout sessions in the morning, a presentation on 'Feedback & Communication' was given to Robert Madelin by Rodrigo Gouveia (EUROCOOP) for Working Group B.

Please see Annex 8 for the flip chart notes from the breakout sessions and Annex 6 for the PowerPoint presentation.

Below we list the points from the presentation. We have presented the conversations in the form of:

- point raised
- discussion
- steer for DG SANCO (highlighted in yellow).

We have also grouped the steers for DG SANCO at the end of each section.

3.1 Working Group B – Presentation

Relevant factors

Transparency of process and objectives

Transparency of the process was identified by everyone as fundamental for all consultations, both during the process itself and with reference to its aims.

Quality of communication throughout the whole process

Access to information was seen as a vital factor. Information should be provided in clear and simple language that can be understood by all stakeholders. Stakeholders must be informed of what the Commission is looking for in order to provide the best possible stakeholder input. The Commission must provide information prior to consultation in order for participants and stakeholders to decide whether it is relevant and suitable for them to be part of the process.

Feedback to increase Accountability: both by the Commission and by Stakeholders

Feedback is an essential component for both the Commission and for stakeholders. If stakeholders are provided with feedback, this will increase the Commission's accountability, whether the stakeholders' views are taken on board or not.

Credibility of the entire process resulting from quality, transparency and accountability

Transparency, quality and accountability were seen as the essential factors to ensure a credible process. The process must be run in a transparent and credible way for people to be likely to participate in the future.

Learning process - will improve input

The learning process should be seen as an intrinsic part of the consultation itself.

Link with future consultations / motivation of stakeholders

Consultations should not be seen as isolated events, but should link together. Stakeholders need to feel that there is the possibility of changing things to be motivated to participate, which to some degree is solely a matter of perception. It is not possible for all the different views to be taken on board by the Commission, but the stakeholders need to feel that there is real possibility to influence decisions.

Feedback depends on the different stakeholder channels

The Commission must give feedback and respond to participant views to ensure that they continue to engage.

Challenges

Achievement of Co-ownership of the process / Self-validating process

One of the challenges of the Commission is to achieve co-ownership, which will enable the process to be self-validating. If the Commission involves stakeholders in the whole procedure, and allows them to become a real part of the process then they can become co-owners. Even if certain stakeholder views are not taken on board, the stakeholders can still feel ownership of the process if they are given reasons for the policy option taken, and are therefore more likely to accept the process.

Ensuring Representativeness, Legitimacy and Credibility (evidence-based)

When deciding on representativeness, it is vital to look at who the stakeholders are, who they are representing and what their legitimacy is.

Lack of financial and human resources (not only on the Commission side) / tension between inclusiveness and resources available

There is a lack of financial and human resources, on both the side of the Commission and of the stakeholders as well. There needs to be a balance between the resources available and achievement of a broad consultation. When a DG initiates a consultation to include more people, they will therefore need to allocate additional resources for delivery and participation.

Allocating Responsibility for providing Feedback by the Commission

The Commission must create internal accountability for providing feedback to the stakeholders, and this person must inform the stakeholders on the decision made by the Commission and why this decision was taken.

Confidential Information – should anything be confidential?

Many people thought there should not be any confidential information, although where there is a confidentiality issue, clear procedure should be outlined.

Response Procedure: Who? Expected outcomes? Nature of the issue at stake? Stakeholders need detailed views on their opinions expressed to the Commission.

The challenge is to have a response procedure that clearly states the outcomes of the process, and provides reasons why certain stakeholder views were not taken on board.

Improvement of intra/inter-DG communication when providing feedback

Feedback procedure must be coordinated and should take into account what information other DGs are providing. It should also be specified what feedback is expected from stakeholders.

Solutions

Ongoing time-efficient structured dialogue to achieve co-ownership

The Commission must try to achieve ongoing dialogue, and to be ready at all times to listen to stakeholders, but should be aware of information overload on either side. There should not be a start and finish point for consultation as dialogue should be part of an ongoing everyday process.

Communication Strategy covering all stages of the process including an intermediate report/consultation

The Commission should endeavour to send documents for the Consultation, including the agenda in plenty of time. An intermediate report should be established which includes stakeholder responses and possible outcomes from the consultation.

Create an interactive portal website with all DG SANCO consultations and a targeted e-mail alert system and FAQs for Stakeholders

DG SANCO should create an interactive portal website that lists all consultations. A targeted email alert system should be set up so that stakeholders are informed of relevant consultations. The website must also contain guidelines on how stakeholders can get the best out of participating. Many stakeholders felt they were unclear on what 'good practice' should look like.

Allocate more resources including Staff and Stakeholder Training

More resources are needed if DG SANCO wants to ensure a transparent process. Stakeholders need training to have the necessary means to respond most effectively to consultation.

All responses should be available online and rules for confidentiality defined at the start (confidentiality definition)

All responses should be available online. The majority of stakeholders agreed that rules on confidentiality were needed, but should only be used in very specific instances.

Panel of NGOs and business to assess data (not agreed by all WG B)

A panel of NGOs and business was suggested to assess the quality and validity of data and its confidentiality. This idea, however, was not agreed on by all WG B, as some thought this would not be a viable solution.

3.2 Plenary Discussion on Working Group B Presentation

Robert Madelin (RM) chaired the plenary discussion on “Feedback & Communication” following the WG B presentation by Rodrigo Gouveia.

Relevant Factors

Feedback

Feedback allows the stakeholders to understand why the Commission has not taken on board their view, and they are therefore more likely to accept the decision. Citizens give up a lot of their time to participate and want detailed information from the Commission in response. Stakeholders however must be aware that even if the Commission does support their views, there is no guarantee that Member States will follow through with the decision. In order to give feedback on all of the issues raised, plenty of time must be allowed. **Commission officials can only give feedback relating to their own level of responsibility, and cannot respond for politicians.** Sometimes it is very difficult for the Commission to give feedback in a conclusive manner.

Other DGs and Consultation

The stakeholders thought that DG SANCO seemed to be leading the way in consultation. Although it was noted that other DGs also understand the importance of involving stakeholders in consultation processes.

Challenges

Confidentiality

Confidentiality was seen as the only real limit on feedback. When DG SANCO receives confidential information, it must be able to ensure that this information will remain so. It was argued that if the Commission did not allow confidentiality, then it would be unique in the world, and this would be a real threat for business. There must be the opportunity for confidentiality, but under a standardised definition.

A question was raised as to whether it was possible to acknowledge confidential information relating to a specific issue, without actually admitting the detail of the information. In general it was agreed that existence of information should be admitted, except maybe in regards to the security service, but some thought that even acknowledgement of information may still risk confidentiality. It was thought that there should still be a **basic philosophy of rules that are the same across the board.**

Panel

When there is controversial information, a panel of experts could be used to decide on what information is submitted, and if any further research needs to be undertaken. The members of the panel would be designated by the stakeholders, and would sign confidentiality agreements when needed. At present, the Commission decides the validity of the information and this can influence the decision made. It was stressed that there must be evidence-based policy making. However, it was noted that the problem of data assessment is a big problem, not only with confidential information.

Some stakeholders felt that the idea of a panel would impinge on DG SANCO's responsibilities, and that they would not feel comfortable providing information to a panel to decide whether it was confidential or not.

Where stakeholders contest a particular piece of data, the Commission should seek further clarification, and the Commission should look to the stakeholders to ensure there was a balance of views between experts, but the Commission should make the final decision on the validity.

Solutions

Co-ownership

It was decided that co-ownership is achieved through an evolving process of feedback, which provides stakeholders with an incentive to be part of the process. An example of good practice for policy makers going beyond consultation was the Nutrition Platform, even if the process did not fully lead to 'co-ownership'.

A Stakeholder Steering Group (e.g. Animal Health Action Plan) was suggested as a way of encouraging co-ownership of the process. For true co-ownership, it was suggested that there needs to be a steering group with representatives from the Commission and stakeholders that evaluates the process step-by-step. The stakeholders were warned that co-ownership demands responsibilities from all parties and can be a 'double-edged sword'.

Representativeness and Member States

It was agreed that there is an issue of geographical disengagement. There is an inequality in representation of stakeholders for certain Member States, and particularly an over-representation of organisations from the UK compared to from the New Member States. Some stakeholders thought that member state representation was an issue for NGOs and Industry to tackle, rather than a responsibility of the Commission. One of the difficulties of representativeness across Europe is the issue of language and translation, which needs to be addressed.

The lack of representativeness was seen as an important point (e.g. DG SANCO on the nutrition strategy consultation received 60% of responses from only one member state), but the question was raised as to whether this is something the Commission should be putting a large amount of resources into. It was suggested that additional players across Member States could be

reached by 'the multiplier effect' of harnessing current stakeholder networks, particularly as DG SANCO was not seen as having the resources to do this itself at present.

The question was also asked as to whether it was legitimate to assist stakeholders in certain Member States that are underrepresented, and not help those in countries such as the UK, which is 'over-represented'. A response to this was that those underrepresented could be chosen for a steering group, to ensure a balance from the start.

It was also mentioned that in order for organisations to react democratically (i.e. to engage effectively with their Boards and membership) across Europe to decisions made by the Commission, this will take a long time. There is the assumption that all stakeholders function in a democratic way, but this is not always true. In a democratic organisation, you are obliged to discuss decisions with your members, and at regional and local levels. For some stakeholders, decisions made in Brussels will then have to be defended to their own members.

Concluding Remarks by Robert Madelin

This consultation will hopefully be part of a continuous dialogue. DG SANCO would benefit if at the end of this process, a smaller group could be found (maybe a dozen stakeholders rather than the 60 present today) to provide support in steering the follow up. There must be honesty and feedback on both sides. DG SANCO would be interested in knowing what the stakeholders themselves do with the information they are given during consultations.

DG SANCO would now like to move on from the mass of ideas to a list of principles and actions that can be implemented. It is not possible to have all the answers now, but to achieve a small group of proposals that have all been agreed on. Four key issues have been identified so far:

1. Transparency

Transparency is important upstream, downstream and throughout the process. Stakeholders must be open about who they represent, how they are funded, and how they govern themselves, for others to understand where their views originate. Transparency will increase mutual understanding and provide better publicity about the stakeholders and over time, across the whole of civil society as people get to know each other and the networks available.

2. Upstream Engagement

There is no limit to upstream engagement, but with ever more upstream engagement, there is pressure on both the Commission and stakeholders to formalise ideas and opinions earlier. To move engagement upstream would be cost-efficient for all of us and would make the decision process easier. Every time engagement moves upstream, the nature of the dialogue differs (i.e. an increased focus on future strategic discussions) and the Commission is challenged. There is also the need for people just to be heard (as mentioned previously); before the Commission starts to gather information and decide what

extra research needs to be undertaken. Moving upstream allows engagement at a local level, which may be done through a greater use of stakeholder networks.

3. Downstream Engagement

The downstream dialogue should include both immediate feedback and follow-up throughout the process.

4. Process

Stakeholder involvement is a continuous process. Stakeholders aim at co-ownership of the process, but this is not always possible.

Table 3: Possible Steers for DG SANCO – Feedback & Communication

- Transparency, accountability, and quality are essential for credibility
- All information and communication must be clear and simple
- Provide feedback throughout the process
- Feedback should not be seen as an isolated event
- Encourage co-ownership of the process
- Allocate additional resources to consultation
- Define rules for confidentiality
- Set up a panel to decide on confidential/controversial information
- Set up a steering group of interested stakeholders to ensure co-ownership of the process

Annex 1 – Agenda



EUROPEAN COMMISSION
HEALTH & CONSUMER PROTECTION DIRECTORATE-GENERAL

02 - Strategy and Analysis

Brussels DG SANCO/02/MP/os D(2006)20088

Healthy Democracy

Building Stakeholder Involvement in DG SANCO

DG SANCO STAKEHOLDER INVOLVEMENT PEER REVIEW GROUP –
Second Meeting

AGENDA

Date: 7 September 2006
Time: 10:00 – 17:15
Venue: Borschette Centre (Rue Froissart 36 - 1040 Brussels)

Aim of the meeting:

- Develop the ideas generated from 13 June
- Produce Action Plans on:
 - (1) Stakeholders & Inequalities (WG 1)
 - (2) Feedback (WG 2)

Chairman: Robert Madelin, Director General of DG SANCO
Project Co-ordinator: Mattia Pellegini, Unit 02 Strategy and Analysis, DG SANCO
Rapporteur: Richard Wilson, Director, Involve

10:00 Registration & Coffee
10:30 Introduction to the Meeting (Plenary)
11:00 Working Groups (Breakout Sessions)
13:00 Lunch
14:30 Developing Action Plan 1 (Presentation by WG 1 to Plenary)
15:45 Refreshments
16:00 Developing Action Plan 2 (Presentation by WG 2 to Plenary)
17:00 Conclusions & A Way Forward

Dates for Future Peer Review Meetings:

11 October 2006 1 December 2006

Annex 2 – List of Participants

Working Group A: Stakeholders & Inequalities

Chairman: Mr John BELL

Facilitator: Mr Richard WILSON

1	ADAMSON Paul	<i>The Centre</i>	Présent
2	ANDREASEN Asgar	<i>CoR</i>	Présent
3	CASPARI Conrad	<i>Agra CEAS Consulting</i>	Présent
4	CASTRO Paloma	<i>McDonalds</i>	
5	CIMAGLIA Maria	<i>UEAPME</i>	Présent
6	COSTONGS Caroline	<i>EuroHealthNet</i>	Présent
7	de LOOZ CORSWREM Rodolphe	<i>Brewers of Europe</i>	Présent
8	FEDERSPIEL Benedicte	<i>Danish Consumer Council</i>	Présent
9	GARRIDO-HERRERO Lara	<i>EU Public Health Alliance</i>	Présent
10	GEORGOUTSAKOU Ourania	<i>Assembly of European Regions</i>	Présent
11	GIORDANO Paolo	<i>UEHP</i>	Présent
12	GROBE Antja	<i>Stuttgart University</i>	Présent
13	KADI Andreas	<i>Coca Cola</i>	Présent
14	MARQUIS Don	<i>European Patients' Forum</i>	Présent
15	MATTAR J. Hans	<i>Bayer</i>	Présent
16	MEILAK Chris	<i>Malta Health Ministry</i>	Présent
17	MOEN Fredrik	<i>Swedish Representation</i>	
18	NIELSEN Bente	<i>CoR</i>	Présent
19	RIECKEN Silke	<i>Better Regulation Com. UK</i>	
20	RILEY Emilie	<i>Nike</i>	Présent
21	ROBERTS Tim	<i>UK Health Department</i>	
22	ROSE Tamsin	<i>IOGT-NTD</i>	Présent
23	SALVIANO João	<i>Youth Forum Jeunesse</i>	
24	SWINNEN Anne-Cécile	<i>European Commission</i>	
25	THIBAUT Hugues	<i>Test Achats</i>	Présent
26	van DIEVEL Mary	<i>Mental Health Europe</i>	
27	VANDEPUTTE Aurélie	<i>Europa Bio</i>	
28	VIEGA-PESTANA Miguel	<i>Unilever</i>	
29	WILSON Vanessa	<i>UK Dep. Environment, Food</i>	Présent

Workshop B : Feedback and Communication

Chairman Mr Mattia PELLEGRINI

Facilitator Ms Ali HOWES

1	ALLEWELDT Frank	Civic Consulting	Présent
2	BARNES Brendan	EFPIA	Présent
3	BRIEDE-GODINA Kristine	Latvia Health Ministry	
4	BAX Willemien	BEUC	Présent
5	CASPARI Conrad	AGRA CEAS	Présent
6	CROSSICK Stanley	European Policy Center	Présent
7	DENNERBORG Ulrika	AmCham EU	Présent
8	FANDEL Marie-Hélène	EU Policy Centre	
9	FARRELLY Adeline	EuropaBio	Présent
10	FELLER Roxane	COPA-COGECA	Présent
11	FLAHAULT Solene	Carrefour	Présent
12	FOLDAL Svanhild	Sweden Food Admin.	Présent
13	GELENG Manuela	European Commission	
14	GOUVEIA Rodrigo	EUROCOOP	Présent
15	HALLING Bernd	Animal Health Int'l Fed.	Présent
16	HENDRICKX Luc	UEAPME	Présent
17	HOEL Anne	EU Public Health Alliance	Présent
18	HUTCHINS Ian	Tesco	Présent
19	JANS Didier	FEFANA	Présent
20	KAYAERT Guido	Nestle	Présent
21	KETTLITZ Beate	Food and Drink Confederation	Présent
22	KNUBBEN Richard	EU Advertising Alliance	Présent
23	LANDON Jane	EU Hearth Network	Présent
24	NIELSEN Bente	CoR	Présent
25	PAPAZAHARIOU Christianna	EuroCommerce	
26	PETRESCU Raluca	Act4Europe	Présent
27	PORGES Chantal	EUCOMED	Présent
28	PRIESTER Robert	EU Banking Fed.	Présent
29	SMITH Martin	UEAPME	Présent
30	VATANEN Lea	European Commission	Présent
31	WALDENSTROM Gudrun	European Commission	Présent
32	WITTMANN-STAHN Irene	German Permanent Rep.	Présent

Apologies

Alan Butler (Diageo), Veronique Schmit (Eurogroup Animal Welfare), Grazia Cioci (Pan Europe)
Philip Clarke (Food Standards, UK), Charles-Henri Montin (Ministere des finances, France), Dr
John Marin (Who, EU)

Annex 3 – Mattia Pellegrini Introduction

Synthesis Report
1st Meeting (13 June 2006)

Mattia Pellegrini
DG SANCO
Unit 02 Strategy and Analysis

The Structure

- Wider Context
- 4 thematic issues:
 1. Stakeholders and Inequalities
 2. Stakeholder Planning and Resources
 3. Feedback and Communication
 4. Comitology
- Useful Annexes

WG A - Stakeholders and Inequalities

- Who are DG SANCO stakeholders?
 - Quality and Representativeness of Stakeholders
 - Engaging Socially Excluded Groups and the Uninterested
 - Beyond the Brussels Village
- Stakeholder Inequalities
 - Commercial and Contentious Information
 - Funding NGOs
 - NGOs & Generality

WG B – Feedback and Communication

- Feedback on individual consultations but also other communication channels
- The absence of feedback can seriously undermine future consultations
- Quality and legitimacy of the different submissions
- What procedural mechanisms are needed?

Annex 4 – Richard Wilson Introduction

Healthy Democracy

DG SANCO Stakeholder Democracy Peer Review Group

7 September 2007
Borschette Centre, Rue Froissart 36 - Brussels

Aim:

- Develop ideas from 13 June meeting
- Produce Action Plans on:
 - Stakeholders & Inequalities
 - Feedback & Communications

Agenda

- 10:00 ■ Start
 - Introduction to the meeting
 - Working Group (Breakouts)
- 13:00 ■ Lunch
 - Presenting & Developing Action Plan A
 - Refreshments
 - Presenting & Developing Action Plan B
- 17:15 ■ Conclusions & Way Forward
- Close

Ground Rules

- One Person Speaking at a Time
- Non Attribution Unless Requested
- Switch-Off Mobiles

Overall Process

Today: Action Plan Workshop 1
(Stakeholders & Inequalities; Feedback & Communications)

11 Oct: Action Plan Workshop 2
(Stakeholder Planning & Resources; Comitology)

1 Nov: Draft of Final Report Circulated

1 Dec: Draft of Final Report Workshop

Spring 07 Commission Response & Event

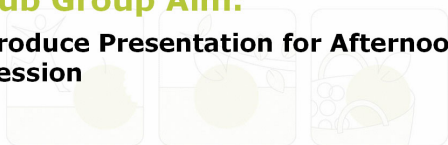
 

SUB GROUPS



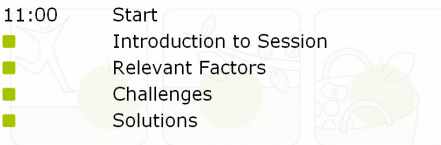
Sub Group Aim:

Produce Presentation for Afternoon Session



Sub Group Agenda

- | | |
|-------|------------------------------|
| 11:00 | Start |
| ■ | Introduction to Session |
| ■ | Relevant Factors |
| ■ | Challenges |
| ■ | Solutions |
| 12:10 | Finalisation of Presentation |
| 13:00 | Close |



Key Questions

In 'Healthy Democracy' Report of 13 June Meeting:

- What is Very Important?
- What is Missing?



Annex 5 – Working Group A: PowerPoint Presentation



WORKING GROUP A
STAKEHOLDERS & INEQUALITIES



RELEVANT FACTOR - 7/9

- Credibility of the existing consultation processes
- Transparency of access to decision makers
- Stakeholders are different and the process should reflect their needs / capacity
- Engaging the un-engaged – make the process representative
- Definition: stakeholder groups, representativeness, scope / range, transparency
- Information – asymmetry of production and access, confidentiality; rules to define
- Information vs. Evidence



CHALLENGES - 7/9

- Diversity of views and voices (at all levels)
- Inclusivity – methods which engage hard-to-reach
- Acknowledge stakeholders knowledge base – low barrier methods, respecting non-expert views
- Be realistic about who can and should be involved
- Shared responsibility between EC & networks – acknowledge the potential of wider networks and use more effectively
- Funding – reduction of SANCO budget – ngo impact, having basic funds to support participation, transparent
- Expertise – mobilising, access and quality – building upon existing expertise in public domain
- Being heard vs. policy discussions



SOLUTIONS - 7/9

- Tailor-made methods – criteria to define stakeholders, ensuring that we gather and take account of values and ethics as well as technical feedback
- Opportunities to be heard at an early stage
- Transparent process using agreed terminology and clear language, well prepared, realistic and longer time scales
- Clarity of information used as basis of policy proposals
- Improve direct links with regional and local levels
- More efficient use of existing channels / structures / networks
- Additional funding is required to ensure balanced participation
- Quality information and data may need to be commissioned
- Where appropriate, private-public partnerships may help
- Restitution – high-quality feedback from Commission

Annex 6 – Working Group B: PowerPoint Presentation



WORKING GROUP B

Feedback and Communication



RELEVANT FACTORS

- Transparency of process and objectives
- Quality of communication through the whole process
- Feedback to increase Accountability: both Commission and Stakeholders
- Credibility of the entire process resulting from quality and transparency
- Learning process / Will improve input
- Link with future consultations / motivation of stakeholders
- Feedback depends on the different stakeholder channels



CHALLENGES

- Achievement of Co-ownership of the process / Self-validating process
- Ensuring Representativeness, Legitimacy and Credibility (evidence-based)
- Lack of financial and human Resources (not only on the Commission side) / tension between inclusiveness and resources available
- Allocating Responsibility for providing Feedback by the Commission
- Confidential Information – should anything be confidential?



CHALLENGES 2

- Response Procedure : Who? Expected outcomes? Nature of the issue at stake? Stakeholders need detailed views on their opinions expressed to the Commission
- Improvement of intra/inter-DG communication when providing feedback



SOLUTIONS

- Ongoing time-efficient structured dialogue to achieve co-ownership
- Communication Strategy covering all stages of the process including an intermediate report/consultation
- Create a interactive portal website with all consultations by SANCO + targeted e-mail alert system + FAQs for Stakeholders
- Allocate more resources including Staff and Stakeholders Training
- All responses should be available online + rules for confidentiality defined previously (confidentiality definition)
- Divergent views on Panel (mix NGOs and business) to assess data

Annex 7 – Working Group A: Flip Chart Notes

Stakeholders & Inequalities

Sub Group 1

Wojciech Dziworski

Relevant Factors

1. Credibility of the process
 - effective
 - transparent
 - clear enough
 - resources
2. Five different groups of stakeholders (to ensure quality, representativeness, access and needs) to try and include in the process.
 - people who do not know about the consultation
 - people who do not want to bother with the consultation
 - people who do not have the capacity
 - people who do know, do bother and do have the capacity to be part of the consultation
 - people who need to be there

Challenges

1. Acknowledge stakeholder knowledge base
2. Find proper methods 'low barrier methods'. Not everyone is an expert.
3. Reality check
4. Shared responsibility of the Commission and stakeholders for the success of process
 - chain of command
 - funding is important but not enough
5. Make effective use of existing infrastructure, distribution channels

Solutions

1. Using more tailor-made methods reflecting the knowledge base (technical and non-technical).
2. Acknowledging the shared responsibility for the process, running and taking part.
3. Use all levels (normal channels) and create shortcuts

Sub Group 2

Anne-Cecile Swinnen

Relevant Factors

1. Representativeness
 - definition of stakeholders
 - scope
 - transparency
- e.g. WHO – observer status

2. Quality
 - asymmetry e.g. Health Policy Forum
 - access
3. Information
 - access
 - confidentiality

Challenges

1. Inclusivity
 - social groups
 - federal → national → regional
2. Funding
3. Capacity to mobilise expertise

Solutions

1. Selection of stakeholders – clear criteria
2. Funding – public / private partnership (when appropriate)
3. Commonly agreed terminology and criteria

Sub Group 3

John Bell

Relevant Factors

1. Stakeholders – quality and representativeness is important
 - capacity / skills differ greatly
 - knowledge
 - configure process around stakeholder needs
2. Information – often common problem gathering from members
 - not always neutral, e.g. Information Vs Evidence
 - confidentiality
 - access to evidence
3. Asymmetry
 - balance resources / capacity to participate
 - access – senior level policy makers
 - transparency – who meets whom

Challenges

1. Diversity of views, voices and knowledge
 - facilitating debates
 - reaching all affected in timeframe
 - asking who is affected / interested
 - role of EU networks to enlighten / explain
 - Finding expertise relevant
 - Inadequate – previous feedback demotivates involvement
 - Feedback – rationale / debrief – why not included?

- Being heard Vs policy discussion
e.g. 1st Open Health Forum (example of unsuccessful consultation)
- 2. Expertise – mobilise, access, quality
 - evidence / scientific input $\leftrightarrow$ policy
 - money – commissioning evidence
 - data – standards / access
 - think tanks – representative range of data
 - access to existing public EU data
- 3. Asymmetry
 - finance for evidence
 - transparency of finance

Solutions

1. Transparency
 - better preparation: agenda, web, papers
 - clear language on process, content documents
 - real timeframes: range / diversity
 - 'restitution': intelligible feedback from European Commission
 - selection of stakeholders:
 - some rotation
 - inclusion / exclusion
 - access to the debate
 - public :
 - access to senior EU officials and meetings
 - ensure high level access is fair
 - committees and informal groups
 - use technology better
 - publish stakeholder lists
 - financing of stakeholders
2. Expertise
 - having the right evidence on time
 - data quality standards and transparency
 - access to data: research, JRC, academics
 - clearer definition of what kind of input and expertise
 - commissioning credible data
 - think tanks
 - behavioural data and research
 - science / policy interface
3. Missing
 - range of opportunities
 - early – being heard later – content
 - techniques – broad / expertise

Annex 8 – Working Group B: Flip Chart Notes

Feedback & Communication

Sub Group 1

Mattia Pellegrini

Relevant Factors

1. Transparency of process
 - time
 - objectives
 - feedback will work
 - who formulates the questions, as these have impact on the consultation.
 - how feedback is taken into account in the initiative
 - clarify who the stakeholders are – institutions, NGOs, experts or citizens?
 - communication with the media is outside
2. Credibility and quality of submission
3. Learning via feedback
4. Feedback should reflect the different channels (stakeholder dialogue and citizen dialogue).
 - communication channels should be identified in advance

Examples:

- A participant explained that in the case of the Animal Welfare Consultation there was no clarity about the process, questions were biased and participants after contributing were not given any feedback.
- In the case of the Consultation on Plant Protection Products, a participant commented that there were too many replies and of a poor quality.
- Most of the participants agreed that the Consultation on the Animal Health Action Plan was a model on how to best involve stakeholders.

Challenges

1. Assessment quality, representativeness and credibility.
2. Feedback tools, e.g. questionnaires, website
 - how to design better questionnaires – open ended questions
 - better database
 - dedicated website
 - consider linkages among DGs when providing feedback
3. Management structure and co-ordination
4. Tension between speed, inclusiveness and resources.
 - ensure there is a balance between these
 - must also consider quality and efficiency
 - translation of languages also an issue

Also

- confidentiality of information
- the three networks within DG SANCO need a more coherent structure.

Solutions

1. Interactive website with email alert
2. Training and education both for stakeholders and SANCO officials, e.g. training to facilitate consultation.
3. Consensus building process via good communication in all stages of the process including intermediate report / consultation.

Sub Group 1

Aude L'Hirondel

Relevant Factors

1. Ongoing dialogue
 - flexibility
 - two-way ongoing dialogue for the life-span of the proposal
 - evolving process needed
 - timing enough to respond to feedback from the Commission.e.g. Future H in Europe 2004 – broad and results put on website.
2. Adequate feedback → motivation of participants.
 - who would you like feeding back the information? Different for national associations or business?
 - who are we targeting?
 - people who are not paid e.g. some NGOs lack the resources and time to participate.
 - there is little feedback on which consultation has influenced the decisions-making process most.
3. Learning
 - “help us to help you”.
 - to improve quality input
 - spell out what is good and helpful and what the DG is looking for.e.g. broad consultation.

Also

This is a great initiative from DG SANCO to do this workshop – and should be the same across all the DGs. There should be in-depth consultation on strategy, coordinated between the DGs.

Challenges

1. Legitimacy
 - very difficult to define
 - need to have different criteria – how many people affected.
 - different people on the group
 - EC will have to make choice after the consultation.
 - legitimacy is linked to quality.
 - how do you weigh up the different views coming from different groups?
 - which factors will influence the policy document the most?
 - what kind of information do you need? The more specific the request for information the easier it is to provide and therefore the most efficient.
 - implication of valid / accurate information, e.g. Reod – training of staff.
 - transparency
 - Comitology – who decides how decisions are taken?

2. Response procedure
 - no need to go through every contribution, but rather by group (business, NGOs, ...)
 - useful to know the criteria against which the EC will assess the contribution.
 - different methods needed for very technical or broader issues.
 - but still need to be informed even if group not directly concerned, e.g. through the Internet.

Also

- DG SANCO has three different websites.
- need to have one consultation portal.
- "Have your say" is messy and not up-to-date.

Solutions

1. A portal website for whole DG SANCO and for entire EC.
 - the website should provide guidelines and support people and give them confidence to contribute, e.g. FAQs.
 - one of the most important barriers to participation is that people do not know what to do and why they should do it.
2. Confidentiality and Transparency
 - answers should not be confidential
 - issue of data protection for Industry
 - the definition of confidentiality should be very clear.
 - 1. Post-consultation paper – distributed to general public and 2. specific information on changes adopted by Commission – not for the general public
 - to increase trust – need to know who responded and the context of their response. Why would someone not want their contribution to be seen? A question of visibility.
3. Controversial issues
 - for data protection could have a panel to assess the information (EFSA ??). The panel would be appointed by NGOs and Industry.
 - but, in terms of transparency of the group – it would also be possible to ask for further research to be done about the issue.

DG SANCO needs to encourage people to participate.

Sub Group 3

Agnes Ajour

Relevant Factors

1. Credibility is seen as the result of good practice in the quality of communication, transparency and accountability.
2. Transparency
 - transparency is particularly important to ensure there is credibility and trust in the process.
3. Communication
 - not a lot of information is needed, but there needs to be quality information.
 - attention must be paid to the language used, as this is essential for allowing a broad audience to have understanding and clarity.
 - helps to develop a common understanding of the issues at stake.
 - dialogue is important from the very beginning, even before a formal consultation has been started. It is part of communication.
 - need to be pragmatic in the process - both the Commission and stakeholders.
 - learning from the process must be included in the dialogue.

4. Timing
 - the whole process must be done in good time and in a sensible way to allow good feedback.
 - as more and more consultations are taking places, there maybe needs to be a way to prioritise?
5. Accountability
 - the Commission must give reasons for the outcomes, after a consultation.
 - this is also an issue for stakeholders, and must be seen as part of the ongoing process.
6. Learning
 - this is very much dependent on the transparency and accountability.

Challenges

1. For DG SANCO to get the most from this consultation, they must draw on the consequences and then use the recommendations and get resources devoted to them accordingly. This is the new big challenge!
2. Obtain stakeholder ownership of the process
 - stakeholders should be involved from the beginning, during the set up, questions, problems and options. Even if not all the views are taken on board, they can be more accepted if they have been discussed.
 - stakeholders must feel that their input is not used to justify decision that have already been made.
3. Response procedure (in the wide sense – includes quality)
 - the impact of stakeholder participation should be measured – is it worthwhile participating?
 - a formal response from the Commission should include a detailed justification of why views have not been accepted, e.g. to justify to members of an NGO how their input has been considered.
 - there should be an analysis of why stakeholders did not reply
 - the identification of the context and problem may be a challenge for all the stakeholders, but the procedure should satisfy the stakeholder → ownership of the process by the stakeholders.

The response procedure for Confidential information

- nothing should be confidential for DG SANCO
- there should be rules on all consultations on confidentiality. Everybody should know beforehand of the rules.
- how to ensure the Commission is not basing its policy options on confidential information? As this would jeopardise the transparency of the process.
- it should at least be disclosed who is claiming confidentiality and on what.
Should anything be confidential in a stakeholder consultation?

Quality and legitimacy

- need to get full representation of an area / issue
- timelines for the whole process is an important challenge

Solutions

1. Staff – renamed as Resources
 - stakeholder staff should be trained, so that they can facilitate the process, and understand terminology and new concepts. E.g. PHP Information Day.
 - need to consider who would train the stakeholders, and in particular for national organisations. This could be part of communication at the event, and use qualified communicators.
2. Communication
 - all 'communication' issues should be put together before, as this helps to ensure ownership of the process.
 - undertake an audit of the Commission website
 - special note needs to be taken of the issue of language and translation
 - NB – good communication will not replace poor content!
3. Co-ownership (a new relevant factor)
 - expand communication. There should be a new culture of permanent dialogue. Stakeholders must be involved in the whole process of policy-making efficiently and in a realistic way (resources).
 - building a stakeholder community is a long-term process. E.g. EU Health Forum
4. Synthesis document
 - importance of the synthesis document – should not be only a synthesis of the process, (e.g./ who participated etc.) but also synthesis of inputs and reaction on proposed options.
 - explanatory memorandum of communication should clearly refer to this synthesis report.
 - in the response procedure, it should be clearly written that each stakeholder will get an answer to their input.

**Annex D – Minutes from 13 June 2006 Meeting of the DG
SANCO 2006 Peer Review Group on Stakeholder Involvement**

Summary

Following the Preliminary Report of Main Findings and Issues for Discussion, this Synthesis Report is the second output from DG SANCO's 'Healthy Democracy' Stakeholder Consultation project.

This report serves two principle functions:

- To provide a record of the first Peer Review Group meeting of 13 June 06
- To prepare the Peer Review Group for meetings on 7 September & 11 October

A Record of 13 June 06

On 13 June 06 sixty-one members of the DG SANCO's Stakeholder Involvement Peer Review Group met in Brussels to examine the challenges and opportunities facing DG SANCO as it seeks to forge new and more productive relationships with its expanding stakeholder network. This report has grouped these discussions under five principle headings:

1. The Wider Context,
2. Stakeholders & Inequalities,
3. Stakeholder Planning & Resources,
4. Feedback & Communications, and
5. Comitology.

The principle output from this project will be DG SANCO Stakeholder Consultation Guidelines. For each of the specific issues identified above (2-5) we identify specific solutions which will form the basis of these guidelines. We would ask any reader of this document to pay particular attention to these (p 10, 13, 15 and 16).

Preparation for 7 September 06 & 11 October 06

There are two forthcoming meetings scheduled in the 'Healthy Democracy' policy development process, which this report has been designed to support:

- (1) 'Stakeholders & Inequalities' and 'Feedback', 7 September 2006, 10:00 – 17:15, Borschette Centre (Rue Froissart 36 - 1040 Brussels).
- (2) 'Stakeholder Planning & Resources' and 'Comitology', 11 October 2006, 10:00 – 17:15 (provisional), (Rue Froissart 36 - 1040 Brussels).

In particular we are seeking responses to the following questions:

- *What is your experience in dealing with DG SANCO stakeholder consultation? How could it be improved?*
- *What makes DG SANCO unique in terms of stakeholder consultation?*
- *What are the institutional characteristics which help support effective stakeholder engagement? (e.g. leadership, skills, experience etc)*
- *How have the minimum standards for stakeholder consultation worked in the past and why?*
- *Do you know of any specific approaches to managing inequalities (asymmetries) in stakeholders' access to resources?*

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1.Introduction

The principle purpose of this report is to record the Peer Review Group meeting that took place on 13 June 06 and prepare people for the Workshops being held on 7 September and 11 October 2006. With that in mind, we have attempted to both present a record of the day as well as provide prompts to stimulate consideration of critical issues in preparation for the forthcoming workshops.

In this document we have broken down the discussion that took place into two components: the 'Wider Context' that this work is operating within (Section 2); and the 'Issues Discussed' by the Working Groups at the 1st meeting (Section 3). Under 'Issues Discussed', we present some 'Solutions' proposed by the delegates. These will form the starting point in producing the DG SANCO stakeholder guidelines. Finally we look forward to the rest of the project to assess our best next steps (Section 4).

This report should be read in conjunction with:

- Preliminary Report of Main Findings and Issues for Discussion
- The Electronic Flip Charts

Both these reports can be accessed online, using your login provided by DG SANCO: [<http://forum.europa.eu.int:80/Members/irc/sanco/Home/main>]. Should you have any problems contact Orsolya Sudar [Orsolya.SUDAR@ec.europa.eu].

The purpose of the Peer Review Group is to assist DG SANCO in:

- reviewing its experience regarding stakeholder consultation
- identifying best practices as well as loopholes in the existing consultation system

The final product of this work will be DG SANCO Stakeholder Consultation Guidelines to be published in 2007. The guidelines aim to:

- Improve the quality of DG SANCO policy-making
- Empower stakeholders and improve dialogue
- Provide SANCO policy officers with the most up to date tools to better engage with stakeholders
- Address the differences in access to information and resources between industry and NGOs

The objectives for the 13 June 06 meeting were to:

- outline DG SANCO's plans and objectives for stakeholder involvement
- understand participant views on the project (concerns and opportunities)
- agree on the future process of the project (future meetings and workstreams)

Stakeholder Engagement & Consultation

Throughout this report the words '*stakeholder engagement*' and '*consultation*' are used. We are aware that this raises an issue of consistency and clarity of terms used. It was felt however that in this report accurately reflecting the discussions of the day ought to take priority over linguistic continuity. To aid understanding we have included a definition of both terms in Annex A3.

BOX 1: Generic Questions for Consideration When Reading This Document

When reading this document, please focus on:

A Record of June 13 Meeting

This report will serve as a record of the June 13 Workshop, please consider what has been written in terms of its accuracy and inform us if we have missed anything.

Preparation for 7 September & 11 October Workshops

In preparation for the two workshops scheduled for 7 September & 11 October, please consider the following questions when reading this document:

- *What is your experience in dealing with DG SANCO stakeholder consultation? How could it be improved?*
- *What makes DG SANCO unique in terms of stakeholder consultation?*
- *What are the institutional characteristics which help support effective stakeholder engagement? (e.g. leadership, skills, experience...)*
- *How have the minimum standards for stakeholder consultation worked in the past and why?*
- *Do you know of any specific approaches to managing inequalities (asymmetries) in stakeholders' access to resources?*

Where possible please provide specific examples in response to these questions.

Please submit any examples or thoughts on this paper to both Ali Howes, Involve (ali@involving.org) and Mattia Pellegrini, DG SANCO (Mattia.Pellegrini@ec.europa.eu) by 24 August 2006.

It is important to be aware that this piece of work primarily concerns itself with Stakeholder Consultation and not wider public or citizen engagement. We define stakeholder consultation as engaging those stakeholders with an explicit interest in a given policy development strategy. In Annex A5 we outline how a stakeholder may be defined for any given process.

2. Wider Context

During the 13 June meeting, issues were raised as to the wider context that this work is operating within. This section highlights these issues. It does not offer explicit approaches to tackle the issues raised; it simply seeks to highlight key points so that we may be aware of them when developing specific recommendations at a later stage.

The Commission's General Framework

DG SANCO's stakeholder consultations are part of the wider framework of the Commission's stakeholder consultation policy and apply to its principles and standards. In developing more specific guidelines for DG SANCO, the wider framework is taken into account. In particular, DG SANCO consultation evaluation exercise will take into account the results of the Green Paper on European Transparency Initiative (COM(2006) 194), by which the Commission launched a debate on its relations with interest groups and asked for external feedback on the application of the Minimum Standards for Consultation (COM(2002)704). Vice versa, SANCO consultation evaluation exercise may bring up issues that are useful at more general level as well.

Success Criteria

There is at present no common definition of successful stakeholder engagement within DG SANCO or its wider stakeholders. This is linked to the various different objectives that different parties have for stakeholder engagement activities.

Trust and Legitimacy

It should be remembered that underpinning the move towards stakeholder engagement is the desire to increase the wider public's trust of the European Commission and increase its legitimacy.

Purpose of Consultation

There are many different reasons for undertaking consultation and stakeholder engagement. It is important that in any process the various objectives are made clear as early as possible, and are continually referred back to as part of the process.

Consultation Coordination

It is important that DGs coordinate their specific consultation activities, as well as seek to share learning between one another on delivering effective processes.

Terminology

There is a need to develop a common understanding of EU acronyms and stakeholder engagement language.

Engaging the Disengaged

Particular challenges are presented in engaging groups who may not identify themselves as stakeholders or may not have a full understanding of the relevancy of EU policy to their experiences.

Beyond DG SANCO

Many of DG SANCO policies depend on stakeholders who are outside the groups with whom DG SANCO normally works. It is important therefore to reach out to these new audiences.

EU, National, Regional & Local Issues

A more sophisticated approach to stakeholder engagement needs to be developed, whereby policy development and delivery on different issues is undertaken at the appropriate level of government (e.g. EU, National, Regional & Local). There should also be scope to learn from different institution's approaches to stakeholder engagement to try and share learning across the EU.

Level of Interest

Different stakeholders will have different levels of interest, which must be recognised and responded to as appropriate.

DG SANCO Capacity

DG SANCO's capacity for commissioning and delivery of stakeholder engagement must be increased.

3. Issues Discussed

This section of the report is a record of the 13th June meeting. While no conclusions are drawn from the work in this section, we seek to reflect the discussions as accurately as possible.

This section should be read in conjunction with the Preliminary Report of Main Findings and Issues for Discussion', especially Section 3.3.

BOX 2: Preparation for Workshops 2 & 3

When reading Section 3 please focus on:

Section 3 of this report will form the principle input to the forthcoming workshops:

- 1) Workshop 2: 7 September 2006
'Stakeholders & Inequalities' and 'Feedback'
- 2) Workshop 3: 11 October 2006
'Stakeholder Planning & Resources' and 'Comitology'

Each meeting will be split into two working groups, each focusing on developing current thinking on either 'Stakeholders & Inequalities' and 'Feedback' (Workshop 2); or 'Stakeholder Planning & Resources' and 'Comitology' (Workshop 3). Please inform Daniela Livia Biciu (Daniela@cecoforma.be) which working group you wish to attend.

At each meeting there will be opportunities to discuss both issues.

In preparation for the meeting we would appreciate it if you would consider this section critically under the headings "Relevant Factors", "Challenges" and "Solutions", and respond to the following questions:

- *Are the points accurate?*
- *What detail could be added to tighten up the solutions?*
- *Are there any points missing?*

On the 13 June six working groups were held to explore in detail the specific issues raised in the 'Draft Preliminary Report...'. The working groups (WG) were as follows:

- WG 1) DG SANCO Stakeholders (*Facilitator: J. Bell*)
- WG 2) Inequalities & Difficulties in Access to Information (*Facilitator: V. Arnault*)
- WG 3) Stakeholder Planning (*Facilitator: M. Pellegrini*)
- WG 4) Feedback (*Facilitator: A. Ajour*)
- WG 5) Comitology (*Facilitators: J. Vergnettes & M. Iglesias*)
- WG 6) Resources (*Facilitator: W. Dziworski*)

For details of the participants – see Annex A1.

Each working group explored relevant issues, challenges and solutions. We have structured this section to reflect this approach. As previously mentioned it is worth noting at this stage that the

solutions section will be used as the basis for any substantive outcomes which emerge from this policy development process.

In this report we have reduced the original six issues to four, by combining the findings from Working Groups 1 and 2 to produce a section on '*Stakeholders and Inequalities*', as well as combining Working Groups 3 and 6 to produce a section on '*Stakeholder Planning & Resources*'.

These sections have been based on the group discussions that took place on 13 June 2006. The flip chart record of these discussions can be viewed online⁴.

3.1 STAKEHOLDERS AND INEQUALITIES

(To be discussed by Working Group 1 on 7 of September)

This section has been compiled from the discussions held in Working Group 1 'SANCO Stakeholders' and Working Group 2 'Inequalities & Difficulties in Access to Information'

3.1.1 RELEVANT FACTORS

Quality and Representativeness of Stakeholders

It was agreed at the meeting that the success of stakeholder involvement hinges upon the quality and representativeness of those who participate in the processes, which in turn is dictated by the agreed purpose of the process. For example, if an objective of your process is to strengthen and support democratic practices, you will need to involve a demographically representative group. If there is a particular problem to be solved, using a stakeholder approach is probably better.

Stakeholder Asymmetries

Significant inequalities (often referred to as asymmetries) exist between the different stakeholders that DG SANCO may want to involve in its process. These exist in terms of staff, resources, access to information, policy experience, and various other dimensions. Asymmetries exists between industry and NGOs but also within industry (SMEs versus multinational companies)

Understand Stakeholder Needs

As engaging the right individuals, in terms of quality and representativeness, has been agreed to be vital to the success of Stakeholder Representation, efforts should be made to facilitate their involvement. Understanding the wants and needs of the different parties whose involvement is required will allow us to provide them with the appropriate support to get involved in as effective a way as possible.

Commercial Confidentiality

There are significant challenges in managing the information held by different parties. In particular in many of the high technology arenas that DG SANCO operates, access to information is limited by commercial confidentiality. For example, private sector organisations may feel pressured not to disclose commercially sensitive information due to competitive pressures.

Information Production

Policy arguments are often won and lost on the basis of the availability of competing information. Therefore the ability of any stakeholder to undertake research or produce new information sources (e.g. websites, publications) can significantly influence their ability to

⁴ <http://forum.europa.eu.int:80/Members/irc/sanco/Home/main>

engage in stakeholder engagement processes. The difference (asymmetry) in resources (e.g. finance, human resources) that any organisation has at its disposal creates a challenge when designing stakeholder engagement processes.

Contentious Information

Complex and emerging policy arenas (e.g. those effected by Science & Technology research) will be affected by uncertain and contested information. When the information underpinning a policy development process is widely contested, discussion of the validity of information itself can tend to dominate any stakeholder engagement undertaken. It is important therefore, as far as is practicable to provide opportunities to air any concerns held or support co-production of any research undertaken that will inform the policy development process.

3.1.2 CHALLENGES

Engaging Socially Excluded Groups

How might DG SANCO seek to support those without a voice but a stake in their policies and help them become more involved?

DG SANCO Stakeholders are wider than just Consumer and Public Health

Does DG SANCO recognise these other groups? Has DG SANCO identified its stakeholders?

Beyond the Brussels Village

What are the options for going beyond the Brussels policy community? When is this appropriate? What will be the resource implications of this?

Engaging with the Uninterested

Many important stakeholders do not necessarily identify themselves as stakeholders or do not understand the relevance of EU policy. What are the options for changing their perceptions?

Capacity to Mobilise Expertise

Expertise can exist in all groups but there are gaps in capacity to mobilise and access expertise. Many NGOs are often generalist and lack the necessary specialised knowledge.

European Networks

European networks should be better used in order to bridge the gaps and better involve the hard to reach stakeholders.

NGOs & Generality

As many are generalist and not specialist, what is their relevance?

Funding NGOs

Funding for NGOs / consumer groups is helpful and necessary – but needs to be transparent, consistent and fair. Stakeholder involvement in policy requires careful attention to designing policy development processes.

Understand & Communicate Purpose

Organisations need to understand clearly what the process hopes to achieve, so as to decide whether to get involved in the process.

Information Sharing

Information sharing will require careful planning and management to work between different parties, for example between NGOs and Industry.

Dispersed Information Sources

Many information sources are dispersed and not all are available online.

Information Quality

It is important to assess the quality of the information generated or used as part of a process, and understand the representativeness of the replies in terms of type of participant: stakeholder, member state, individual, or organisation.

3.1.3 SOLUTIONS**Co-Producing Information**

Agree on a basis for involving stakeholders in the production of research on contentious issues.

Establish Information Assessment Criteria

Establish criteria to assess information agreed at the start of the process.

Synthesis Documents

The Commission should produce a synthesis document on how information is used and the process for responding to whether certain perspectives are acted upon or not.

Commonly Agreed Terminology

Terminology to be used in the process should be agreed where possible from the start, and where necessary agreed upon in an on-going process.

Publish Stakeholder Lists

The stakeholders involved should always be published to ensure transparency and provide information of the next steps.

Stakeholder Analysis

Stakeholders need to be selected with methodological rigour based on the agreed purpose of the process, NOT just from the existing contact database. [For more detailed discussion on selecting participants, see Annex A5]

3.2 STAKEHOLDER PLANNING & RESOURCES

(To be discussed by Working Group 3 on 11 of October)

This section has been compiled from the discussions held in Working Group 3 'Stakeholder Planning' and Working Group 6 'Resources'.

This section concerns the practicalities of creating and realising good stakeholder involvement. It has been broken down into sections and begins with a quick consideration of defining the terminology that is being used in this process.

3.2.1 RELEVANT FACTORS

Terminology

A central concern raised at the meeting was establishing a shared understanding of the terminology used. This has implications for this piece of work in terms of clearly defining the bounds of this project, as well as the practice of stakeholder involvement generally in order for people to understand one another.

Defining a Purpose

The group agreed that having a clear purpose is critical to the success of any involvement process.

Cross-DG Coordination

The group felt strongly that there is a need to have clear coordination between stakeholder involvement activities that take place between DGs, both in terms of the practice of stakeholder involvement and the coordination of the stakeholder involvement activities.

Mainstreaming - Capacity Building

There is a need to build the skills of DG staff members to be able to effectively deliver stakeholder involvement activities and effectively integrate these activities into policy development processes.

Timing

Consultations taking place at a very early stage make it easier to identify sensitive issues and better facilitate dialogue with the stakeholders.

Timeframe

Different outcomes and purposes sought for public engagement activity require different amounts of time to deliver. European trade associations and federations need longer timeframes for consultation (the current rule of 8 weeks is sometimes insufficient to allow for an effective involvement of national associations and federations).

Formal versus informal

Consultation rules only apply to formal consultations.

Approaches

There is a need for a much more sophisticated understanding of which approaches work in different circumstances. There are hundreds of different approaches that can be adopted to achieve stakeholder involvement but different approaches will achieve different outputs and outcomes. Annex A7 lists some publications that exist on this subject.

Institutional Culture

A critical factor underpinning the degree of success of the stakeholder involvement process is not so much whether the right process is being used, although this is important, but more that the institutional culture supports effective public engagement.

3.2.2 CHALLENGES

Time Planning

Current time allocated for full consultation process (including planning, delivery, response) is too short. This is especially the case when needing to engage with disparate and disconnected groups (EU, MS, local and regional) and when faced with practical issues such as translation.

Language and Translation

Language is often a problem in EU consultation processes. National federation members of European umbrella federations are often not familiar with foreign languages and translation is required.

Use of European networks

European networks could be better used to reach a wider community of stakeholders.

Competing Objectives

Any stakeholder involvement initiative may have several different objectives ascribed to it. For example a sponsoring DG may wish to gather information or a stakeholder may seek to influence the DGs policy or an NGO may be seeking to improve its corporate relationships. This is of course always the case. Problems arise however when different objectives are held by key players which are not compatible. This is especially problematic, and often occurs, when different objectives are held within the sponsoring organisation and are implicit (unspoken).

Measuring Success

A great challenge in this area of work is measuring success, especially when you are attempting to deliver outcomes, many of which are intangible.

Capacity Building

The resources that exist in terms of improving the capacity both of institutions to deliver better stakeholder involvement and stakeholders to effectively engage with the processes on offer are widely dispersed.

Institutional Capacity

There is a need to build institutional not individual capacity for stakeholder engagement, due to the high levels of staff mobility.

Internal Communications

Internal communication and coordination is always a challenge in a large organisation.

3.2.3 SOLUTIONS

Purpose: Defining & Differentiating

A useful way of defining the purpose is thinking through, and differentiating between the outputs and outcomes sought from the process. Outputs are tangible products that a process may generate such as meetings or reports, whereas outcomes are the wider more important overall goals such as to improve legitimacy or efficiency of government.

Purpose: Clarification

To avoid the problem of competing and incompatible objectives time should be devoted at an early stage in the process to ensuring all parties are clear and agree the purpose and objectives of the process.

Consult as early as possible

Consultation should start at the very early stages of the identification of the problem, as recommended in the Scoping Paper Guidelines.

Consultation methods

Consultation methods should be used taking into account the objective of the consultation. The selection of a given consultation method should always be explained.

Increase the possibility to use other languages

Language is often an obstacle. To solve this, it would be useful to always have consultation documents in at least the 3 working language of the EU (EN, FR and GER) combined with the possibility to reply in all the official languages of the EU.

Establish consultation rules also for informal consultations

Consultation rules should also cover “informal consultations” such as elaboration of studies and organisation of workshops.

Agree Definitions for Terms

Terminology should be agreed in advance. Definitions of key terms are included in Annex A3.

Develop Success Criteria

There is a need to develop indicators which help us know when we are or are not achieving our goals, or introduce approaches to capturing the learning as a process develops.

DG SANCO Capacity & Training

Capacity needs to be built internally within DG SANCO in terms of knowing which stakeholder involvement process to use and when. Appropriate training would help in building this capacity.

Effective budget and resource allocation

Well functioning stakeholder processes require the allocation of a sustainable budget and resources. More resources and budget should be devoted to stakeholder consultation within DG SANCO.

Collate Resources

The existing resource base of documentation, training and relevant institutions needs to be collated.

Consultation Hubs

Consultation hubs to provide advice on best practice for stakeholder engagement and know what stakeholder engagement is taking place should be created.

Learning Networks

Learning networks to share skills and experience amongst groups of individuals (within and across the DGs) would be beneficial.

Think & Plan for Whole Consultation Process

Sufficient time for proper planning, preparation, delivery and response to any consultation or stakeholder engagement process must be allowed.

3.3 FEEDBACK AND COMMUNICATION

(To be discussed by Working Group 2 on 7 of September)

Management of good communication channels with stakeholders was identified as being perhaps the central component to delivering effective stakeholder engagement. In particular in this section we focus on the process of feedback, which we define as *‘the communication channels through which DG SANCO provides information to its stakeholders’*.

Effective stakeholder feedback is seen as the key mechanism through which citizens and stakeholders get a sense of connection between themselves and the EC, which is both central to policy delivery and maintaining the legitimacy of the EC. Indeed the absence of feedback can seriously undermine the efficacy of future consultations.

3.3.1 RELEVANT FACTORS

Transparency

Having effective mechanisms of feedback is essential to ensure that policy development is as transparent as possible.

Accountability

Feedback can be a useful mechanism of building increased accountability.

Learning

Feedback is essential to support on-going learning amongst stakeholder groups of the process of governance and the issue in question.

Link with future consultations

Lack of feedback and/or poor quality feedback can reduce the willingness of stakeholders to participate in future consultations.

3.3.2 CHALLENGES

Assessing Quality & Legitimacy

Assessing the quality, representativeness (both in terms of type of stakeholders and size) and legitimacy of different submissions.

Responsibility for Feedback

Responsibility for maintaining channels of feedback and communication (e.g. policy team, communications) needs to be clearly assigned.

Confidential Information

Procedures for managing confidential information, which is either confidential to DG SANCO or other stakeholder organisations, should be established.

Response Procedure

There needs to be a procedure for explaining why some inputs have been taken on board and why others have not been.

3.3.3 SOLUTIONS**Publish Stakeholder Responses Online**

Always publish for each consultation a list of consulted stakeholders plus, if possible, make the responses available online.

Submission Criteria Assessment

Develop criteria to assess the quality and legitimacy of different submissions, which would be made available at the start of any process, or agreed amongst the stakeholders in advance.

Confidential Definition

There should be a common definition of what is confidential.

Synthesis Document

Following every process there should be a synthesis document produced explaining how feedback has been used.

Communication Strategy

There should be in-built communications strategy whereby contact is maintained with all those who have been involved so that the Commission stays in touch with key stakeholders, and the key stakeholders are kept aware of any developments.

Staff Training

Staff should be trained in providing good feedback.

Communication before the Event

There should be early notice given to participants that the process is taking place. Clear and honest explanations of what the process will involve and what it seeks to change should be provided before the event, together with any other necessary information in a format that the participants will find easy to understand.

Communication during the Process

Making it clear when meetings etc. are taking place and what will be expected of the participants.

Communication after the Event - Feedback

It is critical that the commissioning body has very clear feedback mechanisms, responding clearly to any output from the process, in terms of why they have or have not acted in response to the wishes of the group. Appropriate products (minutes from the meetings etc.) from any process should be made publicly available.

3.4 COMITOLOGY

(To be discussed by Working Group 4 on 11 of October)

Comitology is short hand for "committee procedure". It describes a process in which the Commission, when implementing EU law, has to consult special advisory committees made up of experts from the EU Member States. In particular, Comitology refers to when the EU devolves decision-making on specific pieces of policy to the Commission. Comitology is a key procedure not only for agreeing and finalising legislative instruments but also for the approval of marketing authorisations of products. Often Comitology is about routing implementation of requirements that are already predefined in the original legislative framework. Stakeholders are normally involved in the design of the original legislative framework.

3.4.1 RELEVANT FACTORS

Explaining Comitology

Work is needed in explaining to external parties what Comitology is and why it exists.

Is Comitology Compatible with Stakeholder Engagement

Work is also required to consider whether the conditions that underpin Comitology can support effective stakeholder engagement and the implications for democratic legitimacy and efficacy of policy delivery.

Absence of Guidelines

Currently there are not guidelines for stakeholder consultation in Comitology decisions.

3.4.2 CHALLENGES

Speed of decision

The speed of the Comitology procedure can clash with the request for increased time for consultation. Stakeholders understand that it is not always possible to involve stakeholders given the process in question.

Limited time

There is little or no time for consultation in the Comitology procedure.

Consultation requirements

Consultation requirements are unclear, e.g. what should Member States consult on?

Stakeholder targeting

Difficult to target the relevant stakeholders for individual Comitology decisions.

What level

Should consultation only be carried out at Member State level or at EU level as well?

3.4.3 SOLUTIONS

Early Warning System

An early warning system (as the one recommended in the Preliminary Findings Report) should be put in place to alert Member States to start a consultation as well as to stakeholders so that

they may promote consultation in those Member States where none takes place on a given issue⁵.

Standing Committee Participation

Participation of relevant stakeholders in the Standing Committee meetings as already takes place in some cases.

Committee Procedures

Improve procedures in standing committees rules of functioning.

Develop a set of Guidelines for Consultation

A set of guidelines for carrying out consultation should be developed at Member State level based on sharing best practice.

4.Next Steps

In this section we consider some of the practical considerations that have emerged through the work so far that will underpin DG SANCO's ability to deliver effective guidelines (Section 4.1) as well as the next steps (Section 4.2).

4.1 PRACTICAL CONSIDERATIONS

The following questions (covered in Box 1) have emerged as practical considerations DG SANCO needs to seek to answer through this work.

- ***European Commission experience in Stakeholder Consultation:***
What are the unique characteristics about stakeholder engagement in the European Commission? Are there common challenges faced by other international multilateral agencies which the EC can learn from? What examples of EC consultation (both positive and negative) are available that DG SANCO can learn from?
- ***Unique DG SANCO issues:***
Does DG SANCO have any unique characteristics which need to be taken account of when transferring learning from elsewhere or when developing the guidelines? What defines the landscape (are there particularly powerful players, are the issues of a particular nature e.g. scientific/highly specialised/contentious)? Are there very low or high levels of public interest in particular areas?
- ***How have guidelines worked in the past:***
Given that the key output for this project is the production of guidelines, how have such tools worked in the past? Have they been affected in stand-alone form or do they require support in the form of training or online services? Do they go out of date quickly or not?
- ***Institutional characteristics:***
Effective stakeholder consultation depends on doing the business of government in a different way. This requires a new, more open, responsive and flexible approach. How has such cultural change been effectively supported in other sectors?

⁵ The group disagreed with the second proposal contained in the draft report to create small focus groups of interested Member States in case of very controversial Comitology proposals. The group considered such a process would neither increase the transparency nor the speed of the process.

- **Information Production & Sharing:**

Issues of asymmetry of information have come clearly through the research to date. Are there approaches to sharing or producing research which can overcome some of these issues? What can be learnt from other sectors? Is there a solution or is it a reality we must recognise and tolerate?

4.2 NEXT STEPS

The next steps in the 'Healthy Democracy' policy development process are:

- 1) 2nd Meeting: *'Stakeholders & Inequalities'* (Working Group 1) and *'Feedback (Working Group 2)'*

Date: 7 September 2006

Time: 10:00 – 17:15

Venue: Borschette Centre (Rue Froissart 36 - 1040 Brussels)

- 2) 3rd Meeting: *'Stakeholder Planning & Resources'* (Working Group 3) and *'Comitology'* (Working Group 4)

Date: 11 October 2006

Time: 10:00 – 17:15 (provisional)

Venue: Borschette Centre (Rue Froissart 36 - 1040 Brussels)

This report is the primary input for the 2nd and the 3rd meeting.

- 3) 4th Meeting: *Conclusions & Recommendations for the Future*

- 4) Launch Event: Spring 2007.

We will be holding the next meetings of the Peer Review Group on 7 September 2006 and 11 October 2006 as outlined above.

You will be sent a finalised agenda and supporting documentation two weeks in advance of both of these meetings.

In the meantime, please send us your thoughts on the process so far before 24 August 06 to Ali Howes, Involve (ali@involving.org) and Mattia Pellegrini, DG SANCO (Mattia.Pellegrini@ec.europa.eu).

Many thanks for your participation.

Annex 1 - Participants

Industry Stakeholder Representations

*(A) - Attended Meeting

*(NA) - Did not attend meeting

Federations/Associations

Name	Contact Person & Position	Address & Email	Website	Sector
1. AmCham EU	Ulrika Dennerborg Chair, Institutional Affairs Committee (A)	Ulrika.dennerborg@p mintl.com Avenue des Arts 53 1000 Brussels	www.eucommittee.be	
2. Brewers of Europe	Rodolphe de Looz-Corswarem Secretary General (A)	rdlc@brewersofeurop e.org 23 - 25 Rue Caroly 1050 Brussels	www.brewersofeurop e.org	Public Health
3. Confederation of the Food and Drink Industries (CIAA)	Nathalie Lecocq Economic Affairs Director – <i>appointed person</i> (A)	n.lecocq@ciaa.be Ave. des Arts, 43 1040 Brussels	www.ciaa.be	Food Safety
4. Committee of Professional Agricultural Organisations in the European Union & General Confederation of Agricultural Co-operatives in the European Union (COPA COGECA)	Roxane Feller – <i>appointed person</i> (A)	Roxane.feller@copa-cogeca.be Rue de Trèves, 61 1040 Bruxelles	www.copa-cogeca.be	Food Safety
5. European Advertising Standards Alliance	Oliver Gray (A)	oliver.gray@easa-alliance.org Rue de la Pépinière 10A 1000 Bruxelles	http://www.easa-alliance.org/	Consumer Protection
6. European Medical Technology Industry Association (EUCOMED)	Maurice Wagner Director General (A)	maurice.wagner@euc omed.be	www.eucomed.be	Public Health
7. EuroCommerce	Christianna Papazahariou – <i>appointed person</i> (A)	papazahariou@euroc ommerce.be Avenue des Nerviens 9-31 1040 Brussels	www.eurocommerc e.be	Consumer Protection

8. EuropaBio	Nathalie Moll <i>appointed person</i> (A)	n.moll@europabio.org Ave. de l'Armée, 6 1040 Brussels	www.europabio.org	Food Safety
9. European Association of Craft, Small and Medium-sized Enterprises (UEAPME)	Luc Hendrickx Director Entreprise Policy & External Relations (A)	l.hendrickx@ueapme.com Rue Jacques de Lalaing 4 1040 Brussels	www.ueapme.com	Consumer Protection
10. European Banking Federation (FBE)	Enrico Granata Chairman of the FBE Consumer Affairs Committee <i>appointed person</i> (A)	e.granata@abi.it Rue Montoyer, 10 1000 Brussels	www.fbe.be	Consumer Protection
11. European Federation of Animal Feed Additive Manufacturers (FEFANA)	Didier Jans Secretary General (A)	dja@fefana.org Ave Louise, Box 13 1050 Brussels	www.fefana.org	Animal Health
12. European Federation of Pharmaceutical Industries and Associations (EFPIA)	Brendan Barnes <i>-appointed person</i> (NA)	brendanbarnes@efpia.org Rue du Trône, 108 B-1050 Brussels	www.efpia.org	Public Health
13. International Federation for Animal Health (IFAH)	Bernd Halling Communication Director <i>appointed person</i> (A)	b.halling@ifahsec.org Rue Defacqz, 1 1000 Brussels	www.ifahsec.org	Animal Health
14. L'Union Européenne de l'Hospitalisation Privée (UEHP)	Paolo Giordano Secretary General (A)	paolo.giordano@uehp.org Ave. de la Joyeuse Entrée, 1 Boîte 11 1040 Brussels	www.uehp.org	Public Health
15. The European Crop Protection Association (ECPA)	Ana Villamediana <i>appointed person</i> (A)	ana.villamediana@ecpa.be anavillamediana@hotmail.com Avenue E van Nieuwenhuyse, 6 1160 Brussels	www.ecpa.be	Food Safety

Individual Firms

1. Bayer	J. Hans Mattaar European Regulatory Strategy Manager (A)	Hans.mattaar@bayercropscience.com Energieweg 1 P.O Box 231 NL-3640 AE Mijdrecht	www.bayer.com	Food Safety
2. Carrefour	Solene Flahault European public affairs (A)	Solene.flahault@gb.be Ave des Olympiades 20 1140 Brussels	www.carrefour.fr	Food Safety / Consumer Protection
3. Diageo PLC	Alan Butler (NA)	alan.butler@diageo.com 8 Henrietta Place London W1G OMD, United Kingdom	www.diageo.co.uk	Public Health
4. Kraft	John Robinson Vice Chairman (NA)	John_Robinson@be.bm.com	http://www.kraft.com/default.aspx	
5. McDonalds	David Coleman (A)	David.coleman@be.mcd.com		
6. Nike	Emily Riley <i>-appointed person</i> (A)	Emily.riley@nike.com 165, Avenue Louise 1050 Brussels		
7. Coca Cola	Andreas Kadi Director Scientific & Regulatory Affairs - <i>appointed person</i> (A)	ankadi@eur.ko.com Chaussee de Mons, 1424 1070 Brussels	www.coca-cola.com	Food Safety/ Consumer Protection
8. Nestle	Guido Kayaer Vice President Relations with European Institutions (A)	Guido.kayaert@be.nestle.com Rue de Birminghamstraat 221 1070 Brussels	www.nestle.com	Food Safety
9. Tesco	Ian Hutchins European Affairs Manager <i>-appointed person</i> (A)	ian.hutchins@uk.tesco.com Cirrus Building A Shire Park Welwyn Garden City Hertfordshire AL7 1GA	www.tesco.com	Food Safety/ Consumer Protection

10. Pernod Ricard	Rick Conner VP International Public Affairs (A)	rick.connor@chivas.com Chivas House 72 Chancellors Rd London W6 9RS	www. Pernod-ricard.com	Public Health
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ANNEX 2 - PURPOSES

Below is a list of some of the wide range of different outcomes sought:

Governance – strengthening democratic legitimacy, accountability, stimulating active citizenship.

Gathering social intelligence – to improve decision-making through drawing upon a wider basis of thinking and expertise

Public to influence decision-making – sharing of power

Inform the public – the deficit model of public engagement whereby stakeholder consultation is essentially a communications vehicle

Debate, discuss and deliberate – deliberative democracy suggests that supporting informed conversations amongst members of the public fosters a more progressive decision-making

Risk management – by having a greater understanding of their stakeholders and hence the environment that they are operating in, institutions are better able to predict and manage risk.

Social cohesion and social justice – building relationships, ownership and social capital, equity and empowerment.

Improved quality of services – more efficient and better services, especially public services, that meet real needs and reflect community values.

Capacity building and learning – for individuals and organisations, to provide a basis for future growth and development.

ANNEX 3 - SAMPLE DEFINITIONS

- *Consultation* - Where people are offered the opportunity to comment on what is planned, but are not able to develop and input their own ideas or participate in putting plans into action.
- *Stakeholder Engagement* – processes which seek to support genuine dialogue with stakeholders and institutions (see below) which go beyond traditional communication.
- *Stakeholders* - Those that feel they have a stake in the issue – either being directly affected by a decision or being able to affect that decision. These can either be organisational representatives or individuals.
- *Citizens* – The wider public / society who may have a right and interest in being involved. Citizenship is a political act, with people taking responsibility and acting on behalf of the wider society. It is important to remember that there is no such thing as a homogenous general public. Different sections of the public may need to be involved in different ways.
- *Communities* – Commonly defined either by identity (e.g. minority ethnic) or geographically (e.g. by neighbourhood or village). The latter tends to be more common in health participation.
- *Consumers* - Users of products and services. The consumer focus is well established in the private sector and has an increasingly important role in public service delivery and design.
- *Public Participation* - The involvement of citizens in decisions that affect their lives.
- *Public Engagement* - Working with or communicating to the public.

These definitions are taken from the glossary of the Involve website: www.involve.org.uk/glossary

ANNEX 4 - SANCO STAKEHOLDER CONSULTATION GUIDELINES

At the end of this project DG SANCO envisages developing **Stakeholder Consultation Guidelines**. Our **goals** in launching the SANCO Stakeholder Consultation Guidelines are to:

- Improve the quality of DG SANCO policy-making
- Empower stakeholders and improve the dialogue with them
- Provide SANCO policy officers with the most up-to-date tools necessary to better engage with stakeholders
- Address the differences in access to information and resources between industry and NGOs

These guidelines should **provide SANCO officials with:**

- Practical tips on how to carry out a successful Stakeholder Consultation and checklists.
- A toolkit of best available techniques for Stakeholder Consultation
- A comprehensive review of best practices
- A list of internal and external experts on Stakeholder Consultation
- A database of SANCO stakeholders
- A website for all SANCO consultations

ANNEX 5 - STAKEHOLDER ANALYSIS

When defining who your stakeholders are, the following questions may be useful:

- Who is directly responsible for the decisions on the issues?
- Who is influential in the area, community and/or organisation?
- Who will be affected by any decisions on the issue (individuals and organisations)?
- Who runs organisations with relevant interests?
- Who is influential on this issue?
- Who can obstruct a decision if not involved?
- Who has been involved in this issue in the past?
- Who has not been involved, but should have been?

It is useful to consider categories of participants, which may include:

- The public at large – or just a sample
- Particular sections of the public affected by the issue
- Statutory consultees
- Governmental organisations
- Representatives of special interest groups,
- Individuals with particular expertise (technical or personal).

The focus should be on the quality of the participation and not on the number of participants. There is a tendency to focus too much attention on the statistical representativeness of participants and/or their numbers while ignoring the quality of the process. It would be a waste of time for everyone to be involved in everything all the time. Care needs to be taken to avoid excluding certain people by accident or lack of support.

ANNEX 6 - SELECTING PARTICIPANTS

This has been taken from the Involve Publication 'People & Participation'.

In general terms, there are two ways of thinking about selecting participants:

- **Open**, inclusive, anyone that wants to should be able to participate.
- **Selective** in that the numbers, types and actual individual participants may be chosen as part of the process. There are three main approaches to selecting participants, although these categories are likely to overlap:
 - Representative: cross-section of the target audience (often organisations).
 - Instrumental: those with appropriate power, knowledge (often individuals).
 - Required: those required by any guiding regulation, funding regime etc. (e.g. all residents within a disadvantaged neighbourhood targeted for regeneration).

Two issues are relevant to understanding the nature and role of appropriate participants: representativeness and inclusiveness.

- **Representativeness.** Some techniques require the involvement of a representative cross-section of an identified population and these can be more highly valued by decision-makers than other approaches. For example, opinion polls are often taken seriously because of their demographically representative sampling. Very often, a participatory exercise will be criticised for not being 'representative' and the legitimacy of the results therefore undermined, even when that was never the intention.

Representation has become a difficult issue for participation and it may help to consider a couple of general points:

- Some organisations represent their members directly by embodying the interests of their group (e.g. carers campaigning to improve the benefits to carers), or indirectly by representing those interests (e.g. Age Concern acting on behalf of older people). Where organisations are not made up of their beneficiary groups, they often establish complex systems to ensure that they represent their constituency's interests and priorities (e.g. through advisory groups, elected committees, consultations, etc).
- Many interest groups are entirely unrepresentative in terms of formal membership, but may well represent the views of a much larger sector of society in less formal ways (e.g. GM-crop trashing groups, or tunnelers campaigning to stop motorway or airport building). Legitimacy may be conferred on such actions through tacit support, expressed in a variety of ways (e.g. providing food or funding).
- Individuals are often invited to participate on the basis that they represent a particular interest, sector, place or organisation. This form of representation only works when participants make the effort outside of meetings to enter into a dialogue with their respective constituencies/organisations. This ensures that they are acting as genuine representatives and bringing their constituencies/organisations along. This then prevents the common problem of individuals moving forward as part of the process whilst leaving their organization behind.

- **Inclusiveness.** It has become common practice to set down a principle that participatory processes should be open and inclusive, but that is not always the case. For example, the juries established throughout the British legal system are limited to a certain number (twelve), and there are clear criteria for jury service (e.g. no-one with a criminal conviction). Nonetheless, some principles of good practice for participation still take inclusiveness as an overarching 'good'.

More often these days, practitioners take the view that everyone does not need to be involved in everything all the time. The key principles are to involve those that are appropriate to the particular process, including those who themselves feel they have a stake, and that particular groups or sectors of society are not excluded because they are outside the usual networks, or have not participated before.

Special efforts need to be made to avoid excluding certain people by accident or lack of sufficient care. This can seriously undermine the legitimacy and credibility of any process and of participatory practice in general and may reinforce existing inequalities of power and access to resources⁶.

"There is a real problem, due to a lack of resources, so that those groups which are not easily identifiable don't get involved. Only those who can be approached through already existing networks are approached ... There is a serious danger that current participatory / deliberative practice merely creates another elite." (Tim O'Riordan, interview 2004).

⁶ See, for example, Cooke, Bill and Kothari, Uma (eds) (2001) *Participation. The New Tyranny*. Zed Books, London.

ANNEX 7 - PUBLIC PARTICIPATION GUIDELINES

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Annex E – Preliminary Report of Main Findings and Issues for Discussion

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Executive Summary

The principle purpose of this document is to help inform the first meeting of the Peer Review Group.

This draft preliminary report was drawn up taking into account the **input provided by the different Directorates of DG SANCO** – in particular those officials in charge of SANCO stakeholder networks – **as well as other DGs, Member States and stakeholder consultation experts**. This draft preliminary report should be seen as working material that will evolve and change throughout the process.

The report consists of three main chapters:

- The first chapter provides a brief overview of the standards for stakeholder consultation in the Commission, with a particular focus on the Minimum Standards for Consultation. In addition, it describes some of the initiatives undertaken by other DGs in this field.

- The second chapter describes DG SANCO experience in the field of stakeholder consultation focusing on both the consultation methods used so far and the existing networks of stakeholders. The report shows that DG SANCO has a very established tradition in consulting with stakeholders, although effective communication across the different SANCO policy departments could be improved.

- The third concluding chapter contains a non-exhaustive list of issues that could be discussed by the Peer Review Group. The issues are sub-divided in two different sub-groups:

- Issues of a general nature: who are DG SANCO stakeholders, how to solve the asymmetry of information and means between industry and NGOs, stakeholder consultation planning and mapping, timeframe for consultation, access to information and feedback.

- Issues related to the functioning of DG SANCO: whether there is a need of having a DG SANCO stakeholder database, whether there is a need of having a consultation(s) coordinator, whether there is a need to improve intra-SANCO coordination, whether there is a need to increase transparency in comitology, whether there is a need to create a common DG SANCO website for all stakeholder consultations, whether there is a need to develop internal operational guidelines.

The report also includes 4 annexes:

1. Main Findings on best practices: this annex provides a non-exhaustive list of best practices to be considered when carrying out a stakeholder consultation. It is based on a series of contacts with experts as well as some desk research.

2. List of useful web-links on stakeholder consultation

3. List of DG SANCO online consultations in 2005 and 2006

4. Draft mandate of the Peer Review Group

1. INTRODUCTION

DG SANCO is currently working on how to improve the stakeholder consultation and participation processes. In the long term, this will enable DG SANCO to establish a solid network of stakeholders and research bodies to improve the credibility of the consultation process and facilitate the identification of emerging policy trends. This project is also a **follow-up of the SANCO Scoping Paper Guidelines**⁷ which recommend early consultation with stakeholders. Connecting with citizens and stakeholders is intrinsic in DG SANCO mission.

More generally, this project should allow for a debate on how best to integrate in DG SANCO working methods the five principles of good governance (Openness, Participation, Accountability, Effectiveness and Coherence) as outlined in the Commission White Paper of 2001⁸. It will also help us in assessing our level of compliance with the *General principles and minimum standards for consultation of interested parties by the Commission – 2002*⁹.

This draft preliminary report was drawn up taking into account the **input provided by the different Directorates of DG SANCO** – in particular those officials in charge of SANCO stakeholder networks – **as well as other DGs, Member States and stakeholder consultation experts**. This draft preliminary report should therefore be seen as working material that will evolve and change throughout the process. It will serve as food for thought in the discussion that will take place at the first meeting of the Peer Review Group.

Indeed, key SANCO Stakeholders (both industry and NGOs), consultation experts and Member States will also be involved in the process through a **Peer Review Group**¹⁰. This group will meet 4 times to assist DG SANCO:

- in reviewing its experience as regards stakeholder consultation
- in identifying best practices and loopholes in the existing consultation system

At the end of this project, it is envisaged to develop **SANCO Stakeholder Consultation guidelines**. Our **goals** in launching the SANCO Stakeholder Consultation Guidelines are to:

- Improve the quality of DG SANCO policy-making
- Empower stakeholders and improve the dialogue with them
- Provide SANCO policy officers with the most up to date tools necessary to better engage with stakeholders
- Address the differences in access to information and resources between industry and NGOs

These guidelines should **provide SANCO officials with**:

- Practical tips on how to carry out a successful Stakeholder Consultation: ‘how to do’ fiches and checklists

⁷[weblink](#) to be established

⁸http://ec.europa.eu/governance/white_paper/index_en.htm

⁹http://europa.eu.int/eur-lex/en/com/cnc/2002/com2002_0704en01.pdf

¹⁰See Annex V Draft Peer Review Group Mandate

- A toolkit of best available techniques for Stakeholder Consultation
- A comprehensive review of best practices
- A list of internal and external experts on Stakeholder Consultation
- A database of SANCO stakeholders
- A website for all SANCO consultations

The draft preliminary report consists of three main chapters. The first chapter provides a brief overview of the standards for stakeholder consultation in the Commission. In addition, it describes some of the initiatives undertaken by other DGs in this field. The second chapter describes DG SANCO experience in the field of stakeholder consultation focusing on both the consultation methods used so far and the existing networks of stakeholders. The third concluding chapter contains a non-exhaustive list of issues that could be discussed by the Peer Review Group.

2. STAKEHOLDER CONSULTATION IN THE COMMISSION

The Commission general principles and standards for stakeholder consultation are defined in both the 2001 White Paper on Governance and the 2002 Minimum Standards. Box 1 below summarises the main elements of the 2002 Minimum Standards.

Box 1 – *Commission general principles and minimum standards for consultation*

The Commission adopted, on 11 December 2002, a communication *General principles and minimum standards for consultation of interested parties by the Commission* COM(2002)704. The following are the general principles and minimum standards that apply from 1 January 2003:

A. Clear content of the consultation process

All communications relating to consultation should be clear and concise, and should include all necessary information to facilitate responses.

B. Consultation target groups

When defining the target group(s) in a consultation process, the Commission should ensure that relevant parties have an opportunity to express their opinions.

C. Publication

The Commission should ensure adequate awareness-raising publicity and adapt its communication channels to meet the needs of all target audiences. Without excluding other communication tools, open public consultations should be published on the Internet and announced at the "single access point".

D. Time limits for participation

The Commission should provide sufficient time for planning and responses to invitations and written contributions. The Commission should strive to allow at least 8 weeks for reception of responses to written public consultations and 20 working days notice for meetings.

E. Acknowledgement and feedback

Receipt of contributions should be acknowledged. Results of open public consultation should be displayed on websites linked to the single access point on the Internet.

Recently, there have been a wide range of projects and initiatives launched by other DGs on consultation-related issues which goes to show that stakeholder consultation and participation is becoming increasingly important throughout the Commission and is now a significant part of the **Better Regulation agenda**. Below is a summary of the main initiatives in the Commission related to Stakeholder Consultation.

The **Secretariat General (SEC GEN)** is looking at the Commission's **relations with civil society**. With a view to evaluate stakeholder consultation mechanisms in the various Commission DGs, the SEC GEN has carried out a series of interviews. Interviews took place in 22 Commission services and the same questions were asked to all officials interviewed. The interviews give a general overview of each DG and their relations with civil society organisations. In DG SANCO, the interviews covered consultation mechanisms in all three policy areas (consumer protection, public health and food safety).

In February 2006, the Commission (SEC GEN) launched a **Green Paper on lobbying and consultation standards** which is part of the Commission's European Transparency Initiative launched in November 2005. The Green Paper will launch a public debate about the possible need to develop a more structured framework of relations with lobbyists and interest groups. The Green Paper will, at the same time, invite feedback on the application of the Commission's minimum standards for consultation. The Secretariat-General is responsible for this Green Paper and all Commission departments are involved in the debate.

The Commission (SEC GEN) has also set up a **public register of expert groups**¹¹ in November 2005 which covers both formal and informal advisory bodies. It provides information on the nature and tasks of each group and indicates which department within the Commission is responsible for overseeing the group. The register classifies the participants in broad categories but it does not contain any information on individual experts, mainly for data protection and privacy reasons. "We are committed to shining a light on the way decisions in Brussels are taken", said European Commission President, José Manuel Barroso: "The Commission is fortunate to be able to draw on a wide range of advice and expertise. It is only normal that the public should have more information about who is helping to shape EU policies. This new register ensures a more open administration and contributes to the overall objective of Better Regulation."

Some Commission departments have started to develop their own guidance and advice on stakeholder consultation.

DG Enterprise (DG ENTR) has written a **draft guide on consultations** aimed at officials involved in Impact Assessment in DG ENTR. This is a 16 page guidance document which looks at essential parts of the consultation process such as: stakeholder identification; consultation methods; feedback and evaluation in a practical manner. There is a list of websites and links to useful documents as well as annexes. A significant source of information for this guide is the Irish Government Better Regulation website¹².

DG Environment (DG ENV) is also working on improving stakeholder consultations, looking in more detail at internet consultations. They have set up an **intranet site** which

¹¹http://europa.eu.int/comm/secretariat_general/regexp/

¹²<http://www.betterregulation.ie/index.asp>

gives links to useful information as well as advice on content. DG ENV also has a formal **contact point** for stakeholder consultation. This person approaches units planning a consultation to ensure they respect the minimum standards and to give advice and practical support on how to do questionnaires.

DG Employment and Social Affairs (DG EMPL) has a unit working specifically on anti-discrimination and relations with civil society. This unit aims to promote an effective civil dialogue to ensure that the Community's employment and social policies take appropriate account of the needs and objectives of civil society. This takes the form of two meetings a year between the Commission and the Social Platform (which is the umbrella organisation covering 40 European-level NGOs active in the social field).

DG Internal Market (DG MARKT) has developed a new tool for online consultations, called *Interactive Policy Making (IPM)*¹³. This tool is available to other Commission DGs and has been used by over 3 million citizens since its launch in October 2001.

3. STAKEHOLDER CONSULTATION IN DG SANCO – MAIN FINDINGS

DG SANCO has an established tradition in consulting and engaging with its stakeholders¹⁴. This chapter provides a first mapping of DG SANCO's experience. It starts with a description of the different consultation methods that have been used so far by DG SANCO for individual proposals. Then, it provides an overview of the existing stakeholder networks created by DG SANCO.

3.1. *Consultation Methods already used in DG SANCO*

SANCO's approach to consultation continues to vary according to the different policy areas (consumer protection, public health and food safety). **Effective communication across the different SANCO policy departments could be improved.** There is a lot of knowledge and expertise in DG SANCO on stakeholder consultation and public participation but little sharing of learning experiences.

At the moment, there are **three different websites** for stakeholder consultation according to the three SANCO policy areas:

Consumer Protection	http://ec.europa.eu/consumers/consultations/consultations_en.htm
Public Health	http://ec.europa.eu/health/ph_consultations/consultations_en.htm
Food Safety	http://ec.europa.eu/food/consultations/index_en.htm

¹³<http://ec.europa.eu/yourvoice/ipm/>

¹⁴A recent report of the AmCham EU assesses the compliance of the various DGs – including SANCO – with the minimum standards for consultation. DG SANCO usually complies with these standards. For instance, as regards feedback, the Commission's reflection process on EU Health Policy (launched in July 2004) is considered as a best example because a report summarising all the consultation results as well as the individual contributions were published on the website. However, worse examples from SANCO, when it comes to the use of consultation procedures when carrying out impact assessments, are also quoted (i.e. Health and Nutritional Claims, and Feed Hygiene Regulation)."

Various consultation methods have been used according to the nature of the proposal and the relevant policy area. The following is a non-exhaustive list of the methods that have been used so far:

- Written consultations based on questionnaires
- Hearings with MS and stakeholders
- Collaborative processes
- Online consultations
- Creation of a specific website
- Evaluation and surveys
- Roundtable discussion
- Eurobarometer surveys

Box 2 below contains a few concrete examples of recent consultations that were carried out using different consultation methods:

Box 2 – DG SANCO examples of consultation

Alcohol Round Table - Alcohol-related Harm: Ways Forward

Method of Consultation: Roundtable with a combination of Industry and NGOs, chaired by outside facilitator- The European Policy Centre (EPC)

The objective of the Roundtable was to identify areas of agreement between stakeholders via the traffic light approach, as to actions that can contribute effectively to the reduction of harm as well as indication of where and why there is disagreement.

The traffic light approach was used to categorize each action item using the broad indicators of:

-Green: participants expressed broad consensus on that specific item but not necessarily detailed agreement

-Amber: participants expressed partial agreement and an explicit will to continue discussing

-Red: participants expressed clear disagreement

The roundtable was used as a forum to discuss whether areas identified as possible key areas, as well as aims and actions are relevant in reducing alcohol related harm. Moreover as the roundtable was used to assist the Commission in the preparation of its Communication on alcohol-related harm, stakeholder participation – ranging from representative from companies producing alcoholic beverages, consumer and public health non-governmental organizations, Member States and academic experts – proved effective in addressing a number of measures on the agenda of reducing alcohol-related harm to European citizens.

The roundtable report is available at www.theepc.be

Community Animal Health Policy CAHP

Method of Consultation: Evaluation used as a way to consult stakeholders and revise existing policy.

Following the decision to hold an external evaluation of the Community Animal Health Policy- CAHP, the first objective of the evaluation was to analyse, in an independent way, the results of the CAHP as compared to the acknowledged objectives. This evaluation would ensure transparency and accountability in reporting results of the CAHP activities and impacts to European citizens. The second objective of the CAHP evaluation was to establish if changes to the CAHP strategy were needed. The evaluation would have a strong focus on recommendations for the design of the future policy.

Via the key evaluative questions, the points of importance to the different policy areas were examined. The evaluation team was then asked to consult with stakeholders and to take their views into account at the community, national and international level. A survey was launched in January 2006 and closed at the end of February 2006 in order to collect the views of the stakeholders.

The steering group which is composed of Members of the Commission services, European Food Safety Authority and representatives of the Member States, will advise the Health and Consumer Protection Deputy Director General and will conduct the project.

With a dedicated website and references, stakeholders will have a clear role on deciding policy options. More information on the CAHP evaluation can be found at:

http://ec.europa.eu/comm/food/animal/diseases/strategy/cahpeval_en.htm

Plant Protection Products PPPs

Method of Consultation: Several rounds of consultation and an on-line consultation combined with a one-day stakeholder workshop to discuss the draft IA.

The main stakeholders concerned with the amending Directive 91/414/EEC were consulted and participated in meetings in 2002, 2004 and 2006 and in a written consultation in 2005. In addition to the Member State representatives, several other organisations were consulted.

The Commission held a first stakeholder consultation on the amendment of the PPP on 10–12 July 2002. The purpose of the consultation was to review the system and to discuss specific policy issues. The Commission held a second stakeholder meeting on 30 January 2004. At this meeting, an analysis of the current system was presented. A third stakeholder consultation was held in April-May 2005. Stakeholders were invited to comment on a Draft Proposal and a Draft Impact Assessment. From 10 March – 10 May 2005, DG SANCO carried out an Interactive Policy Consultation (IPM) with the general public. The purpose of the consultation was to consult European citizens, businesses and other interested parties including farmers on the proposed amendments made to the Directive.

The Commission also contracted a study to a consultant (Food Chain Evaluation Consortium, FCEC) with the purpose to further contribute to an “Impact Assessment of options for a Regulation replacing Directive 91/414/EEC on plant protection products”.

That report presented the assessment of economic, environmental and social impacts of policy options in five focus areas. The study performed by FCEC was based on data from the following sources: A review of existing studies and reports; comments by stakeholders from the consultation processes conducted by DG SANCO related to the revision of Directive 91/414/EEC; extensive consultation process with stakeholders conducted by the Contractor including a questionnaire survey of and in-depth interviews with competent authorities, industry, farmer organisations and other stakeholders.

Options were then identified on the basis of a review of the stakeholder comments from 2004 and 2005 and in-depth interviews with various stakeholders.

A fourth stakeholder consultation meeting took place on 25 January 2006. Stakeholders could contribute on the draft conclusions of the study and were offered a possibility to provide any further available data which could be relevant for the consultant.

Unfair Commercial Practices UCP

Method of Consultation: Impact assessment report and various Eurobarometer surveys

Following a consultation phase which lasted from 2001 until 15 January 2002, the European Commission prepared a Follow-up Communication to the Green Paper on EU Consumer Protection. The consultation analysed stakeholder comments and came to certain conclusions.

The Follow-up Communication set out an action plan for further consultation with the Member States and stakeholders. The outline and the results of the consultation process are the basis of the ex-ante impact assessment carried out by GFA Management, on the different options outlined in the Green Paper.

Drawing on a range of specifically-commissioned sources, were quantitative Eurobarometer surveys of 2.899 businesses, small and large and 16.129 consumers across the EU regarding the problems they encounter and options for resolving them. A survey of national business associations and European Consumer Centres were also used for the impact assessment.

As part of the consultation process, two consultation papers invited responses, as previously mentioned these were the: The Green Paper and Follow-up Communication and the second contained an outline of the Directive for comment. This was followed by debate and discussions as well as surveys of consumers, businesses, business associations and European Consumer Centres. During the consultation, stakeholders' views were specifically sought out. While the follow-up consultation was designed to solicit detailed views on the content of a framework directive.

3.2. Existing SANCO Stakeholder Networks

In addition to carrying out individual consultation related to specific proposals, DG SANCO regularly consult its stakeholders through a series of different stakeholder networks. This section provides an overview of the SANCO stakeholder networks in the different policy areas. It also gives some suggestions of possible improvements based on a series of bilateral talks which were carried out with SANCO officials responsible for stakeholder networks.

<i>Name of network/group</i>	<i>Description</i>	<i>Suggested improvements (based on comments received)</i>
Consumer Protection		
ECCG (EUROPEAN CONSUMER CONSULTATIVE GROUP)	– A consultative group of the Commission established in 2003. The Commission has had a consumer consultative body in place since 1973. – 28 members: one member from each MS representing all national consumer orgs and one member from each European consumer org. (BEUC and ANEC) + 2 associate members (EUROCOOP and COFACE). – 3 year mandate (maximum two consecutive mandates) and meet 4 times a year – ECCG members have to inform, consult and report to the associations they are representing – http://europa.eu.int/comm/consumers/cons_org/associations/commit/index_en.htm	✓ At the end of each year stocktaking exercise and setting of future priorities ✓ Increased use of sub-groups for sectorial/technical issues. ✓ Considering that members of the ECCG normally have a general knowledge, sector-specific organisations should be invited to sub-groups when relevant. ✓ Documents sent to members should be recorded according to the following criteria: - SANCO consultations/other DGs - orientation discussion/specific proposal discussion - logistical information and event invitations
CONSUMER ASSEMBLY	– Created in 1998. Once a year event. – Purpose: networking and feedback	✓ Recent experience shows that it is useful to combine plenary sessions with workshops on specific issues

CPN (CONSUMER POLICY NETWORK)	– Recently established network (2005) – Aims at bringing together senior officials in the field of consumer protection, exchanging information and best practices and possibly exploring new fields for cooperation – Members are Director Generals or equivalent rank senior officials, but also their deputies	✓ Set-up a website with information on CPN (background info, minutes of meetings, etc.) for SANCO stakeholders and officials to view.
MEMBER STATES ADVISORY COMMITTEE	– Created in 2004 – This group consults the MS on financial issues: subventions for EU consumer organisations; specific projects; projects co-financed by MS and EC; administrative cooperation; cross-border litigation, etc. – 3 meetings per year – http://europa.eu.int/comm/consumers/overview/Adv_Comm/index_en.htm	✓ Certain issues could be discussed in a joint meeting with consumer NGOs.
Public Health		
Health Policy Forum	– Created in 2001 – Part of a three-tiered structure additionally consisting of the Open Forum and, in the future, the Virtual Forum – 50 members (European umbrella organisations); meet twice a year. There are two working groups – http://europa.eu.int/comm/health/ph_overview/health_forum/health_forum_en.htm	✓ It currently works on the basis of agreed recommendations which require a very lengthy adoption procedure. It could work better if recommendations were replaced by agreed minutes. ✓ It should focus on major policy proposals (including integration ones) ✓ To avoid stakeholder disinterest it would be

		important to provide feedback on the inputs received ✓ Better access to information online should be considered
EU Open Health Forum	– Started in 2004 – 300-400 participants from national organisations; meet once a year – Enables the national organisations to meet each other; exchange ideas; also invite EP, CoR and Permanent Representations – There will be no Open Forum in 2006	✓ Strengthen the link between the Open Forum and the Health Policy Forum ✓ Get resources to set-up the Virtual Forum, an interactive forum for exchanging ideas and information
<i>Food safety, Animal and Plant Health and Animal Welfare</i>		
Advisory Group on Animal Food Chain and Plant Health	– Created in 2004 – Group made up of no more than 45 representatives of representative European bodies – Meet twice a year – http://europa.eu.int/comm/food/committees/advisory/index_en.htm	✓ Reimburse travel expenses to increase member participation ✓ Considering that the number of participants is limited, there should be the possibility to revise the composition of the group ✓ There should be the possibility to create working groups on specific issues
Standing Committee on the Food Chain and Animal Health (SCFCAH)	– Established in 2002 – Eight sections : General Food Law; Biological Safety of the Food Chain; Toxicological Safety of the Food Chain; Controls and Import Conditions; Animal Nutrition; Genetically modified	

	Food and Feed and Environmental Risk (2004); Animal Health and Animal Welfare ; Phytopharmaceuticals . – http://europa.eu.int/comm/food/committees/regulatory/index_en.htm	
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4. STAKEHOLDER CONSULTATION IN DG SANCO – ISSUES FOR DISCUSSION

This chapter contains a non-exhaustive list of issues that could be discussed by the Peer Review Group. These issues have been identified taking into account the results of the first mapping of DG SANCO's experience so far. In addition, the research carried out to identify best practices (see Annex 1) facilitated the identification of the most important elements that need to be considered when consulting stakeholders.

4.1. *Issues of a general nature*

4.1.1. WHO ARE DG SANCO STAKEHOLDERS?

It is not very easy to identify DG SANCO stakeholders, as it is not easy to find representatives of the broad consumer and public health interests. Different SANCO stakeholders have different responsibility in contributing to a more sustainable development that ensures a high level of consumer and public health protection.

- Are consumer and public health organisations the main stakeholders of DG SANCO?
- Should producers, suppliers and retailers be equally involved?
- How the different categories of DG SANCO stakeholders can work towards a common objective ("shared responsibility")?

4.1.2. INEQUALITY IN ACCESS TO INFORMATION AND RESOURCES

Based on DG SANCO's experience, it is clear that different potential consultees or participants have very different levels of access to information or resources. Industry often owns the data which are needed to substantiate a Commission's proposal. In addition, Industry is better equipped in terms of HRs and can exercise a stronger influence during consultation processes.

- How this asymmetry of information and means can be overcome?
- Can industry and NGOS work together in collecting data which are needed to test the solidity of a Commission's proposal?
- What's the best way for DG SANCO to empower Consumer and Public Health organisations so that they can participate more effectively in consultation processes?

4.1.3. STAKEHOLDER CONSULTATION PLANNING AND MAPPING

Experience shows that good consultation exercises require thorough planning and it is often necessary to consult at more than one stage. The first step in the planning of Stakeholder Consultation is Stakeholder Mapping (who matters and how much do they matter?) In other terms, **identifying the appropriate stakeholders**. If the scoping of stakeholders is not done properly there is a risk that certain groups or individuals will be left out of the consultation process and that other groups will be given an undue relevance.

- How DG SANCO can best involve its stakeholders in its consultation planning? Which groups should be involved?
- Who should be involved and consulted? How to go beyond the usual suspects?
- What criteria, if any, should be used in selecting stakeholders?

4.1.4. TIMEFRAME FOR CONSULTATION

The Commission's minimum standards for consultation requires that for all public written consultation a period of 8 weeks is granted to stakeholders. The UK Better Regulation Task Force (BRTF) has recently commented that at least one quarter of the Commission's consultations do not comply with the **8 week minimum requirement**.

- Is the 8 week period too short? If so, why?
- Are you aware of any major proposals from DG SANCO where the timeframe for consultation was too short or the consultation took place under exceptional circumstances (e.g. summer holidays, etc.)

4.1.5. ACCESS TO INFORMATION

Stakeholders frequently have **difficulties in finding information** related to a consultation and find it very time-consuming to have to read long and complex consultation documents.

- What are the right recipes to overcome the above difficulties? Would you find useful to have an executive summary at the beginning of a consultation document?
- What are the available online tools that can facilitate access to information?

4.1.6. FEEDBACK

Feedback is an **essential part of the consultation process** and good feedback builds onto the credibility of the whole process. According to the **Commission's** minimum standards for consultation, **receipt of contributions should be acknowledged** and **results of open public consultations should be displayed on the website**.

- Does DG SANCO provide appropriate feedback to stakeholders in consultation processes?
- What the feedback should include? How to best communicate this feedback?

4.2. *Issues related to the functioning of DG SANCO*

4.2.1. STAKEHOLDER DATABASE

At the moment, there are DG SANCO stakeholder lists for the various networks (i.e. ECCG, Health Policy Forum, Advisory Group on the Animal Food Chain and Plant Health, etc.). However, these networks often have a limited number of members/participants which means that the lists exclude many organisations.

- Do see any advantage in creating one single database with all possible SANCO stakeholders, including sectorial organisations and MS representatives?

4.2.2. CONSULTATION CO-ORDINATOR(S) AND TRAINING

Many administrations, including other Commission's departments, have created the role of consultation co-ordinator. The consultation coordinator(s) is often in charge of dealing with complaints from stakeholders about possible loopholes in the consultation procedure. The consultation co-ordinator(s) also provide **support to policy officers** (e.g. how to effectively map stakeholders; how to select the consultation method, how to do questionnaires and how to deal with feedback). This job profile does not exist at the moment in DG SANCO.

Furthermore, a successful stakeholder consultation often requires a **skilled facilitator** who assists the consultation process, maximises participation and helps in achieving a consensus without personally taking any side of the argument.

- In you experience, is it useful to have a consultation coordinator(s)?
- In you experience, do skilled facilitators help in reaching a consensus? Are you aware of any particular training that would be relevant for consultation coordinator(s) as well as policy officers dealing with major consultations?

4.2.3. BETTER INTRA-SANCO CO-ORDINATION

SANCO's approach to consultation continues to vary according to the different policy areas (consumer protection, public health and food safety). **Effective communication across the different SANCO policy departments could be improved.**

- What would be the measures that would **make communication across the different SANCO policy departments more effective**?
- Would you find useful to have **joint meetings of the different DG SANCO**

stakeholder networks for certain cross-cutting policy proposals?

4.2.4. COMITOLGY

Comitology decisions sometimes have significant impacts on firms and due to the short timeframe it is very difficult for Member States to carry out a proper stakeholder consultation at domestic level. Many stakeholders (and in particular Member States) have asked for increased transparency in this specific field.

- How to better involve stakeholders in comitology decisions? Should we have an **early-warning system**?
- In case of a very controversial comitology proposals, should we create small **focus groups of interested Member States** to allow for an early exchange of view?

4.2.5. WEBSITE

At the moment, there are **three websites** for stakeholder consultation according to the three SANCO policy areas. The structure and the accessibility of these websites vary and could be improved.

- Do see any advantage in creating a **common SANCO website on Stakeholder Consultation**? Do you think it will help in increasing visibility and access?
- Do see any advantage in posting all consultations and related documents on the internet?

4.2.6. GUIDELINES

At the moment, there are not centralised Commission's guidelines on stakeholder consultation. While some DGs (e.g. DG ENTR) have already developed their own internal operational guidelines, DG SANCO has not developed such a tool yet.

- Do see any advantage in developing internal operational guidelines to be used by policy officers when launching consultations? If so, what the content should be?
- Are you aware of good stakeholder consultation guidelines developed by other public and/or private bodies?

5. CONCLUSIONS

This draft preliminary report shows that DG SANCO has a good track record in stakeholder consultation exercises. On the whole, the Commission's minimum standards for stakeholder consultation are respected. Furthermore, DG SANCO has also created several stakeholder networks to facilitate the participation of its stakeholders in the elaboration of new policy proposals. Nevertheless, there are areas of possible improvements that need to be addressed in order to better engage DG SANCO's stakeholders in the decision-making process and to improve the quality of policy-making.

Effective communication across the different SANCO policy departments could be improved. There is a lot of knowledge and expertise in DG SANCO on stakeholder consultation and public participation but little sharing of learning experiences.

A DG such as SANCO whose policies affect European citizens and consumers can only benefit from an improvement of stakeholder consultation and a greater understanding of the consultation methods and their impacts.

The development of some sort of internal guidelines – based on experiences gained in the three SANCO policy areas – could be a valuable tool for SANCO policy officers. The development of these guidelines should be in itself an example of public participation in practice. For this very reason, it is suggested the creation of a Peer Review Group, composed of key stakeholders, Member States and consultation experts. The Peer Review Group will help DG SANCO in identifying the areas of possible improvements in the existing consultation system as well as the tools that are necessary in order to enable DG SANCO to better consult its stakeholders.

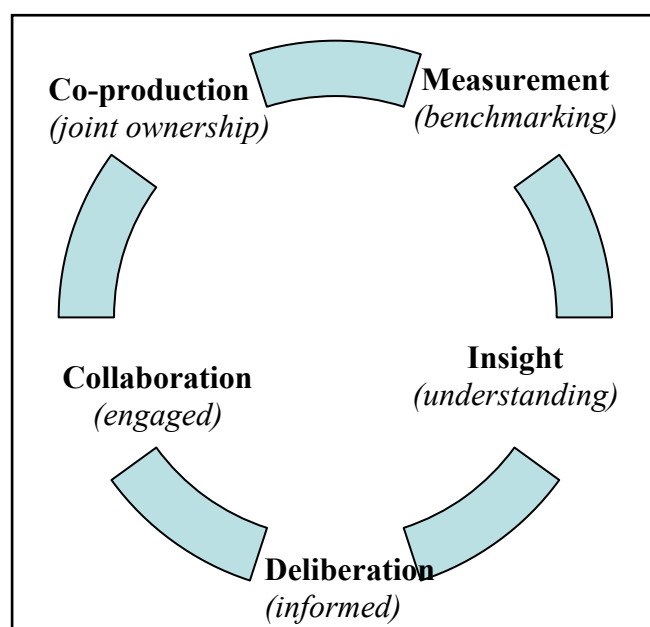
ANNEX I – PRELIMINARY FINDINGS ON BEST PRACTICES

This annex provides a non-exhaustive list of important elements of stakeholder consultation practice. It is based on a series of contacts with experts (in particular in London) as well as some desk research. It will continuously be updated on the basis of the inputs received from the members of the Peer Review Group.

1. Levels of participation

There are different levels of participation according to the degree to which power is devolved to participants. The basic assumption is that there is a progression from poor to good participation depending on the levels of devolvement. The two boxes below show these **different levels of involving stakeholders in the decision-making process**.

Box 1 – Opinion Leader Research



Box 2 – Involve

Increasing level of stakeholder impact 	Inform To provide stakeholders with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions
	Consult To obtain stakeholder feedback on analysis, alternatives and/or decisions
	Involve To work directly with stakeholders throughout the process to ensure that stakeholders' concerns and aspirations are consistently understood and considered
	Collaborate To partner with stakeholders in each aspect of the decision including the development of alternatives and the identification of the preferred solution
	Empower To place final decision-making in the hands of stakeholders

2. Stakeholder fatigue - beyond the box ticking exercise

More participation is not necessarily better as stakeholders will get frustrated if they are consulted too often and with little influence on the final outcome. Poorly planned participation can significantly reduce the willingness of people to get involved again. A solution to this problem is “**managing expectations**”: being honest with stakeholders about what can and cannot be changed through the consultation process and what influence the stakeholders can have on the policy options.

Stakeholder consultations are sometimes **merely used as box ticking exercises** and to justify decisions that have already been largely made. This attitude to consultation can lead to stakeholder fatigue.

3. Stakeholder Consultation Planning

Experience shows that good consultation exercises require a thorough planning. Consultation must start **as early as possible** (“*at the right time*”) in order to have a meaningful influence on the policy-making process. Consultation is an **ongoing process** and it may be necessary to **consult at more than one stage**. Different methods of consultation can be used at the different stages of the policy-making cycle, depending on the objectives of the dialogue with stakeholders.

The key point is that consultation needs to be **proportionate** to the nature and the expected impacts of the proposal. Therefore, the length, the frequency and the method(s) of the consultation are intrinsically linked with the type of policy proposal. The UK Cabinet Office has identified the **three stages of the consultation planning process** and the issues that need to be considered at each stage (see box 3 below).

Box 3 – UK Cabinet Office Viewfinder

PRE-INVOLVEMENT	✓ What are your objectives in involving the public? ✓ At what stage will the public be involved? ✓ What are the directly and indirectly affected groups? ✓ How does it fit in your general communications strategy? ✓ Will you need to involve diverse groups?
IDENTIFYING METHODS AND RESOURCES	✓ What methods will you use to involve the public? ✓ Will e-consultation techniques help? ✓ What resources are required and available?
AFTER INVOLVEMENT	✓ How will you analyse the responses? ✓ How will you give feedback? ✓ How will you evaluate the exercise?

4. Stakeholder mapping – who to involve

The first step in the planning of Stakeholder Consultation is Stakeholder Mapping (who matters and how much do they matter?). In other terms, **identifying the appropriate stakeholders**. If the scoping of stakeholders is not done properly there is a risk that certain groups or individuals will be left out of the consultation process and that other groups will be given an undue relevance.

Consultation exercises should not exclusively rely on “**usual suspects**”. It is important to consider that large multinational companies have easier access to data and greater financial and human resources to respond to consultation processes. For this reason, it is advisable to give appropriate weighting to Small and Medium Enterprises (SMEs) and Non-Governmental Organisations (NGOs).

Excluded and minority groups (“**hard to reach**”) should be given special support and encouragement when their involvement is appropriate. However, the recommendation to go beyond the usual suspects should not result in the exclusion of this important category from the consultation process. It is also important to consider whether **particular regions** are disproportionately affected by a policy proposal.

Another key issue is influence and how to reach “**social influencers**”. These are the people that make and participate in networks and are essential for shaping and moulding opinion. The limit to social influencers is that they tend to be solution-focused.

IPPR has developed a Stakeholder **Impact Influence Matrix** (see box 4 below).

Box 4 – Institute for Public Policy Research

LEVEL OF INTEREST/IMPACT ON STAKEHOLDER		
LOW -----> HIGH		
INFLUENCE LOW -----> HIGH	Medium Priority <i>Keep Satisfied</i>	High Priority <i>Key Players</i>
	Low Priority <i>Keep Informed</i>	Medium Priority <i>Keep Involved</i>

How does one go about selecting the right stakeholders? There is no one answer to this question, as different groups of stakeholders will be needed for different types of consultations. The following, however, are feasible ways of selecting stakeholders:

- **Circles of stakeholders:** This would envisage circle 1 as containing the key/core stakeholders; circle 2 the next level of stakeholders and so forth. Selection would focus on circle 1 and then move to the next circles according to how large/significant the proposal is;

- **Selective selection:** dividing the stakeholders into different target groups and choosing the most appropriate consultation method according to their specific characteristics;
- **Open selection:** anyone who is interested in attending should be able to do so (this is the least feasible one because of the obvious financial and human resources involved)

The UK Environment Council¹⁵ suggests that stakeholders usually fall into different **categories** and proposes a list of key questions to select them (see box 5 below).:

Box 5 – Stakeholder Selection Checklist – UK Environment Council

Stakeholder Selection Checklist – UK Environment Council

The UK Environment Council suggests that stakeholders usually fall into the following **3 categories**:

- (1) They are an active stakeholder and they know it
- (2) They are a stakeholder but they don't know it yet
- (3) They have no interest or stake so are not a stakeholder

A good starting point for identifying your stakeholders is to ask the following basic questions.

- Who is directly responsible for decisions on the issues?
- Who is influential in the area, community and organisation?
- Who will be affected by decisions on the issue?
- Who holds positions of responsibility in stakeholding organisations?
- Who can promote a decision providing they are involved? (**enablers**)
- Who can obstruct a decision if they are not involved? (**blockers**)
- Who has been involved in the issue in the past?
- Who has not been involved, but should have been?

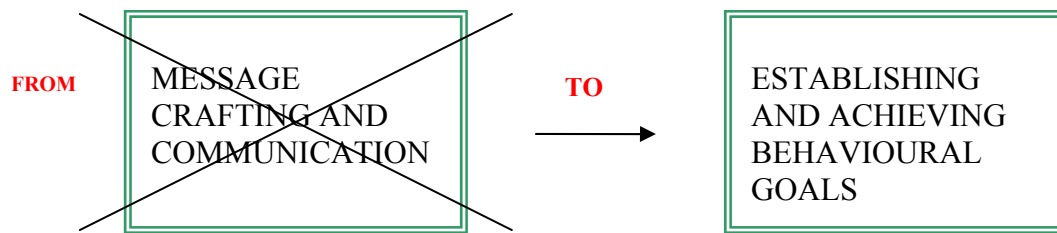
5. Social marketing

Social Marketing, which is the systematic application of marketing concepts and techniques to public policy making, can also be useful in improving stakeholder consultation. It provides a better understanding of **consumer needs** and it can also be a powerful tool for achieving tangible and measurable impact on behaviours.

Growing international evidence and experience shows that Social Marketing can help in establishing citizen-centric/customer-centric policies, moving beyond increasing knowledge and raising awareness to focus much more on having a **direct impact on behaviour(s)** (see diagram 5 below).

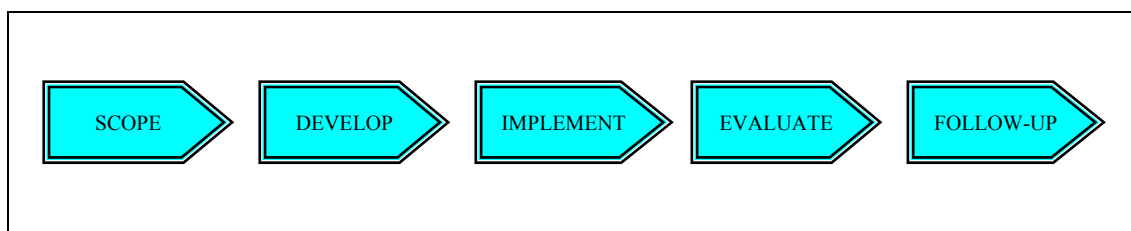
¹⁵ www.smalltalk.org.uk/downloads/stakeholder_dialogue.pdf

Box 6 – National Consumer Council



Social Marketing can enhance effective policy making by improving **targeting** of the audience. The **key stages of this methodological approach** are the following:

Box 7 – National Consumer Council



Key aspects of the **scoping stage** include:

- Engaging stakeholders: examining and defining the issue at stake with key stakeholders
- Developing customer insights
- Considering audience segmentation and focus: reviewing and assessing potential customer or audience focus and rationale.
- Potential behavioural focus: focusing attention on specific behaviours (and groups of behaviours) – establishing initial behavioural goals (i.e. influence and influencers).

6. Consultation methods

There are many consultation methods and **no one of them is the ideal model of consultation**. The selection of the method depends on the aim – including scale and nature – of the consultation. Involve (a London-based think-tank specialised on stakeholder involvement) recommends taking into account the following key **parameters** when selecting a consultation method:

- Suitable number of participants
- Roles of participants
- Budget
- Length of process
- Types of outcomes
- Where on the spectrum of participation level the method works best (see diagram 2)

Consultation methods vary from traditional tools (e.g. questionnaires and interviews) to more innovative tools (e.g. focus groups and online consultations). While some tools only allow for a passive involvement, other tools allow stakeholders to be more proactive.

Involve also proposes various types of consultation methods such as Appreciative Inquiry; Citizens' Juries; Citizens' Panels; Consensus Building/Dialogue; Consensus Conference; Deliberative Mapping; Electronic Processes; Future Search; Open Space Technology; Participatory Strategic Planning; Youth Empowerment; etc.

From the wide variety of consultation methods available there are a few that could be particularly useful for DG SANCO stakeholder consultations. It should be noted that some of these are quite innovative approaches which are normally used by local authorities. Therefore, they will need to be slightly adapted to take into account the different nature and functioning of stakeholder consultation at Commission level.

Box 8 – Involve: Types of consultation methods

<u>Name</u>	<u>Description</u>	<u>Composition</u>	<u>Timeframe</u>
CITIZENS' JURIES	Small panel of non-specialists. Similar to a criminal jury, carefully examine an issue of public significance and deliver a verdict. Good for developing creative and innovative solutions to difficult problems	Usually 12 to 16 members of the public	The set-up time takes between 2 to 4 months and the event lasts between 2 to 4 days
CONSENSUS BUILDING / DIALOGUE	Builds and improves relationships between diverse groups and reach beyond the usual suspects. Allows stakeholders to be involved in many aspects of the consultation process, from defining the problem to finding the methods and creating the solutions as well as resolving conflicts together	Usually done through workshops and involves all stakeholders possible	More of a long term consultation method rather than a 'one off' event
CONSENSUS CONFERENCE	Consists of a panel of citizens who explore a topic by	Usually a panel of between 15-20 people	The conference usually lasts for 3 days. The panel is given the necessary

	questioning experts		information and documents beforehand and time to prepare (usually two preparatory events)
DELIBERATIVE MAPPING	Combines both specialists and members of the public. Uses varied approaches to assess how participants rate different policy options against a set of defined criteria	40 people from the public and 20 experts	Several months including meetings and workshops
ELECTRONIC PROCESSES	Most commonly used electronic processes are Online Forums and Structured Templates (to replicate face to face workshops)	Large numbers can participate; however, digital divide should be considered	Varies from a few months to ongoing depending on the nature of the consultation
FUTURE SEARCH CONFERENCE	Involves a large group of stakeholders to create a common vision of the future (visioning exercise) and commit to action towards the vision	Ideally 64 stakeholders divided into 8 tables of 8 stakeholder groups	Ideally 2 ½ days
OPEN SPACE	Informal meeting framework around a central theme. Participants can flexibly move around the different parallel sessions. A trained moderator is advisable	Flexible - from very small to very large numbers	From 1 to 5 days
FOCUS GROUPS	Explores opinions and issues in greater depth. Often recruited to represent a	Around 8-10 people	Between 1-2 hours

	particular group of citizens		
RE-CONVENING GROUPS	Similar to focus groups, except that participants are invited to reconvene as a group on one or more occasion having had time to read information, debate the issues with others outside the group, and reflect, and refine their views	Around 8-10 people	Between 1-2 hours

The combination of consultation methods can improve the quality of stakeholder consultation. It could be useful to have an internal rule that for each major proposal, **in addition to written consultation, at least one other form of consultation is used** (e.g. workshops, interviews, online consultations, citizens' juries, etc.).

In today's society, it is increasingly important to **involve the public at large**. This will also help in reconnecting with Europe's citizens. Both citizens' summits and online consultations (e-consultations) are valuable tools in this respect.

Citizens' summits are not equally used by the public administrations of the different Member States. For instance, the UK's first ever citizens' summit was organised by the UK Health Department with the support of Opinion Leader Research. This was a gathering of nearly 1000 members of the public, carefully selected to represent all demographical and geographical groups and drawn together to discuss and vote on the future of the National Health Service (NHS).

Online consultation (e-consultation) is also becoming an increasingly important consultation method. Various methods of electronic consultation can be used such as electronic letterboxes, e-mail distribution lists, internet based fora, on-line live chat events, on-line surveys, interactive games and scenario planning.

Online consultation has many **advantages** such as:

- Gives the opportunity to reach a wider audience (at any time and from any location);
- Offers a range of techniques to meet the varied technical and communicative skills of the target audience;
- Enables more informed consultation by making information accessible to stakeholders (access to online resources);
- Allows, where appropriate, on-line deliberation to take place;
- Enables online analysis of contributions;
- Enables relevant and appropriate on-line feedback to stakeholders in response to their comments.

Nevertheless, online consultation presents several **challenges**. It has significant HR implications, such as the need for web experts and facilitators together with the provision of appropriate staffing to manage a large number of responses. It also affects the type of promotion of the consultation exercise because in order to be successful it is necessary to reach the target audience electronically. Participants' involvement in online consultation could be negatively affected if the website itself is not well structured and does not allow for an easy navigation. Considering that not everybody has access to electronic means, other additional consultation methods should be considered. There is also a risk that stakeholders might expect faster feedback and responses due to the technological nature of this consultation method.

Box 9 – OECD: Principles for Online Consultations

Online Consultation – OECD 10 Principles

- 1) Start planning early
- 2) Demonstrate commitment and clearly communicate the purpose of the consultation
- 3) Guarantee personal data protection
- 4) Tailor your approach to fit the target group (language, terminology, additional support for special needs groups)
- 5) Integrate online consultation with traditional methods. A multiple channel approach is likely to be more successful than relying on a single medium.
- 6) Test and adapt your tools (software, questionnaires, etc.)
- 7) Promote your online consultation (press conferences, advertising, emails, link to websites, etc.)
- 8) Ensure that sufficient time, resources and expertise are available to analyse the results
- 9) Provide feedback and inform participants on how the results were used in reaching the decision
- 10) Evaluate the consultation process and its impacts (benefits and drawbacks)

7. Timeframe for consultation

The Commission's minimum standards for consultation requires that for all public written consultation a period of 8 weeks is granted to stakeholders. The UK Better Regulation Task Force (BRTF) has recently commented that at least one quarter of the Commission's consultations do not comply with the **8 week minimum requirement**. BRTF explained that the 8 week minimum requirement is often too short because membership-based European organisations need more time to distribute and collect information among their members, analyse (and sometimes translate) and write a collective response. BRTF suggested that a **12 week period should be the norm** and consultations lasting for less than 8 weeks should be justified by the relevant Commissioner.

In the UK, the **Cabinet Office Code of practice on consultation** sets out that the minimum requirement for consultation is 12 weeks. The application of this code of practice is monitored by the Cabinet Office. Departments not respecting this requirement and/or setting very short deadlines are **black-listed in an Annual Report on Consultation**. The annual report also contains some examples of consultation best practice, where the consultation process had an impact on policy-making¹⁶.

More time should be given for consultations in particular cases, such as consultations occurring during the summer holidays or under specific circumstances.

8. Clearer information and better access to information

Stakeholders frequently have **difficulties in finding information** related to a consultation and find it very time-consuming to have to read long and complex consultation documents. To remove these difficulties it may be helpful to have an **executive summary** at the beginning of the consultation document and/or a “5-minute rule” (documents must be understood by the stakeholders within 5 minutes).

In the US, there is an **Information Clearance Process** by which the Office of Management and Budget (OMB) reviews and approves requests for information issued by agencies. The Paper Reduction Act requires that requests for information minimize burden and duplication, provide useful information, and support the proper performance of the agency’s mission.

Information should also be easily accessible to stakeholders. According to the Commission’s minimum standards for consultation, information and necessary documents should be made available to the stakeholders in advance of the consultation (e.g. by e-mail, on the website of the consultation, etc.). Access to information can also be improved through the use of **online consultation databases** listing all consultations and related documentation as well as an **electronic alert system** whereby stakeholders are notified of new consultations.

9. Facilitation, Training and Outsourcing

A successful stakeholder consultation often requires a **skilled facilitator** who assists the consultation process, maximises participation and helps in achieving a consensus without personally taking any side of the argument. In order to improve the ability of officials to facilitate stakeholder consultations, appropriate **training** should be considered.

Outsourcing the consultation process is also an option. It is recommended to outsource the consultation process when it is necessary to ensure the credibility and neutrality of the process (e.g. focus groups). Large online consultations may also require outsourcing due to the HR implications.

The pros and cons of using external consultants should be considered carefully. External consultants may have the time and the skills to complete the work quickly; however, they may only have **limited knowledge of the policy area**. The decision to

¹⁶http://www.cabinetoffice.gov.uk/regulation/consultation/documents/pdf/code_of_practice_on_consultation2004.pdf

outsource should be timely to make sure that the external consultants have a clear overview of the whole process.

10. Feedback

Feedback is an **essential part of the consultation process** and good feedback builds onto the credibility of the whole process. Feedback should include two elements:

- the **outcomes** of the exercise and
- any **resulting decisions**

It is important for stakeholders to know how their views were taken into account. Lack of feedback can lead to stakeholder fatigue. In the **UK** it is a **legal obligation to provide feedback** to stakeholders and it is recommended to lay out in the response to the stakeholders the main changes introduced in the chosen policy option and why. According to the **Commission's** minimum standards for consultation, **receipt of contributions should be acknowledged** and **results of open public consultations should be displayed on the website**.

11. Spreading best practices

The SEC GEN has recently established an **inter-service network of civil society contact points** looking at stakeholder consultation. This group could be a valuable tool to spread best practice and ensure that the minimum standards are respected across the Commission. The UK Cabinet Office has also established a consultation co-ordinators network, in which there is a representative of each government department.

ANNEX II – USEFUL LINKS

SANCO LINKS

- **SANCO Consumer Affairs consultations website**
http://europa.eu.int/comm/consumers/consultations/consultations_en.htm
- **SANCO Food Safety consultations website**
http://europa.eu.int/comm/food/consultations/index_en.htm
- **SANCO Public Health consultations website**
http://europa.eu.int/comm/health/ph_consultations/consultations_en.htm

COMMISSION LINKS

- **Feedback and online consultation mechanism:**
http://europa.eu.int/yourvoice/ipm/index_en.htm
- **How to design a questionnaire** (Annex 6, p.67)
http://europa.eu.int/comm/secretariat_general/impact/docs/SEC2005_791_IA%20guidelines_annexes.pdf
- **Joint Research Centre** of the European Commission provides scientific and technical support conception, development, implementation and monitoring of EU policies. <http://www.jrc.cec.eu.int/>
- **Secretariat General Stakeholder Consultation website** provides the *General principles and minimum standards for the consultation of interested parties by the Commission (2002)* as well as some practical guidance and checklist
<http://www.cc.cec/home/dgserv/sg/stakeholder/index.cfm?lang=en>
- **SINAPSE e-Network** “to support existing scientific consultation mechanisms, such as committee meetings. Scientific opinions, advice or background information in specific areas of expertise will be gathered with the help of the network's members”
<http://www.europa.eu.int/sinapse/sinapse/index.cfm>
- **Single access point** for consultations
http://europa.eu.int/yourvoice/index_en.htm

EXTERNAL LINKS

- **AmCham EU**, *Position Paper on Consultation Processes*
<http://www.amchameu.be>
- **Department of the Irish Taoiseach**, *Reaching Out – Guidelines on Consultation for Public Sector Bodies*
http://www.betterregulation.ie/attached_files/pdfs/Consult%20english.pdf
- **Department of the Irish Taoiseach**, *Regulating Better: A Government White Paper setting out the six principles of Better Regulation*
http://www.betterregulation.ie/upload/Regulating_Better_html/index.html
- **Dialogue by design** (full service UK consultation bureau)
<http://www.dialoguebydesign.net/default.htm>
- **Environment Council**, *Know your stakeholder*
http://www.smalltalk.org.uk/downloads/stakeholder_dialogue.pdf
- **International Association of Facilitators**
<http://www.iaf-world.org/>
- **INVOLVE**, *People & Participation – how to put citizens at the heart of decision-making*
http://www.involving.org/mt/archives/blog_13/People%20and%20Participation%20final.pdf
- **National Consumer Council**, *Putting up with second best: summary of research into consumer attitudes towards involvement and representation*
http://www.ncc.org.uk/involvingconsumers/putting_up.pdf
- **National Social Marketing Centre for Excellence**, *Social Marketing Pocket Guide*
<http://www.nsms.org.uk/>
- **OECD**, *Citizens as Partners - OECD Handbook on Information, Consultation and Public Participation in Policy-making* (2001a)
<http://www.oecd.org>
- **OECD**, *Engaging citizens in Policy-making: Information, Consultation and Participation*
<http://www.oecd.org/dataoecd/24/34/2384040.pdf>
- **OECD**, *Engaging citizens online for Better Policy-making*
<http://www.oecd.org/dataoecd/62/23/2501856.pdf>
- **UK Cabinet Office Better Regulation Taskforce**, *Get Connected - Effective Engagement in the EU*
<http://www.brc.gov.uk/downloads/pdf/getconnected.pdf>
- **UK Cabinet Office**, *Code of Practice on Consultation*
<http://www.cabinetoffice.gov.uk/regulation/consultation/code/index.asp>
- **UK Cabinet Office**, *Viewfinder: a policy maker's guide to public involvement* UK Cabinet Office
<http://www.policyhub.gov.uk/docs/Viewfinder.pdf>

ANNEX III – DG SANCO ON-LINE CONSULTATIONS (TO BE COMPLETED)

DG SANCO ON-LINE CONSULTATIONS IN 2005

Infant formulae and follow-on formulae	▫Revision of Commission Directive 91/321/EEC ▫Closing date 31 March 2005 ▫Comments received (divided in EU and MS organisations) were published on the website below ▫http://europa.eu.int/comm/food/consultations/comments_en.htm
Pesticides	▫IPM Consultation "The Future of Pesticides in Europe" on the Proposal concerning Amendments made to the Council Directive 91/414/EEC of 15 July 1991 concerning the Placing of Plant Protection Products on the Market. ▫Closing date 5 May 2005 ▫Background info: http://europa.eu.int/comm/food/consultations/pesticide_background_en.htm
UCP	▫Directive 2005/29/EC on Unfair Commercial Practices was signed by the European Parliament and the Council on 11 May 2005. The Directive, which was proposed by the Commission in June 2003, aims to clarify consumers' rights and boost cross-border trading by harmonising EU rules on business-to-consumer commercial practices. ▫http://europa.eu.int/comm/consumers/cons_int/safe_shop/fair_bus_pract/index_en.htm

DG SANCO ONGOING CONSULTATIONS

Changes in existing legislation on feed labelling and authorisation/withdrawal procedure for some categories of feed materials	▫Questionnaire ▫Closing date 16 January 2006 ▫Explanatory document: http://europa.eu.int/comm/food/consultations/explanatory_doc.pdf
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European Commission Green paper “Promoting the Mental Health of the Population. Towards a Strategy on Mental health for the European Union”	▫A conference to launch the Green paper took place in Luxembourg on the 24 October 2005. There will be three thematic meetings until end of May 2006. ▫Contributions to be sent by e-mail or post and will then be published on website below. ▫Closing date 31 May 2006 ▫http://europa.eu.int/comm/health/ph_determinants/life_style/mental/green_paper/consultation_en.htm
Evaluation of the Community Animal Health Policy (CAHP) 1995-2004 and alternatives for the future.	▫External evaluation, awarded to the Food Chain Evaluation Consortium (FCEC), started in July 2005 and should be finalised by July 2006. ▫Online questionnaire at http://www.surveyz.com/TakeSurvey?id=37416 ▫Closing date for answering the survey is February 28 2006 ▫http://europa.eu.int/comm/food/animal/diseases/strategy/cahp_questionnaire_en.htm
How to Assess the Potential Risks of Nanotechnologies	▫Public consultation SCENIHR Opinion. The Commissions strategy for nanotechnologies, recognized the need for a safe, integrated and responsible approach to the development of nanotechnologies. ▫Questionnaire on IPM ▫Interested stakeholders were asked to submit their views via the website below by 16 December 2005 ▫http://europa.eu.int/comm/health/ph_risk/committees/04_scenihr/scenihr_cons_01_en.htm
Improving patient safety by prevention and control of healthcare-associated infections	▫Draft document ▫Closing date 20 January 2006 ▫http://europa.eu.int/comm/health/ph_threats/comm_diseases_cons01_en.htm
Opinion on biological effects of ultraviolet radiation relevant to health with particular reference to sun beds for cosmetic purposes	▫Public consultation - SCCP Opinion ▫Comments to be sent by e-mail ▫Closing date 6 March 2006 ▫http://europa.eu.int/comm/health/ph_risk/committees/04_sccp/sccp_cons_03_en.htm

Public attitudes to the welfare and protection of farmed animals	▫Online consultation IPM to collect information on public attitudes ▫Website below provides a summary of response statistics for public internet consultation with statistics for each MS and for the various age ranges of respondents. ▫Closing date was the 20 December 2005. ▫http://europa.eu.int/comm/food/consultations/action_plan_farmed_background_en.htm
Safety of Human-derived Products with regard to Variant Creutzfeldt-Jakob Disease (vCJD)	▫Public consultation on the opinion of the SCENIHR through IPM at website below ▫Closing date 10 February 2006 ▫http://europa.eu.int/yourvoice/ipm/forms/dispatch?form=vCLD&lang=en



EUROPEAN COMMISSION
HEALTH & CONSUMER PROTECTION DIRECTORATE-GENERAL

Stakeholder Involvement

Draft Peer Review Group Mandate

1. Definition

In the context of this project, stakeholder involvement means the process by which all those who have a stake in DG SANCO policy areas participate in the decision-making process and are able to contribute to the final decision. These may be organisations or individuals.

2. Objectives

- To assist DG SANCO in reviewing its experience as regards stakeholder involvement;
- To assist DG SANCO in identifying best practices and areas of improvement in the existing consultation system;
- To peer review the preliminary findings report. The preliminary findings report will be elaborated by DG SANCO services with a view to provide a state of play as well as to identify issues to be discussed.
- To examine the need to define DG SANCO's standards for stakeholder involvement.

3. Process

- The Peer Review Group will meet on 13 June 2006 (15:30-18:30), 7 September 2006 (14:30-17:30), 11 October 2006 (14:30-17:30) and 1 December 2006 (14:30-17:30).
- At the first meeting the group will review the preliminary findings report.
- In addition to the input received from the Peer Review Group, DG SANCO will carry out a web consultation on this issue.
- The group will end its work in December 2006.
- This process will enable DG SANCO to establish a solid network of stakeholders, which will facilitate the identification of emerging policy trends.

4. Composition

The Peer Review Group should include a mixed representation of stakeholders affected by the different SANCO policy areas. These stakeholders should equally represent

industry (both federations and individual firms), Non-Governmental Organisations (NGOs) and Member States as well as local and regional authorities.

In addition to stakeholders, the Peer Review Group will include experts on methods for public participation as well as on media, marketing and technological tools.

The membership of the group will remain open for review and it will be reviewed on the basis of the comments received at the 1st meeting of the group. All members should have knowledge and expertise on stakeholder consultation. This group should reflect the broad geographical area of the EU.

Industry Stakeholder Representations

Federations/Associations

Name	Contact Person & Position	Address & Email	Website	Sector
1.AmCham EU	Ulrika Dennerborg Chair, Institutional Affairs Committee	Ulrika.dennerborg@pmintl.com Avenue des Arts 53 1000 Brussels	www.eucommittee.be	
2.Brewers of Europe	Rodolphe de Looz-Corswarem Secretary General	rdlc@brewersofeuropa.org 23 - 25 Rue Caroly 1050 Brussels	www.brewersofeuropa.org	Public Health
3.Confederation of the Food and Drink Industries (CIAA)	Nathalie Lecocq Economic Affairs Director – <i>appointed person</i> D. Israelachwili – <i>original invitee</i>	n.lecocq@ciaa.be d.israelachwili@ciaa.be Ave. des Arts, 43 1040 Brussels	www.ciaa.be	Food Safety
4.Committee of Professional Agricultural Organisations in the European Union & General Confederation of Agricultural Co-operatives in the European Union (COPA COGECA)	Roxane Feller— <i>appointed person</i> Franz-Josef Feiter Secretary General – <i>original invitee</i>	Roxane.feller@copa-cogeca.be franz.josef.feiter@copa-cogeca.be Rue de Trèves, 61 1040 Bruxelles	www.copa-cogeca.be	Food Safety
5.European Advertising Standards Alliance	Oliver Gray	oliver.gray@easa-alliance.org Rue de la Pépinière 10A 1000 Bruxelles	http://www.easa-alliance.org/	Consumer Protection
6.European Medical Technology Industry Association (EUCOMED)	Maurice Wagner Director General	maurice.wagner@eucomed.be	www.eucomed.be	Public Health

7. EuroCommerce	Christianna Papazahariou – <i>appointed person</i> Xavier Durieu Secretary General – <i>original invitee</i>	papazahariou@eurocommerce.be delberghe@eurocommerce.be Avenue des Nerviens 9-31 1040 Brussels	www.eurocommerce.be	Consumer Protection
8. EuropaBio	Nathalie Moll – <i>appointed person</i> Johan Vanhemelrijck Secretary General – <i>original invitee</i>	n.moll@europabio.org j.vanhemelrijck@europabio.org Ave. de l'Armée, 6 1040 Brussels	www.europabio.org	Food Safety
9. European Association of Craft, Small and Medium-sized Enterprises (UEAPME)	Luc Hendrickx Director Entreprise Policy & External Relations	l.hendrickx@ueapme.com Rue Jacques de Lalaing 4 1040 Brussels	www.ueapme.com	Consumer Protection
10. European Banking Federation (FBE)	Enrico Granata Chairman of the FBE Consumer Affairs Committee – <i>appointed person</i> Guido Ravoet Secretary General – <i>original invitee</i>	xfbe@abi.it d.buggenhout@fbe.be Rue Montoyer, 10 1000 Brussels	www.fbe.be	Consumer Protection
11. European Federation of Animal Feed Additive Manufacturers (FEFANA)	Didier Jans Secretary General	dja@fefana.org Ave Louise, Box 13 1050 Brussels	www.fefana.org	Animal Health
12. European Federation of Pharmaceutical Industries and Associations (EFPIA)	Brendan Barnes – <i>appointed person</i> Brain Ager Director General – <i>original invitee</i>	brendanbarnes@efpia.org mariacuratolo@efpia.org Rue du Trône, 108 B-1050 Brussels	www.efpia.org	Public Health
13. International Federation for Animal Health (IFAH)	Bernd Halling Communication Director – <i>appointed person</i> Dr. Peter Jones Executive Director – <i>original invitee</i>	b.halling@ifahsec.org ifah@ifahsec.org Rue Defacqz, 1 1000 Brussels	www.ifahsec.org	Animal Health
14. L'Union Européenne de l'Hospitalisation Privée (UEHP)	Paolo Giordano Secretary General	paolo.giordano@uehp.org Ave. de la Joyeuse Entrée, 1 Boîte 11 1040 Brussels	www.uehp.org	Public Health
15. The European Crop	Ana Villamediana – <i>appointed person</i>	ana.villamediana@ecpa.be	www.ecpa.be	Food Safety

Protection Association (ECPA)	Euro Jones Regulatory Affairs Director – <i>original invitee</i>	euros.jones@ecpa.be Avenue E van Nieuwenhuyse, 6 1160 Brussels		
16. World Federation of Advertisers		120 Avenue Louise 1050 Brussels	http://www.wfanet.org	

Individual Firms

1. Bayer	J. Hans Mattaar European Regulatory Strategy Manager	Hans.mattaar@bayercropscience.com Energieweg 1 P.O Box 231 NL-3640 AE Mijdrecht	www.bayer.com	Food Safety
2. Carrefour	Solene Flahault European public affairs	Solene.flahault@gb.be Ave des Olympiades 20 1140 Brussels	www.carrefour.fr	Food Safety/ Consumer Protection
3. Diageo PLC	Alan Butler	alan.butler@diageo.com 8 Henrietta Place London W1G OMD, United Kingdom	www.diageo.co.uk	Public Health
4. Kraft	John Robinson Vice Chairman	John_Robinson@be.bm.com	http://www.kraft.com/default.aspx	
5. Nike	Emily Riley – <i>appointed person</i> Rory Macmillan – <i>original invitee</i>	Emily.riley@nike.com Rory.Macmillan@nike.com 165, Avenue Louise 1050 Brussels		
6. Coca Cola	Andreas Kadi Director Scientific & Regulatory Affairs – <i>appointed person</i> Dr. Michael E. Knowles Director – <i>original invitee</i>	ankadi@eur.ko.com mknowles@eur.ko.com Chausee de Mons, 1424 1070 Brussels	www.coca-cola.com	Food Safety/ Consumer Protection
7. Nestle	Guido Kayaer Vice President relations with European Institutions	Guido.kayaert@be.nestle.com Rue de Birminghamstraat 221 1070 Brussels	www.nestle.com	Food Safety
8. Tesco	Ian Hutchins European Affairs Manager – <i>appointed</i>	ian.hutchins@uk.tesco.com	www.tesco.com	Food Safety/ Consumer Protection

	<i>person</i> Terry Babbs International Trading Law & Technical Director –<i>original</i> <i>invitee</i>	Terry.babbs@uk.te.sco.com Cirrus Building A Shire Park Welwyn Garden City Hertfordshire AL7 1GA		
9. Pernod Ricard	Rick Conner VP International Public Affairs	rick.connor@chivas.com Chivas House 72 Chancellors Road London W6 9RS	www. Pernod-ricard.com	Public Health
10. Unilever	Miguel Viegas- Pestana VP Global External Affairs	Miguel.Pestana@unilever.com Avenue de Cortenbergh 118 1000 Brussels	www.unilever.com	

NGO Stakeholder Representations

1. Bureau Européen des Unions de Consommateurs (BEUC)	Jim Murray Director Willemien Bax	jim.murray@beuc.org willemien.bax@beuc.org Avenue de Tervueren, 36 Bte 4 1040 Brussels	www.beuc.org	Consumer Protection
2. Danish Consumer Council	Benedicte Federspiel	BF@fbr.dk Fiolstræde 17 Postbox 2188 1017 København K	www.fbr.dk	Consumer Protection
3. Eurogroup for Animal Welfare	Véronique Schmit Senior Policy Officer	V.Schmit@eurogroupanimalwelfare.org 6 rue des Patriotes 1000 Brussels	www.eurogroupanimalwelfare.org	Animal Health
4. EuroHealthNet	Caroline Costongs Programme Manager – <i>appointed person</i> Clive Needle Director –<i>original</i> <i>invitee</i>	c.costongs@eurohealthnet.org c.needle@eurohealthnet.org Rue Philippe le Bon, 6 1000 Brussels	www.eurohealthnet.org	Public Health
5. European Community of Consumer Cooperatives (EUROCOOP)	Rodrigo Gouveia Secretary-General	rgouveia@eurocoop.coop Rue Archimede 17 1000 Brussels	www.eurocoop.org	Public Health
6. European Disability Forum (EDF)	Valérie Vanbesien <i>Appointed person</i>	valerie.vanbesien@edf-feph.org	www.edf-feph.org	Public Health

	Carlotta Besozzi Director – <i>original invitee</i>	carlotta.besozzi@edf-feph.org Rue du Commerce 39-41 1000 Brussels		
7. European Heart Network (EHN)	Jane Landon- <i>Appointed person</i> Susanne Logstrup Director – <i>original invitee</i>	Jane.Landon@hearforum.org.uk slogstrup@skynet.be Rue Montoyer 31 1000 Brussels	www.ehnheart.org	Public Health
8. European Older People's Platform (AGE)	Anne Sophie Parent Director-	annesophie.parent@age-platform.org Rue Froissart 111 1040 Bruxelles	www.age-platform.org	Public Health
9. European Patients' Forum (EPF)	Anders Olavson President	info@europeanpatientsforum.org Rue de la Vignette 96 1160 Brussels	www.europeanpatientsforum.org	Public Health
10. European Public Health Alliance (EPHA)	Anne Hoel- <i>Appointed person</i> Lara Garrido- Herrero – <i>original invitee</i> Secretary General	anne@epha.org lara@epha.org 39-41 rue d'Arlon 1000 Brussels	www.epha.org	Public Health
11. Mental Health Europe	Mari Fresu- <i>Appointed person</i> Mary Van Dievel Director – <i>original invitee</i>	mfresu@mhe-sme.org mvandievel@mhe-sme.org Boulevard Clovis 7 1000 Brussels	www.mhe-sme.org	Public Health
12. PAN Europe (Pesticides Action Network)	Grazia Cioci Campaign Coordinator – <i>appointed person</i> Sofia Parente Coordinator – <i>original invitee</i>	grazia.cioci@gmail.com sofia-paneurope@pan-uk.org Development House 56-64 Leonard Street, London EC2A 4JX	www.pan-europe.info	Food Safety
13. Social Platform/ EU Civil Society Contact Group	Simon Wilson Director Cc:Elodie Fazi Coordinator	simon.wilson@socialplatform.org Square de Meeûs 18 1050 Brussels coordinator@act4europe.org	www.socialplatform.org	General
14. Swedish temperance organisation IOGT-NTO	Tamsin Rose Strategic Adviser for the IOGT-NTO	tamsin.rose@gmail.com 46 rue Jean Paquot, bte 29 1050 Brussels	www.iogt.se	Public Health
15. Test achats	Hugues Thibaut	hthibaut@test-achats.be	www.test-achats.be	Consumer

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12.Prof. Renn (Stuttgart University)	Professor Renn	Ortwin.renn@sowi.uni-stuttgart.de	www.uni-stuttgart.de/soz/tu/mitarbeiter/renn.html
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3.Mission of the People's Republic of China to the European Union	Han Yi – <i>appointed person</i> Third Secretary Economic and Commercial Section Chinese Mission to EC Guan Chengyuan Ambassador	sinoeu@skynet.be chinamission_eu@mfa.gov.cn Avenue de Tervuren 443-445 1150 Bruxelles	www.chinamission.be	
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5. External Participation

External speakers may be invited to present best practice or to bring additional elements to the debate.

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