

Management Board
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EFSA INDEPENDENCE POLICY

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Chair of the Management Board
sub-group on independence

MEMBERS OF THE SUB-GROUP



Pamela Byrne (Chair)
Ireland: Food Safety Authority



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Germany: Federal Ministry of Food and Agriculture



Floriana Cimmarusti
Consumer Org.: Safe Food Advocacy Europe



Ana Vilorio
Netherlands: Ministry of Public Health, Welfare and Sport



Astrid Thors
European Parliament



Hrönn Jörundsdóttir
Iceland: Food and Veterinary Authority



Claire Bury
Commission: DG Health and Safety



EVALUATION SCOPE AND METHODOLOGY

- **Purpose of the evaluation:** ex-post evaluation of EFSA's Independence Policy
- **Evaluation dimensions**
 - ✓ Retrospective: the effectiveness, efficiency and impact of the Policy and its coherence with the pertinent legal and strategic framework
 - ✓ Forward looking: whether the Policy remains relevant and fit for purpose in the light of evolving legal framework and challenges
- **Methodology**
 - ✓ Stakeholder consultation
 - ✓ Desk research
 - ✓ Benchmarking



MAIN CONCLUSIONS

EFSA has a robust system in place that ensures a **satisfactory level of independence and prevention of undue conflicts of interest** (...). The Policy is **coherent** with objectives and values in EFSA's corporate strategy and requirements laid down in the legal framework.

There is widespread recognition of EFSA recent **improvements** in relation to independence(...). Evidence of **positive reputational impact** can be found in EU supervisory bodies' reports, as well as in feedback from scientific community and stakeholders.

(...) future **sustainability could be challenged** by the expected increase in EFSA activities, especially through outsourcing of scientific work. (...). Other minor issues mainly regarding the **clarity and the consistency** of specific provisions or implementation measures (...) **not represent substantial and/or urgent threats** to the functioning and achievement of the Policy's objective



ADVICE OF THE SUB-GROUP TO THE MANAGEMENT BOARD

Open the EFSA Policy on Independence to a targeted revision, since it considers that the majority of the recommendations put forward in the evaluation report provide an improvement to the current independence framework.

There are a couple of recommendations that deserve additional analysis regarding their efficacy and effectiveness, which the sub-group proposes to carry out in parallel with the revision of the Policy.

The implementation of some recommendations raises doubts as to the benefit and impact on EFSA's independence framework and the advice to the Management Board is to not pursue them as part of the forthcoming Policy review.



SUB-GROUP OPINION ON R# IMPLEMENTATION

R# suggested to be part of the review

R# 1, 2, 3, 8,
10, 11, 13,
14, 15, 16,
17, 18, 19,
21

R# for additional analysis before implementation

R# 6, 20

R# raising doubts

R# 4, 5, 7, 9,
12



R# SUGGESTED TO BE PART OF THE POLICY REVIEW (1/4)

R#1 : Maintain and enhance proactive dialogue on independence-related matter with

R#2 : Consider actions to enhance awareness and visibility of the Policy among target groups

R#3 : Consider communication actions addressing the general public

R#8* : Clarify how EFSA can detect Col in AF / Network and – if relevant – strengthen whistleblowing policy and the like



R# SUGGESTED TO BE PART OF THE POLICY REVIEW (2/4)

R#10 : consider revising the 'self-rule' mechanism for CoI management within the MB

R#11* : The deterring effect of ex post checks can be enhanced, extending checks to online sources (e.g. via external contractors)

R#13* : Make larger use of IT tools to enhance efficiency and extend the Dol tool to other declarants (Art 36 organisations etc.)

R#14* : Consider operational-level refinements of Dol screening process, e.g. to reduce – where feasible - the need for discretionary judgment from senior officer

R#15 : Find appropriate instruments to foster more uniform criteria for designation of Art. 36 organisations across Member States



R# SUGGESTED TO BE PART OF THE POLICY REVIEW (3/4)

R#16 : Apply to grantees performing critical tasks the same CoI rules of WG members

R#17 : For non-critical outsourced tasks, consider rely on grantee/ contractor's declaration, while applying accurate random checks and deterring sanctions for non-compliance

R#18 : Consider involving MS (e.g. via Focal Points) in ensuring national organisations' compliance with EFSA rules and the application of sanctions



R# SUGGESTED TO BE PART OF THE POLICY REVIEW (4/4)

R#19 : Explain why Hearing Expert's DoI are not screened; clarify criteria and modality for granting waiver;

R#21 : Publish DoI from Art 36 grantees; consider publishing CVs from key staff and MB members; consider publish decisions regarding former staff engaging in occupational activities



R# FOR ADDITIONAL ANALYSIS BEFORE IMPLEMENTATION

R#6 : Explicit reference to national interests / political pressure in the Policy

R#20 : Clarify and address apparent inconsistencies in the approach to the calculation of the percentage of relevant private research funding



R# RAISING DOUBTS

R#4 – maintain the current approach to screening of interests; possibly consider extending 'unconditional restrictions' to additional typologies of interest

R#5 – to cope with possible shortage of expertise, consider modulating measures in relation to the risk involved, i.e. sensitivity of the subject matter and/or expert's role, facilitating contributions from occasional experts, who are not WG members and do not hold interests subject to 'unconditional restrictions'

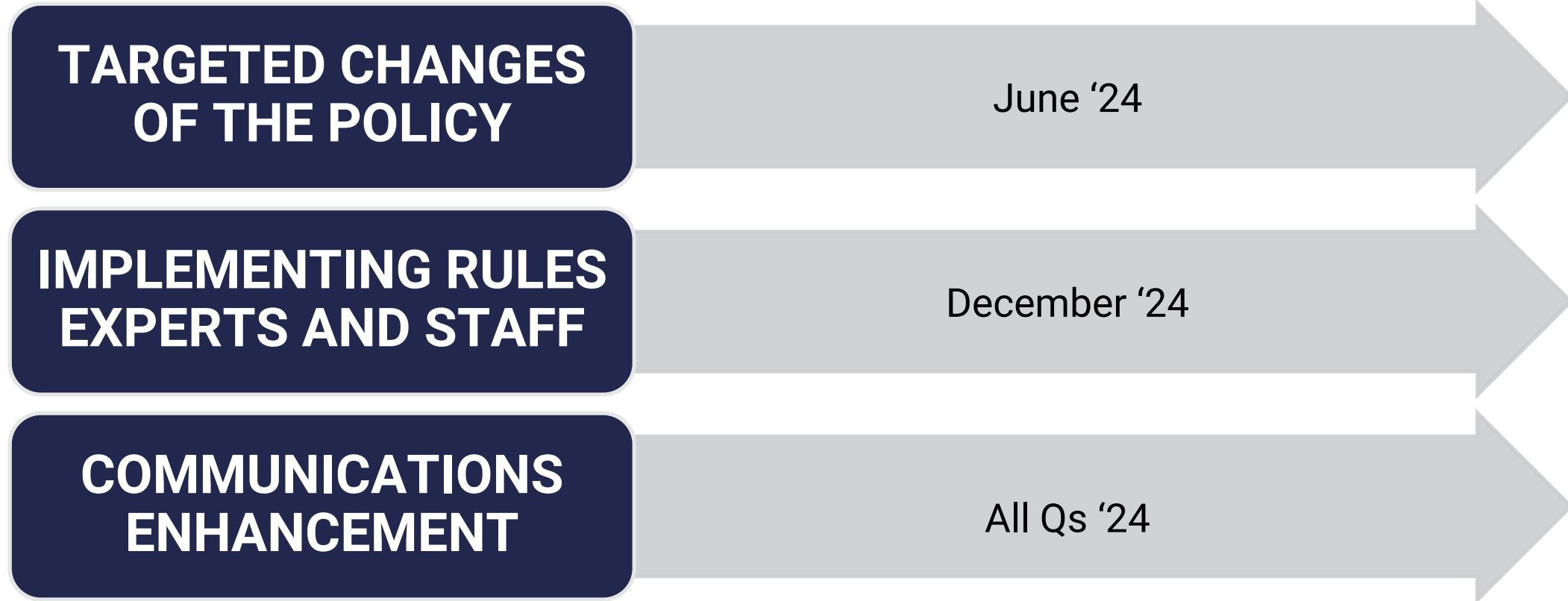
R#7 – develop criteria for 'revolving doors' rules for staff; consider expanding to Panel and SC members the information obligations applied to MB members, and improve enforcement

R#9 – consider DoI requirements for all MS experts involved in drafting pesticides risk assessments, and not only those who attend to Peer Review meetings

R#12 – consider re-focussing the allocation of resources, modulating efforts and rules with risk level, e.g. with greater reliance on declarant's assessment for 'low risk' situations, and more resources allocated to critical situations



PROPOSALS AND NEXT STEPS



MANAGEMENT BOARD DECISION

Based on the outcome of the ex-post evaluation report and the advice of the sub group the Management Board is invited to take a decision on whether to open the EFSA Independence Policy to review.

