



Retail Forum Working Groups

TERMS OF REFERENCE 2024

1. Background

The purpose of the Retail Forum is to allow key issues of relevance to the sector to be discussed with a view to identifying practical actions which can be taken by the Government or by industry itself to support the sector.

The Retail Forum is chaired by the Minister of State for Business, Employment and Retail.

2. Working Groups

The mandate of the Working Groups is to implement the annual Retail Forum Work Programme.

The Working Groups will comprise of Retail Forum members and additional external practitioners who have a particular expertise or interest in an area under discussion.

Membership of the Working Group shall be on a voluntary basis. Any costs incurred by members in the activities of the Forum shall be borne by the members or their parent organisations.

There is only capacity for one representative from an organisation to attend Working Group meetings. If you are unable to attend, an alternate can attend in your place.

The Working Group will be facilitated by an official from the Department of Enterprise, Trade and Employment and the secretariat is provided by the Department of Enterprise, Trade and Employment.

The Retail Forum Working Groups will meet a maximum of four times in a year in advance of the quarterly Retail Forum meeting. Bilateral engagement via phone, email or online will be required to support ongoing work on individual actions. Each Group will be folded when its objectives are achieved.

To encourage openness and the sharing of information, the Working Group meetings shall be subject to **Chatham House Rules** regarding the non-attribution of views or information received in the course of Working Groups meetings.

Minutes of Retail Forum Workings Group meetings will be approved under the 'Silence Procedure' i.e., a copy of the draft minutes will be emailed to Working Group members and if no amendments are received, the minutes will be deemed approved.

Minutes of Retail Forum Working Group meetings will be published on the Department of Enterprise, Trade and Employment's website.

All correspondence should be directed to the Secretary of the Retail Forum on matters pertaining to the Working Group – retail@enterprise.gov.ie

3. Review

The functions and operations of the Retail Forum Working Groups will be reviewed on a regular basis.

4. Privacy Notice

Any personal information which you volunteer to the Department of Enterprise, Trade and Employment will be treated in accordance with the General Data Protection Regulation (the “GDPR”) and Data Protection Acts 1988-2018. Further details on how we process or “use” your personal data can be found by viewing our [Privacy Notice](#).

If you have any additional queries about how we use your personal data, you can contact our Data Protection Officer at: dataprotection@enterprise.gov.ie

5. Regulation of Lobbying Act 2015

The Retail Forum is deemed ‘exempt’ under section 5(5)(n) of the Regulation of Lobbying Act 2015 from having to register its activities on the Lobbying Register once specified transparency criteria are applied. The criteria provided for in the ‘Transparency Code’ prepared by the Department of Public Expenditure and Reform is at **Appendix A**. Members of the Retail Forum Working Groups are asked to review the Transparency Code and advise the Retail Forum secretariat if they are or have been a designated public official. (A designated public official as defined in the Regulation of Lobbying Act 2015 is at **Appendix B**).

Department of Enterprise, Trade and Employment
January 2024

Appendix A

The following is an extract from the 'Transparency Code' prepared by the Department of Public Expenditure and Reform. The full document can be found on www.lobbying.ie

'Transparency Code – Criteria which must apply to avail of the exception under Section 5(5)(n) of the Act'

Relevant groups must meet the following transparency criteria in order to be regarded as a "relevant body" (as defined in the Act) and to avail of the exemption set out in section 5(5)(n) of the Act:

Transparency criteria

Information must be published on the public body's website setting out the following information:

1. Name of Chairperson together with details of his or her employing organisation.
2. Names of Members together with details of their employing organisation¹;
3. Whether any non-public servant members were previously designated public officials;
4. Terms of reference of the group;
5. Agenda of each meeting;
6. Minutes of each meeting;
7. Expected timeframe for the group to conclude its work;
8. Reporting arrangements.

This information should be in a prominent place on the website of public bodies and should be easily accessible.

In addition, the Chairperson of the Group is responsible for overseeing and conducting the work of the Group in a manner which ensures that the Group operates in a manner fully in accordance with its terms of reference and in the public interest.

The Chairperson will include with the final or annual report of the Group a statement confirming its compliance with the Transparency Code.

Sub-groups

The requirements of the Transparency Code also apply to sub-groups of the principal group where the membership of the sub-group consists of at least one Designated Public Official and at least one person from outside of the public service.

Timeliness of Publication:

Ideally the information should be published in as timely a fashion as possible, having regard to the public interest in safeguarding the integrity of the deliberative process.

¹ Alternatively, if the Chairperson or member is representing a group of stakeholders, this should be stated. If the Chairperson is appointed in a personal capacity rather than as a representative of an organisation this should also be stated.

All groups should publish information about their membership, terms of reference, expected timeframe and reporting arrangements on their establishment. Groups in existence prior to 1st September 2015 (commencement day for the Regulation of Lobbying Act 2015) should now proceed to publish this information.

At a minimum, thereafter the information on the public bodies' website must be updated at least every 4 months with details of agendas, minutes, etc. in relation to each such group.

This timeframe is in line with the transparency requirements under the Regulation of Lobbying Act 2015 for persons who are engaging in lobbying communications. A return must be submitted every four months in respect of such activity.'

Appendix B

The following is an extract from the Regulation of Lobbying Act 2015. The Full Act can be found on www.irishstatutebook.ie

'Designated public officials

6. (1) The following are designated public officials:

- (a) Ministers of the Government and Ministers of State;
- (b) other members of Dáil Éireann and Seanad Éireann;
- (c) members of the European Parliament for constituencies in the State;
- (d) members of local authorities;
- (e) special advisers appointed under section 11 of the Public Service Management Act 1997;
- (f) public servants of a prescribed description;
- (g) any other prescribed office holders or description of persons.

(2) The Minister may prescribe descriptions of public servants under subsection (1)(f) by reference to their roles, levels of remuneration, grades or similar factors.'