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HEALTH AND SAFETY COMMISSION

**NUCLEAR SAFETY ADVISORY COMMITTEE
SUB-COMMITTEE ON RESEARCH**

4 APRIL 2006

**SUBCOMMITTEE ON RESEARCH: TERMS OF REFERENCE AND WAYS OF
WORKING.**

A Paper by Neville Moray

REVISING TERMS OF REFERENCE

The current terms of reference of SCR are as follows (October 2003):

**To judge the adequacy and balance of UK Nuclear Safety Research
procured by the nuclear licensees and HSE**

1. In this judgment, to consider the contents of the HSE Nuclear Research Index and the licensees' Nuclear Research Schedules
2. To consider the role played by research in supporting nuclear safety
3. To examine how the UK maintains access to capability in key technical areas, both for the licensees and for the regulator, with due regard for the regulator's need for independence
4. To consider longer term UK nuclear safety research needs and perform a horizon scanning role (or ensure that HSE is performing this role in accordance with the HSE S&I strategy)
5. To consider the implementation of HSE's research strategy across the range of licensees
6. To consider the adequacy of the collaboration on nuclear safety research between HSE and other government departments and agencies

7. To examine how the UK achieves benefit from international collaboration in nuclear safety research
8. To take into account where appropriate the experience of other countries' nuclear safety research programmes and the advice of the international agencies
9. To advise HSC in cases of disagreement between HSE and licensees
10. To advise HSC on any relevant nuclear safety research issues, including those that HSE may bring to its attention.

Overall, I believe that the TOR is too ambitious for NuSAC realistically to carry out, and does not take account of recent developments.

The initial sentence (in bold) already raises a problem in the current climate, because it does not take into account the existence of the NDA and its research programme. Should SCR also examine the adequacy of the NDA research programme? Since NDA is not a licensee of HSE, we are not required by the sentence in bold to examine their research programme. We could perhaps scrutinize NDA under Item 6.

I have the following comments on the numbered items:

1. In this judgment, to consider the contents of the HSE Nuclear Research Index and the licensees' Nuclear Research Schedules

This is acceptable. In fact this is what most of the meetings of the SCR are concerned with.

2. To consider the role played by research in supporting nuclear safety.

This is I think the remit of NuSAC as such, rather than the SCR. It is a given for the SCR, and could only be questioned by NuSAC's main committee. I suggest that this item be deleted.

3. To examine how the UK maintains access to capability in key technical areas, both for the licensees and for the regulator, with due regard for the regulator's need for independence

Again it seems to me that this is what the NuSAC main committee does. The sentence is actually ambiguous, since it is not directly about research. It could equally be taken to require the SCR to examine training, recruitment, etc. There is no way that with the personnel available to SCR the latter can realistically undertake this remit. I suggest this item be deleted.

4. *To consider longer term UK nuclear safety research needs and perform a horizon-scanning role (or ensure that HSE is performing this role in accordance with the HSE S&I strategy)*

The first phrase (“*To consider longer term UK nuclear safety research needs*”) is acceptable. The meaning of the rest of the item is unclear. I would prefer it to read:

“To examine UK nuclear safety research needs in the long term and to identify any inadequacies of the HSE S&I long term planning of research.”

5. *To consider the implementation of HSE's research strategy across the range of licensees.*

This is acceptable as it is.

6. *To consider the adequacy of the collaboration on nuclear safety research between HSE and other government departments and agencies*

This is acceptable, and would seem to be an appropriate way to ensure that the relation between HSE and NDA is examined. Would it be appropriate to add, “*in particular the NDA*” (probably not, because to do so would require agreement from NDA, and would make the task specific rather than generic)?

7. *To examine how the UK achieves benefit from international collaboration in nuclear safety research.*

I assume that underlying this item is the idea that the SCR should see whether HSE is saving money by using research performed in other countries and by other agencies such as Halden. Given the size of the SCR membership this is an unrealistic aim. In fact, both Item 6 and Item 7 are to a considerable extent covered by the Chief Inspector’s report to the main NuSAC committee, rather than by reports directly to SCR. Note that the present wording does not require SCR to see whether attention is being paid to foreign research, but uses the rather peculiar phrase, “*how the UK achieves benefit*”. I am not sure what is intended here. I suggest this be deleted.

8. *To take into account where appropriate the experience of other countries' nuclear safety research programmes and the advice of the international agencies.*

This seems largely redundant given Item 7. I would prefer to combine Item 7 and Item 8 into a single aim:

“To examine the extent to which HSE S&I makes appropriate use of international cooperation in its research programme.”

9. *To advise HSC in cases of disagreement between HSE and licensees*
This is no longer appropriate, since SCR is now a subcommittee of NuSAC. The appropriate route for such advice would be from SCR to NuSAC, and from NuSAC to HSE. Moreover, It would seem appropriate, in view of the creation of NDA, to rewrite this item as:

“To advise HSC through NuSAC of cases of disagreement between HSE and licensees or between HSE and other agencies concerning requirements for research on nuclear safety.”

10. *To advise HSC on any relevant nuclear safety research issues, including those that HSE may bring to its attention.*

This should be re-written as:
“To advise HSC through NuSAC on any relevant nuclear safety research issues, including those which HSE may bring to its attention.”

The present TORs read as though SCR is a subcommittee of HSE S&I or an independent advisory committee, not a subcommittee of NuSAC. For example, it is now not appropriate that SCR should report directly to HSC. The proposed changes reflect the changes that have occurred. If accepted, they would in future read as follows:

The Subcommittee on Research (SCR) is a standing subcommittee of NuSAC. Its purpose is to judge the adequacy and balance of UK nuclear safety research procured by HSE, the nuclear licensees, and other government agencies.

To carry out this role, SCR shall:

- 1. judge the appropriateness of the contents of the HSE Nuclear Research Index, the licensees' Nuclear Research Schedules, and any similar programmes in other agencies that come to its attention;*
- 2. examine UK nuclear safety research needs for the long term and identify any inadequacies of the HSE S&I long term planning of research;*
- 3. assess the implementation of HSE's research strategy across the range of licensees;*
- 4. assess the adequacy of the collaboration on nuclear safety research between HSE and other government departments and agencies;*
- 5. assess the extent to which HSE S&I makes appropriate use of international cooperation in its research programme;*
- 6. advise HSC through NuSAC of cases of disagreement between HSE and licensees or between HSE and other agencies concerning requirements for research on nuclear safety;*

7. *advise HSC through NuSAC on any relevant nuclear safety research issues, including those that HSE may bring to its attention.*

I believe that if these TORs are adopted, they will provide a more appropriate framework for the work of the SCR. In particular they will lead to a more structured approach to the SCR meetings, in that HSE and licensees (and other agencies) can be asked to report at least annually on each of items 2 through 7, whereas at present most of the time is spent only on item 1. The proposed change would also make clearer the relation of SCR to NuSAC, and the lines for reporting to HSC.

MEMBERSHIP OF SCR

There does not seem to be any formal account of how people should be appointed to SCR, or how its chairman or chairwoman should be appointed. Regardless of what happened in the past, it seems clear that since SCR is a subcommittee of NuSAC, and not a subcommittee of HSE, appointments of members should be made by NuSAC, and the chairman should be appointed by NuSAC or by its chairman. It does not follow that membership should be restricted to people who are already members of NuSAC, and in view of the workload on NuSAC and the range of possible topics under the rubric of "research", SCR must be able to recruit from outside NuSAC. On the other hand, in order to preserve the independence of its advice, members of HSE should not be *members* of SCR. In discussing how people have been appointed in the past, Peter Storey said:

"On the topic of members I can inform you that normally members of the main committee would be approached first to join the SCR. In the past John Knott has done this but there must also be scope for HSE staff to do it on behalf of the chair. On occasions external members have been seconded onto the SCR when there has been a shortage of volunteers. At the moment we have Susan Parry but in the past we had Jack Richardson. It is sometimes useful to do this when there is a particular shortage of expertise but I would propose that normally it would be exceptional to do so."

This clarifies things a little, providing the second sentence is seen as meaning that HSE staff will provide support for SCR when asked, for example to help to find and negotiate with a potential member with particular skills. It seems to me that an appropriate system would be as follows.

The chairman of SCR is nominated by the Chairman of NuSAC main committee subject to the approval of the main committee, normally for a period of 3 years, renewable.

The chairman of SCR, after discussions with members of SCR, will nominate candidates to be members of SCR subject to the approval of NuSAC main committee.

Candidates for membership of SCR will normally be drawn from members of the NuSAC main committee to serve for a three-year period, renewable.

Candidates who are not members of NuSAC main committee (external members) may be co-opted for periods of up to three years. Such membership will not normally be renewable, and members of HSE/HSC are not eligible. Co-option requires approval by the NuSAC main committee.

Administrative support for SCR will be provided by HSE through the NuSAC secretariat. This will include arranging meetings, preparing documents, and assisting in the recruitment of members of SCR.

We should have the ability to invite people for a single meeting without the formal appointment procedure if a topic must be discussed for which SCR lacks expertise.

The current membership of the SCR is as follows:

Prof Emeritus N Moray (chair)	University of Surrey (NuSAC)
Dr R Dolby	ex TWI
Prof R Grimes	Imperial College
Dr P Haigh	Paul Haigh Partnership (NuSAC)
Prof D Owens	Dept of Automatic Control and Systems Engineering University of Sheffield (NuSAC)
Prof S Parry	Centre of Environmental Technology Imperial College (NuSAC)
Dr R Taylor	ex BNFL

The secretary is Haydn Starkie

RELATIONS WITH NUSAC MAIN COMMITTEE

Since there are only 2 SCR meetings a year, and three meetings of the NuSAC main committee, the need for confirmation by NuSAC will not cause trouble, particularly if appointment is "subject to confirmation". The same applies to the need to report to HSC only through NUSAC.

ACTION

The NuSAC/SCR are invited to note this review of the Terms of Reference of the NuSAC Sub Committee on Research and comment on the information presented in this paper.