

	NUCLEAR SAFETY DIRECTORATE - BUSINESS MANAGEMENT SYSTEM		
	RESEARCH		G/RES/006
	GUIDANCE: CONSULTATION, AUDITING AND REPORTING ARRANGEMENTS		ISSUE 001
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1. Purpose & Scope

- 1.1 This guidance note addresses the consultation, auditing and reporting arrangements for the HSC Coordinated Programme of Nuclear Safety Research. The primary responsibility for implementing these arrangements is with NSD 4A, in collaboration with the licensee research coordinators.

2. Consultative Machinery

- 2.1 The HSC is advised on the adequacy and balance of the research programme by HSE and by the HSC's Nuclear Safety Advisory Committee (NuSAC). NuSAC has established a Sub-Committee on Research (SCR) to advise specifically on research issues.

External groups

- 2.2 To assist it to provide advice to the HSC, HSE has established external consultative machinery in addition to NuSAC SCR:
- HSE/Licensee Technical Exchanges
 - HSE/Licensee Research Coordination meetings
 - HSE/Licensee Research Strategy meetings
 - Nuclear Safety Research Steering Group.
- 2.3 The constitution and terms of reference of these groups are presented in appendix 1, and the standard agenda items / papers are given in appendix 2. Technical exchanges are covered by G/RES/005 and licensee GN 3.
- 2.4 Although most matters will be discussed between HSE and the licensees at the technical and research coordination meetings, there may also be less frequent HSE/Licensee Research Strategy meetings with a higher level of representation, particularly to resolve any issues on strategy or process that cannot be resolved at the Research

Coordination meetings. The use of the consultation machinery in the case of disputes is covered by Licensee Guidance Note 5.

- 2.5 NSD 4A provides the secretariat for NuSAC SCR and NSRSG. They are responsible for preparing the papers, in collaboration with the licensees' research coordinators. Joint papers demonstrating consensus are to be preferred as far as possible / appropriate.
- 2.6 At present the only licensees who attend NuSAC SCR and NSRSG are from the power reactor licensees. DTI, UKAEA and MOD attend occasionally. This will need to be reviewed when the NDA is operational.
- 2.7 In the past, both the main HSE S&I programme and the nuclear safety research programme have solicited external suggestions from researchers through the process called 'competition of ideas', but this process has been suspended during major changes in both research programmes.
- 2.8 Any agreement with a foreign public body must be seen by the Foreign and Commonwealth Office Treaty Section before signing. Any legally binding document has to be laid before Parliament. Therefore any document should be drawn up as a Memorandum of Understanding. FCO Guidance on appropriate language is given in 'Treaties and MOU's, Guidance on practice and procedures'. There is specific vocabulary to use and avoid, e.g. 'arrangement' should be used instead of 'agreement'. Although it is possible to change the wording of bilateral documents, subject to the other party's lawyers' agreement, it is in practice impossible to change multilateral documents, such as OECD NEA research project agreements, which have used standardised wording for many years.

Internal groups

- 2.9 NSD has internal consultation at two levels:
 - the Nuclear Topic Groups have research as part of their mandate, but in an advisory capacity only. NSD 4A will encourage NTG's to take an active role as far as possible. The NTG's do not necessarily correspond one-to-one with the research technical areas.
 - NSD 4A will usually take a paper to the NSD Management Board (Chief Inspector and Deputy Chief Inspectors) seeking approval of the programme and the draft HSC programme paper.
- 2.10 NSD 4A also participates in the work of two HSE science committees:

- NSD attends the HSE Science Coordinators meetings organised by HSE Chief Scientists Unit.
- The levy programme is presented jointly with the non-nuclear major hazards programme to the Science Strategy Committee chaired by the HSE Chief Scientist.

3. Auditing and Reporting Arrangements

Responsibilities

3.1 In 1995 HSC placed a responsibility on HSE to audit the licensee research arrangements in order that the HSC could be satisfied that its needs for nuclear safety research were being properly met. NSD 4A needs to provide information to NuSAC SCR and it needs information to satisfy itself that the licensees are showing commitment to delivering the declared programme. There is also a responsibility on NSD to ensure that its own arrangements for the levy programme are auditable. There is an increasing emphasis on transparency and auditability of government processes. Other forms of occasional audit include:

- Audit by the Office of Science and Technology
- Audit by HSE's Internal Audit department, reported to HSE's Audit Committee.

Scope

3.2 The topics covered by the audit will include:

- research commissioned by the licensees (with NRI related research receiving a higher degree of scrutiny)
- transparency and accessibility to HSE of licensee research
- operation of the Technical exchanges

3.3 It should be noted that the audit function is separate from the evaluation of the research which is undertaken by the licensees for their programmes, and NSD 4A for the Levy Programme. G/RES/009 deals with evaluation.

Process

3.4 The licensees will provide adequate information in Nuclear Research Schedules to report on the forward programme to the spring meeting of NuSAC SCR.

- 3.5 It is through the technical exchanges that much of the transparency required of the new arrangements will occur. In particular, if an agreed research project is not carried out, a record should be kept of the reasons and of any impact of the decision, and these should be reported back to NuSAC SCR.
- 3.6 Specific concerns about particular projects or technical areas should be discussed at research coordination meetings if they cannot be resolved at technical exchanges.
- 3.7 The licensees will provide sufficient information in the evaluation papers to the autumn meeting of NuSAC SCR for comparison with the NRS provided 18 month earlier.
- 3.8 The former combined licensee quarterly reporting reporting is discontinued.
- 3.9 The arrangements for monitoring and reporting the technical exchanges are given in G/RES/005.
- 3.10 NSD 4A will carry out a separate audit of the activities reported in the NRS that are not addressing NRI issues (the former 'Direct Programme').
- 3.11 In respect of the Levy Programme, NSD 4A will report the corresponding information to the licensees.
- 3.12 NSD 4A will publish the NRI on the website and present it to NuSAC SCR. This provides an auditable trail of the history of nuclear safety research issues.

4. Abbreviations

HSC	Health and Safety Commission
NRI	Nuclear Research Index
NSRSG	Nuclear Research Steering Group
NTG	Nuclear Topic Group
NuSAC	Nuclear Safety Advisory Committee
SCR	Sub Committee on Research

5. Associated documents

- 5.1 G/RES/005 Technical exchanges
- 5.2 G/RES/009 Evaluation of research and support
- 5.3 [Licensee GN 3 Technical exchanges](#)
- 5.4 [Licensee GN 5 Disputes](#)

5.5 Treaties and MOU's, Guidance on practice and procedures - <http://www.fco.gov.uk/Files/KFile/TreatiesandMOUsFinal,0.pdf>- FCO guidance

Appendix 1 - Terms of Reference of Committees and Meetings

NuSAC

NuSAC's terms of reference are:

- To advise the Health and Safety Commission and, when appropriate Secretaries of State, on major issues affecting the safety of nuclear installations including design, siting, operation, maintenance and decommissioning which are referred to it or which it considers require attention; and
- To advise the Health and Safety Commission on the adequacy and balance of its nuclear safety research programme.

NuSAC's members consist of CBI and TUC nominees, and independents.

NuSAC SCR

Aim - To provide independent advice, on behalf of NuSAC, to the HSC on all aspects of research related subjects within NuSAC's remit.

Terms of Reference (October 2003)

- To judge the adequacy and balance of UK Nuclear Safety Research procured by the nuclear licensees and HSE
- In this judgement, to consider the contents of the HSE Nuclear Research Index and the licensees' Nuclear Research Schedules
- To consider the role played by research in supporting nuclear safety
- 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
- 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 Science & Innovation strategy)
- To consider the implementation of HSE's research strategy across the range of licensees
- To consider the adequacy of the collaboration on nuclear safety research between HSE and other government departments and agencies
- To examine how the UK achieves benefit from international collaboration in nuclear safety research

- To take into account where appropriate the experience of other countries' nuclear safety research programmes and the advice of the international agencies
- To advise HSC in cases of disagreement between HSE and licensees
- To advise HSC on any relevant nuclear safety research issues, including those which HSE may bring to its attention.

The SCR's members are nominated from the main NuSAC. Additional experts may also be nominated and seconded. The member of HSC with responsibility for nuclear matters should receive a standing invitation. NSRSG members are invited to attend NuSAC SCR meetings as observers if they are not already members. The secretariat is provided by NSD 4A. NSD and the licensees attend and provide the papers and presentations. Research contractors may also be invited to make presentations.

NSRSG - Nuclear Safety Research Steering Group

NSRSG only meets in case of unresolved disputes between NSD and the licensees, or when there is a major question of research policy.

Representation: HSE, Licensees, DTI, MOD, NuSAC; others by invitation

Chairperson: HSE Chief Scientist

Frequency: As required

Objective: To ensure the correct operation of the programme

Terms of Reference include the following:

- Ensuring an adequate and balanced programme of research is secured
- Making recommendations to HSE/HSC on size of HSE Levy programme (i.e. identifying top-up, international commitments and requirements for independent expertise)
- Advising HSC in cases of disagreement between HSE and the licensees over the content of the levy programme
- Maintaining a research strategy
- Addressing other strategic matters

Research coordination meetings (or telecons)

Representation: NSD 4A: Licensee Research Coordinators

Frequency - As appropriate, to prepare for production of strategies, research schedules and any higher level meetings, but approximately two monthly.

The scope of the meetings is:

- development and oversight of research arrangements
- production of guidance
- adequacy of Research Schedule
- review of overall programme progress
- presentations to NuSAC SCR, NSRSG (if appropriate) and HSC
- progress and resolution of specific technical issues where these cannot be resolved at technical exchanges.

Agreed actions will be produced from such meetings.

At present there is one series of meetings with the power reactor licensees to discuss the HSC co-ordinated programme and a similar series of meetings with BNFL for chemical plant research. This will need to be reviewed when the NDA becomes operational.

Research Strategy meetings

Representation: NSD 4A - Unit Head: Licensee - As appropriate for the agenda

Frequency - As appropriate

The scope of the meetings is:

- oversight of
 - scope of research arrangements
 - adequacy of implementation
 - strategic development needs
- formalisation of agreements
- preparation for the transition to the NDA
- management of interface with NuSAC, HSC etc.
- progress and resolution of specific technical (/process) issues where these cannot be resolved at Research Technical and Coordination meetings.

Agreed actions should be produced from such meetings.

At present there is one series of meetings with the power reactor licensees to discuss the HSC co-ordinated programme and a similar series of meetings with BNFL for chemical plant research. This will need to be reviewed when the NDA becomes operational.

Appendix 2 - Standard papers for consultative committees

The lists of routine papers are intended for guidance and should be reviewed in the light of the evolution of the arrangements. Additional ad hoc papers may always be added. The authorship of the papers is given in brackets after the title. Presentations from other licensees (e.g. UKAEA) or major research contractors, and visits to licensed sites are also routinely undertaken by NuSAC SCR. The dissemination of committee papers and minutes is covered in G/RES/005 on IPR, open government and dissemination.

For a more comprehensive timetable, see RES/001.

NuSAC SCR Spring meeting

- The HSC Co-ordinated Programme of Nuclear Safety Research: proposed programme for next year (NRI and non-NRI work) (HSE)
- Licensees' proposed programmes for next year – Nuclear Research Schedules and covering note. This will include a review of Essential Research Capability (Reactor and chemical plant Licensees)
- Forward Look (HSE/Licensees)
- Access to Independent Technical Capability (HSE)
- HSE involvement in international research programmes (HSE)

NuSAC SCR Autumn meeting

- Brief statement without paper on status of current programmes
- Evaluation of previous year's levy programmes, including statement on outturn (HSE)
- Evaluation of previous year's licensees' programmes, outturn and comparison with NRSs (Licensees separately)
- Evaluation of previous year's chemical plant research (HSE/BNFL)
- Assessment/audit of the Non-NRI related licensee managed research activities for the previous year (HSE) – not necessarily done each year
- Covering paper for new reactor NRI
- Covering paper for new chemical plant strategy
- Report on guidelines on scientific advice and policy making if appropriate (HSE)

NSRSG

NSRSG members will receive NuSAC SCR papers if they are not already SCR members. If a meeting is convened to settle a dispute, appropriate papers will be provided.

NSD Management Board Spring meeting

Draft HSC programme paper with covering sheet – this has not been done every year, but it is desirable

HSC Spring meeting

HSC coordinated programme of nuclear safety research for the forthcoming year (HSE) below the line. HSC will be informed that an overall view of major hazards research is taken by SISC.

Advice from NuSAC on the HSC coordinated programme of nuclear safety research for the forthcoming year (NuSAC SCR chair) – draft prepared by NSD 4A and agreed with SCR chair – below the line

Evaluation report for previous year (HSE) – below the line

SSC

HSE Chief Scientist Unit staff will prepare an annual paper for approval of the Science non-nuclear research and support budgets. NSD 4A will provide input (for information only) to this paper so that HSE major hazards research can be judged as a whole.