

RIC 2004 – International Issues – Session W8

PROMOTING THE TRANSPARENCY OF NUCLEAR REGULATION IN THE UK THROUGH EFFECTIVE COMMUNICATION

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March 10, 2004



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BACKGROUND (1)

- UK Nuclear Regulatory System

- Main Legislation – Health and Safety at Work Act & Nuclear Installations Act (NIA)
- Based on Principle of Reducing Risks so Far As Is Reasonably Practicable
- NIA requires all nuclear activities (except those by Crown employees) to be covered by a site licence granted by HSE (HM Chief Inspector of Nuclear Installations)
- Non-prescriptive goal setting regime
- 36 Standard Licence Conditions - same for all types of facilities
- Nuclear Installations Inspectorate (NII) grants nuclear site licences, assesses, inspects, enforces, gives permissions, issues specifications etc, advises, secures adequate research

BACKGROUND (2)

- Openness

Legal Requirements & Constraints:

- At present no Freedom of Information Act (but one being developed)
- No specific requirement in Health and Safety at Work Act (HASW) or Nuclear Installations Act (NIA) for openness
- Health & Safety at Work Act stops us from disseminating information about licensees' operations without their consent unless in public interest

But HSE/NII policy is to work on the presumption of openness

Some Reasons to Communicate Effectively (1)

- Public Servants acting in the public interest
- To arrive at better decisions
- To engender public & political confidence
- To move us further along the road to being a world class organisation - EFQM
- To achieve HSE's Vision
- To fulfil NII's Mission

Some Reasons to Communicate Effectively (2)

HSE VISION FOR UK

“Health and Safety as a Cornerstone of a Civilised Society”

Some Reasons to Communicate Effectively (3)

NII MISSION

“To secure effective control of health, safety and radioactive waste management at nuclear sites for the protection of the public and workers, and **to further public confidence in the nuclear regulatory system by being open about what we do.”**

Some Reasons to Communicate Effectively (4)

To be transparent about:

What we do, how and why

- What it is based on
- What we require
- What we decide, how and why
- In particular, about judgements about licences, major permissions, specifications, special audits, etc

And to be more effective.

OUR STAKEHOLDERS

- The Public
- The Workers
- The Licensees
- The Government
- Parliament
- Local Authorities
- Other Regulators
- NGO's
- The Media
- Other Countries
- International Organisations
- Etc

WHAT WE DO TO COMMUNICATE (1) - PROACTIVE

- General Basis for Our Work
- Major Decisions
- Major Audits & Investigations
- Site Inspection Activities for each site
- Regular Newsletters & Press Briefings
- Regular Reports to Ministers
- Regularly Talk to Boards, Chairs & CE's of the Major Licensees and to Government Departments
- Talks at conferences, stakeholders meetings, etc
- www.hse.gov.uk

WHAT WE DO TO COMMUNICATE (2) - PROACTIVE

General Basis for Our Work:

- Publish Requirements for Applying for a Nuclear Site Licence
- Publish our Safety Assessment Principles used by our Assessors as Basis to Adjudge all Safety Cases
- Publish Guidance Issued to our Assessors to Assist their Judgements
- Publish our Strategic Plan

WHAT WE DO TO COMMUNICATE (3) - PROACTIVE

Major Decisions, Audits & Investigations:

- Major Change in the Nuclear Industry involving Granting Licence(s) – Restructuring of Nuclear Power Generation, Atomic Weapons Establishment
- Periodic Safety Reviews to allow Facilities to continue to Operate
- Consents to Reactor Decommissioning Environment Impact Assessments & Reviews of Licensees' Decommissioning Strategies
- Audits with Significant Public Interest – MoX Falsification, Sellafield Control and Supervision, Dounreay, British Energy
- Investigations with Significant Public Interest – Dropped Fuel Incident at Chapelcross NPP

WHAT WE DO TO COMMUNICATE (4) - PROACTIVE

Site Inspection Activities:

- Each major licensed nuclear site has a local liaison committee(LLC) involving public representatives.
- Every quarter the NII site inspector prepares a LLC Report describing regulatory activities and outcomes at that site over the previous 3 months. These are publicly available on the HSE website.
- Site Inspectors attend LLC meetings, report on any regulatory actions taken and respond to any questions raised there.
- Site Inspectors regularly meet with Workers' Representatives

WHAT WE DO TO COMMUNICATE (5) - REACTIVE

- Public Inquiries and Select Committees – to Build Sizewell B, Trawsfydd Decommissioning, Devonport Submarine Refuelling Facilities, NP restructuring
- Parliamentary Questions and particular concerns of Members of Parliament
- Letters and enquiries from members of the public, workers, media and others
- Local Authorities concerns about major changes
- Concerns of other Governments (Ireland, Norway)
- Particular concerns of NGOs (HLW, Graphite)

WHAT WE DON'T DO

- Have public meetings about each and every decision we take
- Proactively publish a report about each and every decision, assessment, inspection, enforcement action
- Provide copies of all the Licensees' information we hold or have access to

SOME ISSUES?

1. Security versus Openness
2. Regulatory Effectiveness/Efficiency versus Openness
 - Using New Ways of Working to further the HSE Vision for UK H&S
 - Impact on Regulatory Decisions
 - Resourcing – amount and type
 - Escalation of work
3. Commercial Confidentiality versus Openness
4. PR & spin versus Personal Integrity and Duties as Public Servant