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| ONR Technical Inspection Guide (TIG)  LC 9 – Instructions to Persons on Site |



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LC 9 – Instructions to Persons on Site

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Revision commentary

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| Issue No. | Description of Update(s) |
| 5 | Revised to implement new guidance template |
| 6 | Updated review period |
| 6.1 | Review date pushed back to September 2023, also document transferred onto latest template. |
| 6.2 | Review date extended to March 2024 to align with review of NS-INSP-GD-008. |
| 7 | Major update - addition of foreign languages, general update.  Review date extended to March 2027. |

# Introduction

1. Many of the licence conditions attached to the standard nuclear site licence require, or imply, that licensees should make arrangements to comply with regulatory obligations under the conditions. However, Licence Condition (LC) 9 is one of the licence conditions which do not formally require the licensee to make and implement adequate arrangements.
2. License Condition 9 (and the related LC 8) are more prescriptive as they use the term ‘**shall ensure’**. It is therefore important that ONR and the licensee are clear as to the adequacy of the management system for providing adequate instructions to people on the site.
3. ONR inspects compliance with LCs to judge the suitability of the arrangements made and the adequacy of their implementation. Most of the standard LCs are goal-setting, and do not prescribe in detail what the licensees' arrangements should contain; this is the responsibility of the duty-holder who remains responsible for safety.
4. To support inspectors undertaking compliance inspection, ONR produces a suite of guides to assist inspectors to make regulatory judgements and decisions in relation to the adequacy of compliance, and the safety of activities on the site. This Technical Inspection Guide (TIG) is one of such documents provided by ONR for this purpose.

# Purpose and Scope

1. This guidance is for use by all inspectors in ONR. Its purpose is to facilitate a consistent approach to LC 9 compliance inspections and to provide assistance to inspectors while carrying out their duties in this area.   
   The guidance should not be regarded as either comprehensive or mandatory.
2. The guidance provided is split into three main elements:
   * + - 1. Purpose of LC 9.
         2. Guidance on instructions for LC 9.
         3. Guidance on inspection of instructions.

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# LC 9 – Instruction to Persons on Site

1. The licensee shall ensure that every person authorised to be on the site receives adequate instructions (to the extent that this is necessary having regard to the circumstances of that person being on the site) as regards the risks and hazards associated with the plant and its operation, the precautions to be observed in connection therewith and the action to be taken in the event of an accident or emergency on the site.

# Purpose of LC 9

1. LC 9 is closely linked to LC 8 (Warning notices) and LC 11 (Emergency arrangements). It’s purpose is to ensure that the licensee provides all people on the site with sufficient information about:

* the risks and hazards (including security if appropriate) associated with the plant and its operation.
* the appropriate precautions whilst on site.
* response to an incident or emergency situation thus minimising delay.

1. Note, the LC 9 does not specifically require the licensee to have arrangements, but requires the absolute legal duty of ‘shall ensure….. adequate instructions’. It is not open to reasonably practicable arguments. The LC is closely aligned to other statutory duties designed to ensure that employees and other persons have suitable instruction, training and supervision, including:

* [Sections 2(2)(c)](https://www.legislation.gov.uk/ukpga/1974/37/section/2) and [3(3)](https://www.legislation.gov.uk/ukpga/1974/37/section/3) of Health and Safety at Work etc. Act 1974,
* [Regulation 10](https://www.legislation.gov.uk/uksi/1999/3242/regulation/10/made) of the Management of Health & Safety at Work Regulations 1999
* [Regulation 15](https://www.legislation.gov.uk/uksi/2017/1075/regulation/15/made) of the Ionising Radiations Regulations 2017

1. The licensee should in particular ensure consideration is given to:

* the category of the person(s) e.g. new staff, contractors, delivery drivers. visitors
* whether the person(s) are escorted by experienced personnel
* the site location of the person(s)
* if the media and language used for the information is suitable.

# Guidance on Instructions for LC 9

1. Although arrangements are not referenced in the LC wording, a licensee should have management system in place to demonstrate compliance with LC 9; In this context the term arrangements is used below to describe the formal management system that ensures adequate instructions are developed and disseminated. These may be explicitly identified elsewhere in compliance with other LCs and training requirements.
   1. The following list provides ONR’s views on what the licensee’s arrangements might be expected to contain to comply with LC 9. The list is neither exclusive nor exhaustive and will be subject to review and revision in light of operational experience. If licensees have generic model(s) for arrangements, then it is for the site to justify any deviation from the model(s). **Note**: not all licensees use generic models.
   2. Arrangements that address the LC requirements should be readily available and should be extant, signed by an appropriate senior manager and controlled under a system compliant with the requirements of LC 17 (Management systems)..
   3. The arrangements should be informed by the information addressing the requirements of LC 16 (Site plans, designs and specifications).
   4. The arrangements should ensure that all persons on the site have been given appropriate instruction on the risks, hazards and responses necessary, during normal operations and potential accidents or emergencies. The arrangements should address any precautions that need to be observed in the event of any accident or emergency situation and could possibly vary depending on the person(s) location.
   5. The arrangements should ensure that instructions are given to new staff, delivery drivers, contractors and visitors and that refresher training is also given at appropriate intervals.
   6. The arrangements should ensure that authorised casual visitors who do not meet normal training requirements are escorted when on the site.
   7. The arrangements should ensure that records of relevant training are made, controlled and kept under the arrangements made for LC 6 (Documents, records, authorities and certificates).
   8. The arrangements should ensure that the instruction is in an appropriate media form and language for the person(s). Person(s) understanding should be verified.

# Guidance on Inspection of Instructions for LC 9

1. This section of guidance is to assist inspectors in judging the adequacy of the licensee’s instructions. The following list is neither exclusive nor exhaustive and will be subject to review and revision in light of operational experience. It does however provide a targeted list of aspects of LC 9 that can be examined during routine inspections.
   1. Check that documents demonstrating compliance with LC 9 are in place.
   2. Examine the structure and configuration of the compliance arrangements and check that they are consistent with the disseminated instructions and operator’s emergency plan. Review the arrangements to establish validity, whether any changes have been made since the last review and whether the identified responsible persons are correct. Note whether instructions, methods and quality assurance rules claimed in arrangements have been followed and whether any changes have been incorporated and validated.
   3. Check that the arrangements align with the information derived from LC 16; in particular check that buildings and plant which might affect safety identified within LC 16 are, where appropriate, identified within the LC 9 arrangements, and this information informs the LC 9 arrangements.
   4. Check that the arrangements ensure that the amount of information and approach to induction is commensurate with the hazard, risk and complexity of emergency arrangements and that consideration is also given to whether access is to be unescorted or limited.
   5. Check that the arrangements ensure all persons on the site receive appropriate instructions during their time on the site. Confirm that they address the differing requirements of new staff, both term and itinerant contractors, delivery drivers and visitors as well as suitable refresher training where necessary. The instruction media and language used should be suitable for the person(s) and understanding could be sampled by questioning or attending induction(s).
   6. Check that arrangements are in place to ensure escorts have an adequate knowledge of the hazards, risks and emergency arrangements associated with the location for which they are providing the escort duties.
   7. Confirm that the arrangements require records of relevant training and instruction and check that there is suitable cross reference to, and consistency with, the arrangements for LC 6, LC 10 (Training) and LC 11 (Emergency arrangements).