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| ONR Guidance Document  Guidance for Establishing and Implementing Investigation Arrangements Following Notification of a “Significant” Safety, Security or Transport GB Nuclear Site Event |



ONR Guidance Document

Guidance for Establishing and Implementing Investigation Arrangements Following Notification of a “Significant” Safety, Security or Transport GB Nuclear Site Event

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Table - Revision Commentary

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| Issue No. | Description of Update(s) |
| 0 | New document. |
| 1 | Content transferred into latest ONR Guidance Document template and review date extended to align with wider enforcement suite of guidance. |
| 1.1 | Review date extended to April 2024 |

# Introduction

1. Following notification of a “significant event”, including the declaration of an off-site nuclear emergency at a GB Nuclear Site or a Ministry of Defence Site or an Operational Berth, ONR will: monitor and record the operator’s actions, provide advice to relevant authorities as appropriate and as an enforcement authority conduct any necessary enquiries and investigations into the cause of the event and take appropriate enforcement action, in accordance with ONR’s Enforcement Policy Statement (EPS) [1].
2. As part of ONR’s response, the Redgrave Court Incident Suite (RCIS) is activated as the ONR’s central information and communication hub.   
   Teams, including investigation teams, will be dispatched as appropriate to the nature and location of the event.
3. This procedure provides guidance on when and how to apply existing ONR arrangements and relevant external agency arrangements to respond to, initiate, resource and undertake investigations following notification of a significant event at a GB site.

## Purpose and Scope

1. This document provides supplementary guidance to existing ONR arrangements and refers to established external investigation authorities Health & Safety Executive (HSE) and the Railway Accident Investigation Board (RAIB) arrangements to initiate resource and undertake investigations following notification of a significant event at a GB site [2].
2. This guidance will be available in the public domain in line with practices adopted by other UK investigation authorities.

## Definition

1. A “**significant event**” is an event that results in/or could result in; multiple casualties, a major release of radioactive material (on and off-site), a serious security breach, or a serious transport event.
2. A significant event “demands a response beyond the routine, resulting from uncontrolled developments in the course of the operation of any established and transient work activity …which may cause (or have the potential to cause) multiple serious injuries, multiple cases of ill health (either immediate or delayed), loss of life, serious disruption or extensive damage to property” ( [3] and [4]).

# Relevant Internal and External Guidance/ Arrangements

1. The key relevant extant ONR arrangements to respond, initiate resource and undertake investigations following notification of an event at a GB nuclear site are:

* ONR-OPEX-GD-001 - Notifying and Reporting Incidents and Events to ONR [5]
* ONR-EP-IN-002 – Initial Notification and Event classification [6] **(withdrawn pending review)**
* ONR-EP-IN-003 – ONR response to class 1 event - off-site nuclear emergency [7] **(withdrawn pending review)**
* ONR-EP-IN-005 – ONR Response to a Class 2 Event – Potential Nuclear or Radiological Emergency [8] **(withdrawn pending review)**
* ONR-ENF-GD-005 – Conducting Investigations [9]
* ONR-ENF-GD-006 – Enforcement [10]

## Extant External guidance/arrangements

1. Both the HSE and the RAIB have established and practiced arrangements to respond, initiate, resource and undertake investigations following notification of a significant event at a GB site ( [2] - [4] and [11]).
2. These HSE and RAIB arrangements outline the organisation structure, investigation, report writing arrangements and governance applied to respond, initiate, resource and undertake investigations following notification of a significant event at a GB site.
3. These HSE and RAIB arrangements recognise the need to ensure that investigations do not interfere with event recovery arrangements and allow for close liaison and cooperation with other interested enforcement authorities, including the emergency and security services to secure potential crime scenes.

## Key differences between extant ONR and external investigating authorities’ arrangements

1. The key differences in extant ONR and external investigation authorities’ arrangements in response to notification of a significant event at a GB site are the enhanced level of organisation and governance the latter apply. It is notable that HSE and RAIB both have substantial experience of applying their arrangements and publish their investigation reports.
2. This difference in approach is illustrated in Table 2 where a summary is provided of the key HSE roles and duties with respect to response/ investigation following declaration of a level 1 or 2 Major Incident ( [4] and [11]) with corresponding extant ONR RCIS and investigation roles.
3. The scope and focus of ONR RCIS arrangements are comparable with the HSE arrangements with respect to the response and recovery phase following an event but less so with respect to managing and undertaking investigations.
4. ONR RCIS arrangements focus on response and recovery following notification of a significant event. ONR has a current procedure for undertaking investigations which requires the supplementary guidance provided in this document to cover the governance, additional scope and investigation resource requirements for a significant event. HSE experience concludes that a major incident needs different management arrangements from routine investigations for a number of factors [11] including:

* **Scale** – influenced by the extent and damage/harm caused by the event, resourcing requires a team effort (can be up to 20 inspectors etc);
* **Pressure** - greater pressure on inspectors, managers and the organisation;
* **Political and media attention** - likely to be more intense and long-lasting.   Briefing initially and regularly is crucial;
* **Complexity** - a major incident is likely to be technically and legally complex and the extent of damage and harm may be significant;
* **Roles** - need to be formalised to structure the investigation and share tasks;
* **Investigation** – may require analytical investigation techniques   
  (e.g. events and causal factors analysis);
* **Timescale** - investigation follow-up may be over a substantial timeframe before the findings are made public.

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# Supplementary Guidance

1. The following section provides supplementary guidance for conducting investigations following the establishment of the RCIS in response to a Class 1 or 2 GB Nuclear Event
2. Figure 1 illustrates the extant the RCIS and investigation arrangements with the former focusing on monitoring and advice and the latter on directing and investigating.
3. The supplementary guidance provided in Appendices 1 and 2 for the RCIS Director and Investigation Manager complement the extant guidance RCIS   
   ( [6] - [8]) and investigation guidance [9] by utilising where practicable established HSE guidance in response to a major incident or civil contingency event ( [4] and [11]) to assist ONR in establishing its investigation function in response to declaration of a significant GB event.

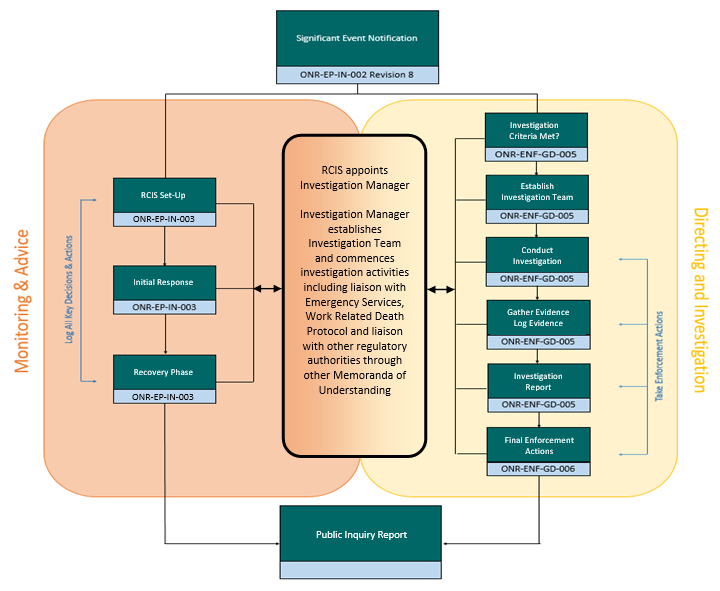


Figure - The relationship between ONR RCIS and other ONR investigation arrangements.

# References

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| [1] | ONR, “Enforcement Policy Statement (EPS),” 2020. [Online]. Available: http://www.onr.org.uk/documents/2014/enforcement-policy-statement.pdf. |
| [2] | RAIB, “About us,” [Online]. Available: https://www.gov.uk/government/organisations/rail-accident-investigation-branch/about#our-legal-basis. |
| [3] | HSE, “Investigations,” [Online]. Available: https://www.hse.gov.uk/foi/internalops/og/ogprocedures/investigation/index.htm. |
| [4] | HSE, “Investigation Procedure (Version 5),” October 2015. [Online]. Available: https://www.hse.gov.uk/foi/internalops/og/ogprocedures/investigation/investigation-procedure.pdf. |
| [5] | ONR, “ONR-OPEX-GD-001 - Notifying and Reporting Incidents and Event to ONR,” ONR, 2020. |
| [6] | ONR, “ONR-EP-IN-002 – Initial Notification and Event classification”. |
| [7] | ONR, “ONR-EP-IN-003 – ONR response to class 1 event - off-site nuclear emergency”. |
| [8] | ONR, “ONR-EP-IN-005 – ONR Response to a Class 2 Event – Potential Nuclear or Radiological Emergency”. |
| [9] | ONR, “ONR-ENF-GD-005 - Conducting Investigations”. |
| [10] | ONR, “ONR-ENF-GD-006 - Enforcement Management Model”. |
| [11] | HSE, “HSE response to a major incident or civil contingency event,” 5 January 2017. [Online]. Available: https://www.hse.gov.uk/foi/internalops/og/og-00076.htm. |
| [12] | HSE, “Work-related Death Protocol for England and Wales (WRDP),” [Online]. Available: https://www.hse.gov.uk/pubns/wrdp2.pdf. |

# Appendix 1 - Supplementary guidance for RCIS Director for Significant event

**Class 1/2 event**: on and off-site release includes limited fire, partial building collapse, on-site transport accident, limited explosion chemical etc, on/off--site radiation event with potential multi injured persons including fatalities.

**RCIS**

* On event notification, ONR commence RCIS set up as ONR-EP-IN-005 Revision 6 and commence mobilisation and deployment of teams.
* >30 mins after RCIS declared operational **RCIS Director** raises a focus point for ONR to appoint a lead investigator for the event.
* >30 mins In response to RCIS Director’s focus point **RCIS** **Deputy Director** to request CNI or deputy to nominate Investigation Manager for the event (SQEP band 1 delivery lead)
* >30 mins unless agreed otherwise with the Investigation Manager **RCIS** to retain control of **all** external media communications.
* >30 mins **RCIS** continue role in monitoring away teams as agreed with Investigation lead.

**CNI or deputy**

* >30 mins in response to request from RCIS **CNI/deputy** nominate ONR Investigation Manager for the event [use Investigation Resource Group (IRG) SQEP list and ONR investigation guidance ONR-ENF-GD-005 to identify suitable SQEP i.e. band 1 delivery lead/decision maker].
* >30 mins **CNI/Deputy** evoke ONR crisis management arrangements to support RCIS and Investigation activities.

# Appendix 2 - Supplementary Guidance for Investigation Manager

**Role and responsibilities of an Investigation Manager**

On nomination by CNI/deputy **Investigation Manager**:

* Obtain details of the event from RCIS [Director/deputy Director]
* Appoint supporting investigators and Divisional Delivery Support lead in conjunction with Divisional Directors in accordance with ONR-ENF-GD-005 [use Table 1 to assist identification of roles based on HSE Level 1/2 event response organisation model] for RC and away team roles - use IRG competency lists to identify SQEPs appropriate for the event type, safety, security transport etc, avoid depleting a single division).
* Nominate team member to complete Investigation Decision Record (IDR) in accordance with ONR-ENF-GD-005.
* Develop high-level investigation plan [agree plan with CNI/deputy/division lead].
* Establish clear interface/liaison arrangements with:
  + Emergency services and site to secure potential crime scene Work Related Deaths Protocol (WRDP) http://www.hse.gov.uk/pubns/wrdp2.pdf [Police liaison contact numbers by region]
  + External agencies (including HSE) – consider early secondments from other agencies to support investigation [utilise MoUs]

**When to start investigation?**

* At the earliest opportunity having established contact and liaison arrangements with the police, site emergency services and other agencies. Extract from Work- Related deaths protocol [ref 13] - In the early stages of an investigation, parties are committed to ensuring that any investigation into a work-related death is thorough and appropriate. The investigating parties will agree to liaise and co-operate and to work closely together in order to achieve this, for example by holding an early tripartite meeting with the Police and CPS (COPFS in Scotland).
* Avoid delaying/interfering with response/recovery operations.
* Safeguarding of workforce and public is a priority.
* When confirmed resource available to commence investigation, inspection + business support + others.
* Note Licensees and others may undertake own investigations but enforcement authority investigations may take precedence.
* Outline investigation plan in place.
* Start decision log.

**Guidance for investigation**

Utilise:

* ONR-ENF-GD-005 – Conducting Investigations [9]
* ONR-ENF-GD-006 – Enforcement [10]
* Work Related Deaths Protocol [12]
* HSE guidance [3]

**Resources for investigations**

* What resource model to follow for investigation? Propose utilise HSE model for L1/2 event [3]? Refer to Table 2 for roles.
* To include SQEP resources (people, equipment/materials and welfare) for ONR Redgrave Court and site investigation activities.
* Use Investigation Resource Group (IRG) investigation SQEP lists.   
  Co-opt resources from other bodies as necessary including HSE.
* Investigation Manager probably RC based.
* Investigation team members initially 3-4 investigators shared between RC and site locality, 2-3 business support (including manager) shared between RC and site locality
* Communications team link with **ONR crisis management** team and arrangements. RC and site locality. Ensure IM or nominated deputy endorses all public domain messages including twitter associated with the investigation.
* Plan for staff rotation for sustained investigation (**ONR crisis management** arrangements).
* ONR (**CNI/Deputy**) to reallocate resource taking into consideration impact of investigation on other operational activities.

**Investigation constraints**

* Access to the event site, secure potential crime scene, WRDP arrangements
* Identification of other locations of potential interest, corporate headquarters, contractors’ offices on/off site, individuals homes
* Resources – people, equipment, welfare, location of site (time to get to locations).

**Assistance from Another Body(s)/Multi-agency Working**

* Utilise MOUs for support and co-opt SQEPs
* Clear vires who leads/supports throughout the investigation
* Confirm points of contact.

**Communications plan and resources**

* On behalf of Investigation Manager, ONR communication team put in place, communication plan and organisation for delivery of **all** key messages into the public domain, stakeholders (including government) during the event response, recovery and investigation phases
* ONR Communications team lead allocated to ONR investigation team.

**When does control change from RCIS Director to Investigator Manager?**

* For initial RCIS set-up, initial response and early recovery phase **RCIS Director**
* Once **Investigation** Manager appointed (by CNI), IM is in control of investigation
* Consider timeline below for parallel RCIS response and investigation activities. ONR to develop guidance for management of RCIS and Investigation activities for protracted   
  events.

Table - Summary of HSE and ONR Response and Investigation Roles and Duties

| Incident type | Roles HSE/RCIS | HSE duties/investigation ([3], [4] and [11]) | ONR extant investigation roles [10] |
| --- | --- | --- | --- |
| HSE L1 MIRP  ONR significant | Band 1 Incident controller/*RCIS Director* | * Investigation plan * Select investigation team | Delivery Lead (DL) to establish investigation team and start investigation – band 1 delivery lead (appointed by RCIS director/CNI or deputy) |
| Band 2 Incident lead inspector/*RCIS site inspector- new RICS role as may not be site based* | * Oversees site investigation * Plan investigation arrangements (see HSE appendix 4 for detail) | Lead Investigator (LI) - appointed by DL |
| Band 3 Site incident Inspector/RCIS site inspector | * Assess investigation needs, others * Liaise with emergency services (WRDP) * Collect information * Advise on safe access * Don’t interfere with emergency services recovery * Provide briefings | Investigators support for LI |
| HSE L2 ERP  ONR significant | Chief exec/director regulation – RCIS role? CNI input advised by RCIS Director need to mobilise appropriate investigation resource | * Declare HSE major incident * Oversee overall response * Appoint investigation manager to take over from incident controller * Appoint Major Incident Investigation Board (MIIB) (+independent) | Investigation Manager (IM) identified in this guide. |
| Investigation manager/ *RCIS Director focus on initial response and recovery – new ONR role or SQEP RCIS Director for investigations* | * Manage overall investigation * Take over from incident controller (IC) * Liaise with emergency services gold/silver command * Appoint investigation team leader * Agree investigation ToR with CE/CNI? * Decide on investigation arrangements * Call and chair MIIB meetings * Appoint investigation business manager? | We have identified an investigation manager (IM) in this guide. |
| Investigation Team leader/ RCIS - linked to site inspector role but different could be inspector 1 role if SQEP in investigation arrangements and the lead area of interest, safety, security transport etc (Band 1 delivery lead?) | * Reports to IM * Takes over from incident lead inspector * Liaise with emergency services * Determine a recovery strategy with emergency services –seek to preserve critical evidence * Arrange joint investigation strategy if required * Develop investigation arrangements evidence gathering etc * Briefings | We have lead investigator (LI). |
| Investigation team – RCIS role site based SQEPs band 2 & 3 inspectors | Appointed by ITL  Conduct investigation  Liaise with emergency services | We are developing our investigation capability |
| Business support –RCIS role new for investigation support | DDS –desk top needs | DDS |
| Communications team | Communications team | Communications team |