



<b>ONR GUIDE</b>			
<b>GUIDANCE ON THE ASSIGNMENT OF DUTYHOLDER ATTENTION LEVELS</b>			
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## 1. INTRODUCTION

1.1 From 2019, the Chief Nuclear Inspector will publish in September of each year a comprehensive annual report on the safety, security and safeguards performance of Great Britain's nuclear industry. This report will be underpinned by annual assessments of dutyholder safety and security performance across our regulatory purposes, informed by ONR's assessment of regulatory attention levels. To assist in the timely compilation of this report and the Annual Report and Accounts (ARA) that is published in June each year, each division is required to compile an annual assessment of attention level across all licensed sites and other dutyholders where judged to be necessary.

## 2. PURPOSE AND SCOPE

2.1 This guidance presents a framework for guiding inspectors in assigning attention levels against dutyholders regulated by ONR during the reporting year. The intent for undertaking a structured assessment in the manner set out within this guidance is to enhance the auditability and transparency with which ONR assigns overall regulatory attention levels.

2.2 Historically a single attention level has been assigned to licensed sites covering all of ONR's statutory purposes as defined under the Energy Act (2013). To aid in transparency and to better differentiate attention across our purposes, two attention levels will now be assigned to all licensed sites:

- Safety purposes covering Nuclear Safety, Nuclear Transport Safety Conventional Health and Fire Life Safety.
- Security purposes covering Nuclear Security and Transport Security.

2.3 The differentiation of safety and security attention levels will support internal resource prioritisation and benchmarking ONR's regulatory strategies. A single **combined** attention level will continue to be published in ONR's Annual Report and Accounts and the annual CNI Report.

2.4 Under this revised framework, safety and/or security attention levels may also be assigned on a case-by-case basis to corporate bodies that own or operate multiple licensed sites, recognising that they may exert substantial influence on the prioritisation of resources across their sites. Non-licensed nuclear premises, tenants on licensed sites and approved carriers as defined by the Nuclear Industries Security Regulations (NISR) 2003 will be assigned an attention level for security. Divisions may also assign attention levels against other specific dutyholders on an exceptional basis where an enhanced level of attention may have been required. These may include for example:

- EDF as a corporate body
- Nuclear Decommissioning Authority as the owner of the Sellafield, Magnox Ltd and the wider site restoration estate,
- Non-nuclear Transport carriers,
- Tenants on licensed sites with significant undertakings,
- Other contractors with substantial undertakings on licensed sites.

2.5 Pending the UK's exit from Euratom Treaty anticipated in 2019, business as usual Safeguards activities will not be subject to consideration of attention levels. This position will be reviewed once ONR has established and

implemented a State System of Accountancy for and Control of nuclear materials in accordance with legislation in progress.

## **Nuclear Security**

- 2.6 In 2017 ONR published the Security Assessment Principles (SyAPs) as part of the transformation of security regulation to an outcome focused approach. The current phase of SyAPs implementation requires dutyholders to develop, and ONR to assess, new nuclear site security plans against SyAPs regulatory expectations. This phase is scheduled to extend into autumn of 2019 and will be the key area of regulator and dutyholder focus for the duration of the period, requiring significant resource to ensure successful delivery.
- 2.7 The CNS division will therefore continue to operate a reduced Security Review (AnSyR) process (also referred to as the backbrief) for the period, the output from which will be conveyed within the CNI report. The underpinning rationale behind revising the backbrief is to release valuable resources within industry and ONR to allow focus to be maintained on security plan development and assessment. However, it also provides an opportunity to capture information relating to the current phase of SyAPs implementation and to design a more flexible reporting framework that caters for this transitional period where dutyholders will be operating against both NORMS and SyAPs aligned security plans. This document also provides guidance to inspectors on the refined 2018 AnSyR process and therefore assignment of security attention levels.

## **3. ADVICE TO INSPECTORS**

### **Licensed Sites**

- 3.1 For each dutyholder that operates licensed sites, two overall attention levels should be assigned, one for ONR's safety related purposes and one for security<sup>1</sup>. In the case of dutyholders operating more than one licensed site (such as EDF Energy Nuclear Generation Ltd, Magnox Ltd and AWE Ltd) divisions should identify attention levels for each licensed site and may elect to assign attention levels to the dutyholder at a corporate level. This may be necessary in cases where dutyholder corporate activities exert a significant influence on resources and priorities in safety and security enhancements.

### **MOD Authorised Sites**

- 3.2 For non-licensed sites that support the UK's fleet of nuclear-powered submarines (those operated and authorised by the MoD), ONR's regulatory responsibility is limited to the Health and Safety at Work etc. Act 1974, Ionising Radiations Regulations 2017 and Radiation (Emergency Preparedness and Public Information) Regulations 2001. Specific derivation of attention levels against each of these sites is therefore not a requirement. However, the annual CNI report and CNI statement for the ARA may be supported by a narrative where ONR has had cause to exert an increased level of attention.

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<sup>1</sup> For defence licensees and MOD owned authorised sites, ONR does not regulate nuclear security and so security attention levels are not required.

## Transport Dutyholders

- 3.3 ONR regulates the movement of flasks carrying spent nuclear fuel from operating and decommissioning nuclear reactors, radio-pharmaceuticals needed for hospitals, sealed radioactive sources needed in the construction industry and, for instance, in the non-destructive testing of North Sea oil rigs. ONR's Transport Competent Authority (TCA) inspects dutyholders across industrial, medical and carrier sectors.
- 3.4 The regulation of nuclear transport is now integrated into the regulatory divisions. As such, specific consideration of nuclear transport compliance (as undertaken on a licensed site) and transport safety cases should be integrated into the attention level assessments performed on each licensed site. Under NISR 2003, all movements of Category I-III quantities of nuclear material must be undertaken by an approved carrier. Each approved carrier will be assigned an attention level for security.
- 3.5 A separate attention level assessment should be undertaken by the TCA for other 'non-nuclear' transport dutyholders; attention levels only need to be reported by exception where an enhanced level of attention has been assigned against any of the large number of transport dutyholders operating in Great Britain.

## Other Dutyholders

- 3.6 Divisions may also wish to specifically assign attention levels to other dutyholders under exceptional circumstances to reflect an increased level of attention. Such dutyholders may include NDA (as owner of the UK legacy estate including Sellafield, Magnox Reactor, Dounreay, LLWR, Winfrith and Harwell); custodians of sensitive nuclear information held of nuclear licensed sites or premises; contractors and/or tenants with undertakings on licensed sites (such as National Nuclear Laboratories and other Tier 1 level contract partners). Non-licensed nuclear premises, tenants on licensed sites and approved carriers (see above) as defined by NISR 2003 will be assigned an attention level for security.

## Derivation of Attention Levels

- 3.7 The overall regulatory attention levels assigned for safety and security to each dutyholder combines judgements across a range of indicators. Attention ratings against each individual indicator should assist inspectors in their judgement of an overall attention level for a dutyholder for both safety and security; ultimately it is for individual divisions to apply their regulatory judgements on the extent to which individual attributes inform the overall attention levels assigned. Consideration of attention level against such attributes may usefully inform inspectors where additional regulatory focus may be warranted even if the overall attention level is designated as 'Routine'.
- 3.8 The following broad definitions apply to three overall attention levels that may be assigned for safety and security against each dutyholder:

### Level 3 – Routine Regulatory Attention

**3**

**Safety Purposes** – ONR has undertaken routine planned compliance inspection and nuclear safety permissioning activities and nuclear risks associated with the dutyholder’s activities are well managed in accordance with an adequate and up-to-date safety case. There is not a repeated history of formal enforcement activity.

**Security Purposes** – The site is in steady state and generally compliant. Any ONR resource required to support dutyholder activity is minimal (e.g. approval of low level amendment to the security plan or low risk temporary security plans) and regulatory issues managed by CNS inspectors.

## Level 2 – Enhanced Regulatory Attention

2

**Safety Purposes** - Enhanced regulatory attention describes a higher level of regulatory activity paid to the dutyholder. This may be influenced by:

- An increasing level of risk or hazard profile in the licensee’s undertakings,
- Recent Formal Enforcement Activity, particularly of repeated nature,
- Challenging and complex assessment issues that require enhanced specialist inspector attention.
- Emergent or long standing safety issues and/or the risk associated with the facilities in question.

**Security Purposes** – Evidence of more significant instances of non-compliance or other issues demanding ONR attention to oversee effective resolution. Alternatively, the site has increased programme activity complex security enhancements or temporary security plans.

## Level 1 – Significantly Enhanced Regulatory Attention

1

**Safety Purposes** - Significantly enhanced attention is based upon the factors above at Level 2 but may also be influenced by:

- Changes in our regulatory strategy to achieve hazard and risk reduction across sites over a shorter period of time.
- Sustained failure to address long-standing safety issues and/or the risk associated with the facilities in question despite current or previous enhanced regulatory attention.

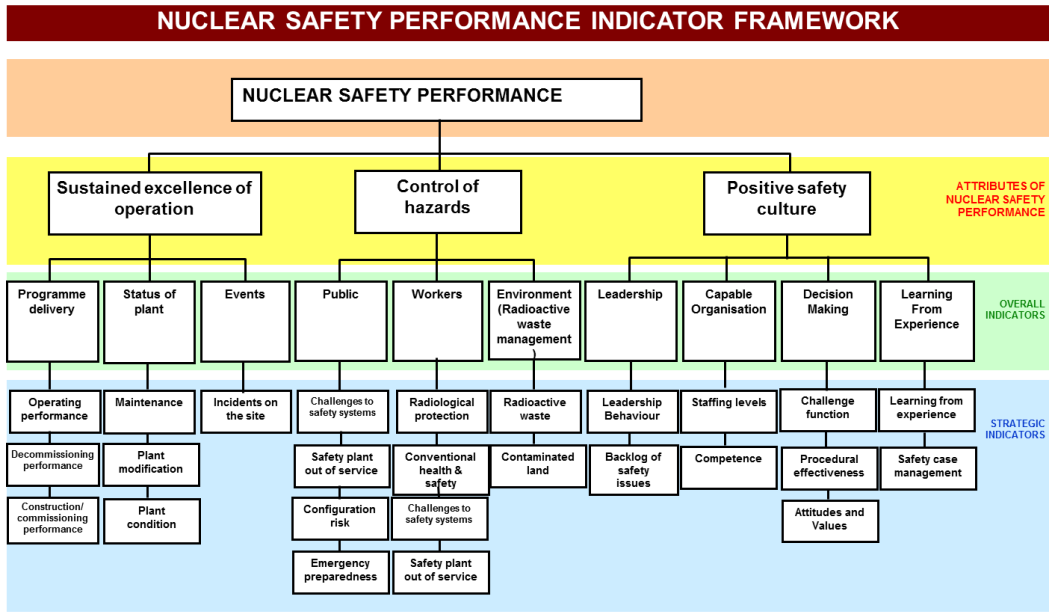
**Security Purposes** – Evidence of more significant/serious instances of non-compliance or other issues, particularly on higher hazard sites, which demand ONR attention to oversee effective resolution. Alternatively, the site has increased programme activity for a high hazard site or where proposed arrangements are complex/novel/contentious, major security enhancements or temporary security plans. Oversight of Level 1 regulatory issues is given by the CNS divisional director and Chief Nuclear Inspector.

## Practical implications of Enhanced and Significantly Enhanced Attention

- 3.9 The assignment of enhanced attention levels may result in additional regulatory resource allocated to a site to support an enhanced inspection programme or undertake additional specialist assessment. However, enhanced attention may manifest in other ways judged by divisions to be necessary to secure, where practicable, a return to routine attention:
- Structured Improvement / Action Plans developed by the licensee or dutyholder, overseen by ONR at delivery lead and divisional directors.
  - Level 1 and 2 regulatory issues where relevant to manage and track progress.
- 3.10 For sites or dutyholders assigned significantly enhanced attention level: An 'Engine Room' type approach with relevant stakeholders has proven effective in overseeing implementation of improvement plans. This is particularly relevant for long-standing and complex regulatory issues. Such multi-agency groups would typically be attended by the dutyholder, licensee, relevant enforcing authorities and potentially UK and/or devolved Government.
- 3.11 Notwithstanding the enabling approach we will always seek to adopt, in cases of non-compliance we apply our formal powers of enforcement proportionately and in line with our Enforcement Policy Statement and Enforcement Management Model. Where the non-compliance is more significant, we will limit the extent to which our inspectors can act in an enabling manner. We will still seek to apply the principles so far as is reasonable, but the fundamental principle of ensuring that the hazards from the nuclear industry are controlled to protect people and society remains inviolable/firm/resolute.

### **Supporting Attributes for Safety Related Purposes**

- 3.12 The overall regulatory attention levels assigned for safety combines assessment across three safety performance attributes, capturing ONR's safety related purposes. These indicators correlate loosely with ONR's Nuclear Safety Performance Indicator framework but with greater regulatory emphasis. ONR, in consultation with the Safety Directors Forum has tailored the IAEA TECDOC-1141 safety performance indicator framework, which was originally designed with nuclear power plant operations in mind, and broadened the application to the wider nuclear industry:



\* Human performance spans this framework and licensees should be able to describe how this is reflected in their choice of indicators

3.13 The three attributes are summarised below, each of which is supported by assessment against a number of recommended indicators aligned vertically against each of three overall attributes (indicators are described in more detail in Annex 1):

Overall Regulatory Attention for Safety purposes		
Safety Performance	Control of hazards and risks	Safety Leadership and Culture
Licensee Compliance record	Level of Hazard and Risk posed by the dutyholder's undertakings	Leadership
Number and significance of regulatory issues (nuclear and CHS related) and timeliness of resolution	Nuclear safety case adequacy and currency	Capable Organisation
Enforcement action taken or under consideration	Emergency preparedness and response capability	Decision making
Number and significance of Nuclear Safety incidents on the site	Nuclear Transport Safety Case adequacy	Learning
Delivery of agreed Nuclear Safety Enhancements	Maturity of CHS prioritisation and risk profiling	Internal Assurance and Challenge
Delivery of Industrial and Fire Life Safety Improvements		
Number and significance of CHS INF1/RIDDOR and near miss reports on the site		
Plant status (control of modifications and maintenance)		



Safety Performance

3.14 Safety performance is fundamentally a product of dutyholder compliance record across the various safety purposes, incidents on the site and delivery against agreed or required safety enhancements. This aligns closely to the ‘*sustained excellence of operations*’ attribute in the nuclear safety performance indicator framework. Dutyholders maintain a wide variety of metric based indicators to measure safety performance. For the purpose of attention level assessment, inspector judgement is required taking into account their interactions with and tacit knowledge of the site and its performance in-year. This may take into account the dutyholder’s own performance indicators.

Control of Hazard and Risk

3.15 The ‘Control of Hazard and Risk indicator’ is a product of the level of hazard and risk posed by the licensee’s undertakings and the adequacy with which the licensee demonstrates that risks are controlled so far as is reasonably practicable in accordance with an adequate and live safety case. As part of this consideration, the licensee’s onsite emergency preparedness and response capability should be taken into account in terms of their capability to manage and respond to fault progression within and beyond the design basis. The adequacy of conventional health and safety risk profiling and transport package safety cases should also be taken into account.

Safety Leadership and Culture

3.16 A range of factors influence the assessment of a site’s safety leadership and culture. The Human & Organisational Capability specialism has published a framework for assessing licensee performance against LMfS (Leadership and Management for Safety) themes linked to each of the four LMfS SAPs, to enable the development and resourcing of future intervention plans. The output from these assessments may be used to substantially inform the assessment of attention levels assigned to this indicator.

**Supporting Indicators for Security Related Purposes**

3.17 The overall regulatory attention level considers the combined judgements across the four security attributes below.

Overall Regulatory Attention for Security purposes			
Security Assessment Principles Plan Development	Security Strategic Enablers	Security Operations	Security Delivery

Security Assessment Principles Plan Development

3.18 As detailed earlier in this document, the industry is currently in the process of developing security plans for ONR to assess against SyAPs. This section may be left blank where a dutyholder has a SyAPs approved plan in place. For other dutyholders, inspectors should provide a brief summary containing



an evidence-based opinion on plan quality based on findings of the ONR assessment process to date; or through any relevant dutyholder engagement regarding their progress on their plan development where a submission is yet to be made.

### Security Strategic Enablers

- 3.19 The indicator of Security Strategic Enablers relates directly to SyAPs Fundamental Security Principles (FSyPs) 1-5 in terms of how appropriate the arrangements are in meeting the associated outcomes. As above, inspectors can refer to the supporting Security Delivery Principles in SyAPs for more guidance. Again, the summary should adhere to the principle of reporting by exception, with detail only provided for attention levels 1 or 2.

### Security Operations

- 3.20 The indicator of secure operations relates directly to FSyPs 6-10 in terms of how appropriate the security arrangements are in meeting the associated outcomes. This differs from delivery, which is intended to be focused more on issues of compliance. Inspectors can refer to the supporting Security Delivery Principles in SyAPs for more guidance. However, the summary should adhere to the principle of reporting by exception, with detail only provided for attention levels 1 or 2.

### Security Delivery

- 3.21 Inspectors should provide a brief summary of the dutyholders' performance as it relates to compliance and inspection ratings, the ability to complete improvements/ actions to schedule, reportable events and the annual security response exercise outcome. However, detail should only be provided where an attention level of 1 or 2 is assigned.

## **4. ANNUAL ASSESSMENTS OF ATTENTION LEVELS FOR SAFETY AND SECURITY PURPOSES**

- 4.1 To assist in the timely compilation of the Annual Report of Accounts (ARA) that is published in June each year (and the CNI report published subsequently in the Autumn), each division is required to compile a fit for purpose annual assessments of safety and security.

### **Content of Attention Level assessments for Safety purposes**

#### Licensed Sites

- 4.2 Each assessment of safety attention level should encompass the following:
- For each safety and security assessment, sufficient narrative should be provided to underpin the overall attention level derived for the dutyholder's constituent licensed sites. This narrative should be applied against relevant attributes that support the three indicators for safety and 4 indicators for security (judged by the divisions to be relevant to the licensee's undertakings and nature of hazard and risks). Annex 1 sets out suggested considerations against each attribute to help guide the

assessment team and Annex 2 and 3 provide templates for recording assessments against individual licensed sites.

- The attention level for the dutyholder itself, where it operates more than one licensed site, **may** also be assigned an overall attention level, supported by a sufficient narrative that takes into account overall safety and security performance across its constituent licensed sites. Where applied, the overall dutyholder narrative should be recorded in the generic template provided in Annex 4.
- The overall attention level score should not be interpreted as an aggregation of individual scores assigned to the various indicators. The assessment team should exercise appropriate judgement on how much weighting should be assigned against individual factors in influencing the overall attention score. The assignment of attention scores against each attribute is intended to enhance transparency the basis with which ONR has made its overall judgement.
- Divisions should assign individual attention levels to indicators judged relevant to the licensee's undertakings which are then used to inform the overall attention level for each licensed site. The extent to which supporting narrative is used to support individual indicator scores should be at the discretion of the assessment team.
  - For enhanced and significantly enhanced scores more narrative would be expected against those attributes judged to have the greatest influence on the overall attention level.
  - Even if a single indicator is judged to dominate the overall attention level, divisions should assign ratings and supporting narrative against other indicators to provide a balanced picture. This is particularly important for higher hazard and risk sites where to reflect ONR's wider view of programme delivery.
  - For routine attention, supporting statements may be useful as context to emphasise individual attributes that have attracted an enhanced level of attention even if the overall attention level is still routine. This is especially so if there are, for example, prominent permissioning, compliance shortfalls or formal enforcement activity having been undertaken.
- Where an overall enhanced or significantly enhanced regulatory attention has been assigned to a site and/or dutyholder, **the assessment should be supported by an action plan (or regulatory strategy) and relevant regulatory issues** by which improvement will be sought. For sites assigned significantly enhanced attention (such as assigned to the Sellafield First Generation Magnox Storage Pond, Magnox Swarf Storage Silo and Pile Fuel Cladding Silo in 2018) it is recognised that the return to routine attention is unlikely to be practicable for many years.

Nevertheless, the assessment in such cases should succinctly articulate the overarching strategy by which this will be achieved, and the nature of ONR's regulatory role in securing this in the long term.

#### 'Non –nuclear' Transport Dutyholders

- 4.1 A separate attention level assessment may be undertaken by the Transport Competent Authority for other 'non-nuclear' transport dutyholders; attention levels only need to be reported by exception where an enhanced level of attention has been assigned against any of the large number of transport dutyholders operating in Great Britain. Annex 3 should be used to record the outcome of such an assessment.

#### Other Dutyholders

- 4.2 For all other dutyholders that do not operate licensed sites, divisional assessments of attention should be undertaken and reported by exception only where an increased level of attention above 'Routine' is anticipated. Due to the wide variety of dutyholders and their undertakings (for example, MoD Authorised Sites, Tier 1 contractors, NDA), it would not be practical or proportionate to specify a detailed assessment framework. Annex 3 provides a general template for recording narrative to support attention levels derived for other dutyholders.

### **Content of Attention Level assessments for Security purposes**

- 4.3 The overall regulatory attention level considers the combined judgements across the four indicators. Inspectors should apply judgement and allow factors to influence the attention level such as site categorisation and characteristics of any potential vulnerabilities (i.e. hazard and risk), dutyholder attitude, or whether the situation is improving or worsening.
- 4.4 In addition to providing the overall regulatory attention level for the site together with the rationale, the ANSyR should also set out any related regulatory priorities for the year ahead. It should also provide detail of dutyholder successes/improvements, particularly where the attention level has decreased from the previous assessment.
- 4.5 Where enhanced or significantly enhanced regulatory attention has been judged necessary as a result of poor performance then it is essential that the ANSyR regulatory priorities include an action plan for ONR to return the dutyholder to a routine level. To enable this to be done effectively, it may be appropriate for a causal analysis to be undertaken in order that attention is focused on addressing the problem rather than the symptom. However, attention levels above routine may also be assigned for issues not related to dutyholder performance or non-compliance. For example, additional ONR resource may be required to support commissioning of major dutyholder scheduled projects such as replacement of the security management system. In such cases, causal analysis will be unnecessary and a brief explanation of why additional ONR resource is anticipated will suffice.

### **Timeline and Responsibilities**

#### Provisional Assignment

- 4.6 For each licensed site, the nominated site inspector should coordinate with the relevant CNS inspector to undertake assessments of safety and security attention levels, using the templates provided in Annex 1. This should be

completed in sufficient time to allow the divisional submissions to CNI office by the end of December each year.

**Divisional Moderation – required by 31<sup>st</sup> December**

4.7 Divisions should undertake a suitable moderation exercise before the end of December to review initial attention levels for individual licensed sites and to assign corporate attention levels for multi-site licence holders. During this review session, attention levels for other dutyholders should be considered and assigned by exception. Quorate representation at divisional moderation exercises is as follows:

- Relevant Safety Delivery Leads
- CNS Superintending Inspector or delegation to CNS delivery Lead
- Conventional Health and Safety Inspector
- Representation from Transport Competent Authority
- Corporate Inspector

*Transport Competent Authority*

The substantial number of approved transport carriers means that it is not practical nor proportionate to assign attention levels for individual dutyholders. Nevertheless, the Transport Competent Authority should undertake an annual review (before the end of December) to identify any dutyholder(s) that have warranted any enhanced level of attention and assign supporting narratives.

**CNI and Divisional Director Moderation – Required by 31<sup>st</sup> January**

4.8 The CNI and Divisional Directors will undertake a moderation exercise to consider all attention levels assigned by divisions and the transport competent authority. The outcome of this moderation exercise will inform the attention levels specified in the ARA published in June and the CNI state of the industry report published in September.

## **ANNEX 1: PERFORMANCE INDICATORS FOR LICENSED SITES**

### **SAFETY PERFORMANCE ATTRIBUTE**

The guidance presented below should support inspectors in their consideration of attention level to be assigned against individual indicators in support of each of the three attributes. Divisions should use their own discretion as to the extent to which the guidance and indicators themselves apply. The guidance is in-part based on the safety performance indicator framework.

#### **Nuclear Safety incidents**

- Review number and nature of INF1 notifications during the year, including INES Level 1 and above reportable incidents.
- Consider developing serious trends (such as repeat events) which may be emerging that warrant further regulatory attention.
- Consider the adequacy with which the dutyholder has investigated and implemented appropriate learning from incidents and emergent trends.

#### **Industrial Safety incidents**

- Review number and nature of more serious industrial safety incidents, including RIDDOR reportable incidents.
- Days lost due to work related accident
- Number or rate of non-adherence to process safety requirements
- Number or rate of safety rules (permitry) errors
- Consider developing serious trends (such as repeat incidents) which may be emerging that warrant further regulatory attention.

#### **Regulatory Issues**

- Summarise the Level 1 and 2 issues assigned to the dutyholder's undertakings and their strategic relevance. The nature and level of regulatory issues assigned to dutyholders should be one of the principal factors indicative of attention level.
- Consider the timeliness with which the dutyholder has responded to regulatory issues on the whole, particularly those assigned as Level 1 and Level 2.

#### **Formal Enforcement Action**

- Identify recent or anticipated significant enforcement activity such as prosecutions and Improvement Notices or refusal of permission.
- A single Improvement Notice should not necessitate a higher attention level on its own and should be subject to appropriate judgement when assigning an attention level.

#### **Dutyholder compliance record**

- Review the dutyholder's in-year compliance record (as measured through routine planned and reactive compliance inspection). A more prominent record of Red and Amber ratings (Demand improvement and Seek Improvement respectively) may be indicative of enhanced level of attention

#### **Delivery of Nuclear Safety improvements or enhancements**

- Review the **timeliness and quality** with which the dutyholder implements significant modifications to improve nuclear safety that may be necessary following periodic safety review, following enforcement action, as an underlying commitment following life extension (in the case of operational reactors) or in the interest of hazard and risk reduction
- A record of sustained failure to implement major safety improvements may necessitate enhanced attention levels

### **Delivery of Industrial and Fire Life Safety improvements or enhancements**

- Review the timeliness with which the dutyholder implements significant modifications to improve industrial and Fire Life safety.

### **Plant status (control of Maintenance and Modifications)**

#### Maintenance

- Number or frequency of events or incidents where deficiencies with maintenance quality identified as a factor
- Number or frequency of unexpected breakdowns of safety mechanisms devices and circuits
- Maintenance schedule backlog/defect backlog

#### Modifications

- Number of events or incidents where deficiency with the plant modification process or practice identified as a factor
- Modifications implemented out of due process
- Number of temporary modifications in place over defined period
- Modifications not closed out within agreed timescales and/or extended

## **CONTROL OF HAZARDS AND RISKS**

### **Level of Hazard and Risk**

- Factors such as emergent or long standing safety issues and/or the risk associated with the dutyholder's undertakings should have a principal determining influence on the attention level and the overall attention level assigned to a dutyholder. Divisions should take into account the site-wide level of risk (i.e. the instantaneous and continuous risk against the Basic Safety Level for public and worker safety).
- Furthermore, changes in ONR's regulatory strategy to achieve hazard and risk reduction across a site over a shorter period of time could result in a site attracting significantly enhanced regulatory attention and effectively dominate the overall attention level. Given the legacy nature of the radioactive inventory across a number of sites and facilities it is envisaged that some could be in either enhanced or significantly enhanced regulatory attention for a number of years.
- The extent to which this attribute influences overall attention level should be an explicit consideration of the assessment team.

### **Nuclear (including Transport) Safety Case adequacy and currency**

- Consider any current regulatory issue over safety case deficiencies or pace with which safety case improvements are being made by the dutyholder.
- Does the safety case employ modern safety case methodologies and if not what is the gap against required standards?
- Consider the timeliness and quality with which dutyholders submit, where relevant, periodic reviews of safety and implement necessary improvement plans. Substantial delays and/or rework may be indicative of enhanced regulatory attention.

### **Maturity of CHS risk prioritisation and profiling**

- Review the evidence used to inform the risk profile of the site's activities.
- Review the risk management evidence to assess the adequacy of the risk prioritisation process.
- Review effectiveness of systems to control contractors.

### **Emergency Preparedness and Response capability**

- Review the adequacy with which the dutyholder is managing emergency preparedness and response, as evidenced through its onsite plan and emergency exercises.
- Emergency response equipment availability
- Maintenance of emergency response equipment – adherence to schedule
- Number of significant issues arising from emergency exercises
- Extent to which emergency scheme posts are filled and training in date

## **SAFETY LEADERSHIP AND CULTURE**

Some divisions employ an annual ONR evaluation of performance against a number of LMfS (Leadership and Management for Safety) themes linked to each of the four LMfS SAPs, to enable the development and resourcing of future intervention plans. The outcome from this assessment may be used to directly inform the 'safety leadership and culture' indicator to reflect those areas that have a direct and measurable impact on future intervention plans. This evaluation should be informed by the following and be supported by suitable narrative to demonstrate areas where enhanced attention is being exerted to secure improvements in each of these attributes:

### **Safety Leadership**

- Directors, managers and leaders at all levels should focus the organisation on achieving and sustaining high standards of safety and on delivering the characteristics of a high reliability organisation.

### **Capable Organisation**

- The organisation should have the capability to secure and maintain the safety of its undertakings.

### **Decision Making**

- Decisions made at all levels in the organisation affecting safety should be informed, rational, objective, transparent and prudent.

### **Learning**



- Lessons should be learned from internal and external sources to continually improve leadership, organisational capability, the management system, safety decision making and safety performance.

### **Internal Assurance and Challenge**

- This attribute is not an explicit feature of the annual LMfS reviews but exerts an important influence on the degree of ONR regulatory attention.
- Assessment teams should evaluate in qualitative terms the robustness of the dutyholder's internal assurance processes. This should include including internal inspection programmes and peer review.
- Substantial intervention requirements by ONR on internal assurance or challenge capability may be an indicator of enhanced attention.

**ANNEX 2 –TEMPLATE FOR RECORDING SAFETY ATTENTION LEVELS ASSESSMENTS FOR LICENSED SITES**

Name of Dutyholder and Licenced Site					
Safety Performance		Control of Hazards and Risks		Safety Leadership and Culture	
Dutyholder compliance record	Provide sufficient (but succinct) narrative to justify enhanced or significantly enhanced Attention Level assigned to each attribute, where relevant.	Level of Hazard and Risk posed by the dutyholder's undertakings		Leadership	
<b>Record Attention Level here (1, 2 or 3)</b>	Divisions may wish to record narrative to support Routine Attention at their discretion.				
Number and significance of Nuclear Safety Incidents		Nuclear safety case adequacy and currency		Capable Organisation	
Number and significance of Industrial Safety incidents and RIDDOR reportable events		Transport Package Assessment		Decision making	
Number and significance of regulatory issues and timeliness of resolution		Maturity of CHS risk prioritisation and profiling		Learning	
Enforcement action taken or under consideration				Internal Assurance and Challenge	
Plant status (control of modifications and maintenance)		Emergency preparedness and response capability			
Delivery of Industrial and Fire Safety Improvements					
<b>Overall Safety Attention Level</b>		Outline action plan by which ONR will secure (where practicable) a return to Routine attention		Completed for Enhanced and Significantly Enhanced Attention Levels only. This should be articulated even where it is unlikely that a dutyholder and/or site will achieve a return to Routine Attention in the short term due to (such as higher hazard facilities at Sellafield due to their intolerable risk).	
<b>Initial Attention Level (1,2 or 3)</b>					
<b>Divisional Moderation</b> and supporting justification for any amendment to initial attention level		Proposed or existing Level 1 or Level 2 Regulatory Issues for tracking dutyholder progress		Completed for Enhanced and Significantly Enhanced Attention Levels only	

**ANNEX 3 –TEMPLATE FOR RECORDING SECURITY DUTYHOLDER ATTENTION LEVELS ASSESSMENTS**

Name of Civil Nuclear Security Dutyholder							
Overall Security Attention Level		Initial	Final	Justification for Attention Level Moderation (if applicable)			
		<i>Record attention level here</i>	<i>Record attention level here</i>	<i>Insert text here if applicable</i>			
<b>Evidence Underpinning Attention Level</b>		<i>Insert text here, to include:</i> <ul style="list-style-type: none"> <li><i>Underpinning basis for level of ONR regulatory attention</i></li> <li><i>Dutyholders successes and improvements</i></li> </ul>					
<b>Action Plan (only required for attention levels 1 and 2)</b>		<i>Insert text here, to include:</i> <ul style="list-style-type: none"> <li><i>Regulatory action to be taken to return dutyholder to Routine attention level</i></li> <li><i>Any current or new Regulatory Issues to be recorded on the RID</i></li> </ul>					
SECURITY ASSESSMENT PRINCIPLES PLAN DEVELOPMENT		SECURITY STRATEGIC ENABLERS		SECURITY OPERATIONS		SECURITY DELIVERY	
<b>Record attention level here</b>	<i>Insert justification here, to include: Summary of dutyholder plan development/quality and ONR dutyholder assessment process as applicable.</i>	<b>Record attention level here</b>	<i>Insert text here, to include:</i> <ul style="list-style-type: none"> <li><i>Summary of key points against indicators</i></li> <li><i>Reporting by exception, only minimal detail required where level 3 is assigned</i></li> <li><i>Action plan where level 1 or 2 is consequence of poor performance</i></li> </ul>	<b>Record attention level here</b>	<i>Insert text here, to include:</i> <ul style="list-style-type: none"> <li><i>Summary of key points against indicators</i></li> <li><i>Reporting by exception, only minimal detail required where level 3 is assigned</i></li> <li><i>Action plan where level 1 or 2 is consequence of poor performance</i></li> </ul>	<b>Record attention level here</b>	<i>Insert text here, to include:</i> <ul style="list-style-type: none"> <li><i>Summary of key points against indicators</i></li> <li><i>Reporting by exception, only minimal detail required where level 3 is assigned</i></li> <li><i>Action plan where level 1 or 2 is consequence of poor performance</i></li> </ul>

**ANNEX 4 –TEMPLATE FOR RECORDING ATTENTION LEVELS FOR OTHER DUTYHOLDERS (INCLUDING LICENSEE CORPORATE BODIES)**

This template should be used to assess and assign attention levels for any other dutyholder that does not operate a licensed site. Specific assignment of an attention level should be undertaken by exception only where an increased level of regulatory attention is anticipated.

This template should also be used to record the narrative and justification for an overall attention level assigned to a dutyholder that operates more than one licensed site in its undertakings.

Name of Dutyholder	
<b>Assigned Attention Level</b>	
<b>Supporting Justification</b>	
Outline action plan by which ONR will secure (where relevant) a return to Routine attention	Completed for Enhanced and Significantly Enhanced Attention Levels only.
Proposed or existing Regulatory Issues for tracking dutyholder progress	Completed for Enhanced and Significantly Enhanced Attention Levels only

## ANNEX 5 – CASE STUDY EXAMPLES OF COMPLETED ATTENTION LEVEL TEMPLATES

## Enhanced Attention Level – Sellafield (Remainder of estate)

Sellafield Ltd – Sellafield Site – Remainder of estate					
Safety Performance		Control of Hazards and Risks		Safety Leadership and Culture	
Dutyholder compliance record	Generally adequate across this very large site; with circa 90% Green ratings for compliance inspection activity for FY to end March 2018. However, this is mixed with some specific shortfalls, and there has been continuous moderate level enforcement activity via letters over the recent period. There is also an ongoing prosecution activity relating to an event in early 2017.	Level of Hazard and Risk posed by the dutyholder's undertakings	There has been a significant and successful reduction of the hazard within PFSP by the removal of bulk fuel as part of the overall retrievals programme; however, a moderate radioactive inventory still remains in this open air fuel pond in terms of pond sludge and fuel debris and pieces.	Leadership	Generally positive leadership, although some concerns over disciplined operations.  THORP reprocessing is due to come to an end late 2018 / early 2019. Magnox reprocessing is due to come to an end in circa 2020, ending reprocessing operations on the Sellafield site. This has to potential to affect workforce focus and safety culture.
3		2	The following significant operational facilities are not covered in previous attention sheets:  PFSP, Magnox Reprocessing, HALES, HLWP (Vitrification), THORP, MEP, WEP, WTC, various material stores, FHP, NNL Central Laboratory, AHF, THORP Storage Pond (plus others)  The Sellafield site will be the future storage site in the UK for spent fuel from the AGR fleet which will no longer be reprocessed. The UK will also store the great majority of UK nuclear waste prior to ultimate disposal in the future UK Repository.  The site is also supported by a significant infrastructure organisation to provide electricity, steam, water, and compressed air.	3	
Number and significance of Nuclear Safety Incidents	The nature of operations and age of the facilities has led to a steady stream of events reported by the licensee under LC7 arrangements.	Nuclear safety case adequacy and currency	Existing safety cases are generally reasonable when considering the age and complexity of the site. There have been some recent improvements in safety case structure in terms of adopting a more deterministic approach, including for CAE.	Capable Organisation	SL is implementing its new value stream organisation structure to reflect the changing nature of activities on the site, and the end of reprocessing operations at Magnox Reprocessing will require close management attention over the final years.
3		3		3	
Number and significance of Industrial Safety incidents and RIDDOR reportable events	There was a significant event in late 2017 whereby the army EOD was called to site to deal with aged potentially explosive chemicals.  There have also been a number of conventional safety events across the site (e.g. item dropped from height).	Transport Package Assessment	Not a significant consideration in terms of attention level	Decision making	Generally good, conservative decision making is displayed by the licensee
3		3		3	
Number and significance of regulatory issues and timeliness of resolution	Regulatory Issues are raised associated with significant compliance shortfalls, and the licensee generally addresses these in a positive manner.	Maturity of CHS risk prioritisation and profiling	Some improvements have been achieved in the recent period, but more work to do here, particularly wrt legionella, asbestos, and COMAH	Learning	Generally responsive to learning from events

2	There are a number of Regulatory Issues at Levels 1 and 2 related to the site.	3		3	
Enforcement action taken or under consideration	ONR served an Improvement Notice on Magnox Reprocessing against LC24 in June 2015, and subsequently the facility and local organisation was subject to special scrutiny and assistance within the Sellafield sub division due to the nature of the challenges, and strategic importance, re this aged facility. These special measures have now been lifted.	Emergency preparedness and response capability	Generally adequate performance, although the recent level 1 emergency demonstration exercise had some weakness which has led to a partial re-demonstration being appropriate.  The site is significantly developing its capability here by provision of a new Main Site Command Facility, due for initial operating capability in 2019.	Internal Assurance and Challenge	The licensee has an internal regulation organisation which is growing in capability and stature on the site, although there is still room for improvement here
2	Verbal warnings were issued to individuals and a letter to SL concerning skin dose event in Magnox Reprocessing in 2017.  There is an ongoing prosecution on the site.			3	
Plant status (control of modifications and maintenance)	There is a mixture of old, 'middle aged', and modern facilities which gives associated challenges in terms of EIMT and configuration control across this very large site. There are circa 200 major buildings on the site, with a total workforce of circa 10 000. There is a great deal of inter-connectivity between the site facilities and associated services.				
2	PFSP is an old facility dating from the original operations of the site, but has been subject to significant recent and successful project work to retrieve a significant amount of its radioactive inventory in recent years.  Magnox Reprocessing is an old plant dating from 1964, and is of UK national strategic importance to support the Magnox Operating Programme (MOP).				
Delivery of Industrial and Fire Safety Improvements	There is a legionella concern across the site, with a particular focus on the HALES facility which has been subject to a recent formal investigation. Although there have been improvements in this area, there is still more to do.				
2	There is also more to regarding asbestos management across the site.  The site is also now designated as a COMAH Upper Tier site, and SL has to produce an associated Safety Report and put in place associated arrangements; initial indications are that this is proving a challenge.	3			

<b>Overall Safety Attention Level</b>		Outline action plan by which ONR will secure (where practicable) a return to Routine attention	<p>This is reflected in the present Sellafield sub division organisation and Sellafield Strategy, which reflects a LHS (compliance) and RHS (projects / enabling) approach.</p> <p>The Sellafield sub division strategy (version 4) has identified the following key outcomes:</p> <ul style="list-style-type: none"> <li>Accelerated hazard and risk reduction across the Sellafield site</li> <li>Evidence-based confidence that the licensee is complying with its statutory obligations and that workers and the public are protected from the hazards of the site</li> <li>Stakeholder confidence that ONR's regulatory approach is appropriately targeted, risk-based, proportionate and effective</li> </ul>
<b>Initial Attention Level</b>	<b>Enhanced regulatory attention</b>	Proposed or existing Level 1 or Level 2 Regulatory Issues for tracking dutyholder progress	There are a number of significant regulatory issues covering the residual aspects described by this attention sheet; including coverage of safety leadership, the management system, COMAH, asbestos, legionella, general CHS capability, and new facilities to support hazard and risk reduction.
<b>Divisional Moderation</b> and supporting justification for any amendment to initial attention level			