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| ONR Technical Assessment Guide  Pre-Employment Screening and National Security Vetting |



ONR Technical Assessment Guide (TAG)

Pre-Employment Screening and National Security Vetting

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# Introduction

1. The Office for Nuclear Regulation (ONR) has established a set of Security Assessment Principles (SyAPs) [1]. This document contains Fundamental Security Principles (FSyPs) that dutyholders must demonstrate have been fully taken into account in developing their security arrangements to meet relevant legal obligations. The security regime for meeting these principles is described in security plans prepared by the dutyholders, which are approved by ONR under the Nuclear Industries Security Regulations (NISR) 2003 [2].
2. The term ‘security plan’ is used to cover all dutyholder submissions, such as Nuclear Site Security Plans (NSSPs), Temporary Security Plans (TSPs) and Transport Security Statements (TSS). NISR Regulation 22 dutyholders may also use the SyAPs as the basis for Cyber Security and Information Assurance (CS&IA) documentation that helps them demonstrate ongoing legal compliance for the protection of Sensitive Nuclear Information (SNI). The SyAPs are supported by a suite of guides to assist ONR inspectors in their assessment and inspection work, and in making regulatory judgements and decisions. This Technical Assessment Guidance (TAG) is such a guide.

# Purpose and scope

1. This TAG contains guidance to advise and inform ONR inspectors in the exercise of their regulatory judgement during assessment of a dutyholder’s arrangements relating to the effectiveness of the pre-employment screening and National Security Vetting (NSV) for its employees and contractors.   
   It aims to provide general advice and guidance to ONR inspectors on how this aspect of security should be assessed. It does not set out how ONR regulates the dutyholder’s arrangements. Neither does it does prescribe the detail, targets or methodologies for dutyholders to follow when demonstrating they have addressed the expectations within SyAPs. It is the dutyholder’s responsibility to determine and describe this detail and for ONR to assess whether the arrangements are adequate.

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# Relationship to relevant legislation

1. The term ‘dutyholder’ mentioned throughout this guide is used to define ‘responsible persons’ on civil nuclear licensed sites and other nuclear premises subject to security regulation, a ‘developer’ carrying out work on a nuclear construction site and approved carriers, as defined in NISR. It is also used to refer to those holding SNI.
2. NISR defines a ‘nuclear premises’ and requires ‘the responsible person’, as defined, to have an approved security plan in accordance with Regulation 4. It further defines approved carriers and requires them to have an approved Transport Security Statement in accordance with Regulation 16. Persons to whom Regulation 22 applies are required to protect SNI. ONR considers workforce trustworthiness to be an important component of a dutyholders arrangements in demonstrating compliance with relevant legislation.
3. Regulations 9, 17(3) and 22(7) (d) of NISR relate to workforce trustworthiness and have been included at [Appendix 1](#_Appendix_1_–) to this TAG. Furthermore, due consideration in relation to the treatment, use and the holding of personal information must also take into account the following legislation:

* Data Protection Act 2018.
* General Data Protection Regulation 2016/679.
* Human Rights Act 1998.
* Rehabilitation of Offenders Act 1974.
* Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975.
* Rehabilitation of Offenders (Exclusions and Exceptions) (Scotland) Order 2003.
* Rehabilitation of Offenders (Northern Ireland) Order 1978.
* Equality Act 2010

# Relationship to IAEA documentation and guidance

1. The essential elements of a national nuclear security regime are set out in the Convention on the Physical Protection of Nuclear Material (CPPNM) [3] and the IAEA Nuclear Security Fundamentals [4]. Further guidance is available within IAEA Technical Guidance and Implementing Guides.
2. Fundamental Principle F of the CPPNM refers to security culture and states that all organisations should give due priority to its development and maintenance, thereby ensuring its effective implementation.   
   Essential Element 12 of the Nuclear Security Fundamentals refers to developing, fostering and maintaining a robust nuclear security culture and to establishing and applying measures to minimise the possibility of insiders becoming nuclear security threats.
3. A more detailed description of the elements is provided in Recommendations level guidance, specifically Nuclear Security Series (NSS) No. 13, ‘Recommendations on Physical Protection of Nuclear Material and Nuclear Facilities’ [5]. Further detail at the operational level is contained in ‘Preventive and Protective Measures against Insider Threats’ [6], in particular Sections 3 and 5. Guidance on ‘Nuclear Security Culture’ contains further information on establishing workforce trustworthiness [6].

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# Relationship to national policy documents

1. The UK’s Design Basis Threat (DBT) [SECRET], sets out a series of assumptions, drawn from a current evaluation of the threat, about the motivation, intentions and capability of potential insider/external adversaries who might attempt unauthorised removal or sabotage of NM/nuclear facilities and against which a protection system (a dutyholder’s plan and the arrangements within it) is designed and evaluated.
2. The SyAPs provide ONR inspectors with a framework for making consistent regulatory judgements on the effectiveness of a dutyholders security arrangements. This TAG provides guidance to ONR inspectors when assessing a dutyholder’s submission, demonstrating they have effective processes in place to achieve Security Delivery Principle 8.2 – Pre-employment Screening and National Security Vetting, in support of Fundamental Security Principle 8 – Workforce Trustworthiness. The TAG is consistent with other TAGs, associated guidance, and policy documentation.
3. The Government Functional Standard (GFS) on security [8] is supplemented by the OFFICIAL-SENSITIVE “Cabinet Office Personnel Security Policy” (PSP) (further guidance on which can be found on the [GOV.UK website](https://www.gov.uk/government/publications/hmg-personnel-security-controls) [9]), and the Baseline Personnel Security Standard on the pre-employment screening of civil servants, members of the armed forces, temporary staff and government contractors [10]. Both documents are relevant good practice. They describe the Cabinet Office expectations of how HMG organisations, and third parties handling HMG information and other assets, will apply protective security to ensure HMG can function effectively, efficiently and securely. The security outcomes and requirements detailed in the GFS have been incorporated within the SyAPs. This ensures dutyholders are presented with a coherent set of expectations for the protection of nuclear material and nuclear facilities and SNI, and for the employment of appropriate personnel security controls both on and off nuclear premises.
4. Inspectors should note that, while SyAPs is outcome-focused and dutyholders are encouraged to determine their own security solutions, the PSP mandates minimum clearance levels for access to government information, other assets, and certain nuclear materials. It also prescribes the constituent elements required for pre-employment screening and national security vetting. Consequently, there is no flexibility in the application of the component parts to achieve the BPSS or an NSV clearance under the HMG Personnel Security Controls [11].
5. The NISR Classification Policy [12] indicates those categories of SNI that require a classification and the level of classification to be applied.

# Advice to inspectors

## Background

### National policy

1. The Baseline Personnel Security Standard (BPSS) and National Security Vetting (NSV) policies are determined by Cabinet Office as the National Security Authority for the United Kingdom. The ONR (CNSS) Vetting Authority is the Vetting Authority for the regulated civil nuclear sector.

### Mandatory clearance requirements

1. As the Vetting Authority for the regulated civil nuclear sector, ONR publishes the clearance requirements for access by dutyholders’ staff and contractors to Sensitive Nuclear Information (SNI), Civil Licensed Nuclear Sites, Nuclear Material (NM), Other Radioactive Materials (ORM) and Vital Areas (VA), and in relation to nuclear materials in transit, in the Mandatory Clearance Level document (OFFICIAL- SENSITIVE Annex K to the SyAPs).

### Suitability to carry firearms

1. The issue of the BPSS or a NSV clearance does not indicate the suitability of a person to hold a firearm in any capacity. A determination of suitability for a Civil Nuclear Constabulary (CNC) police officer to hold a firearm in an official capacity is the responsibility of the CNC.

### Definitions

1. The clearance validity period can differ for CTC and SC, depending on employment status; specifically, whether a person is a member of staff or a contractor. Inspectors should use the following definitions when assessing dutyholders’ personnel security arrangements:

* **Staff** are defined as those employees on the payroll of a sponsor organisation that has been approved by ONR to sponsor National Security Vetting (NSV) applications. (see para 23).
* **Contractors** are defined as all other members of the workforce i.e. consultants and contractors (including Agency Supplied Workers) working to the above, including those previously deemed staff but who have since been transferred or outsourced to new private contracting organisations.
* **Dutyholders** are defined as those holding a Security Plan or TSS, the CNC, the NDA (and its subsidiaries) and those organisations subject to Treaty arrangements.

## HMG mandatory requirements

1. The civil nuclear industry is obliged to follow HMG policies on the BPSS and NSV. Any deviation from a national standard would require approval to be sought from HMG by ONR upon receipt of a proposal from a dutyholder.

## Regulatory expectation

1. The regulatory expectation is that dutyholders will ensure that their security plan details how personnel security controls, policies, processes and arrangements comply with:

* HMG Baseline Personnel Security Standard on the pre-employment screening of civil servants, members of the armed forces, temporary staff and government contractors [10];
* The Government Functional Standard on security [8], and the associated OFFICIAL-SENSITIVE Personnel Security Policy;
* The Statement of HMG Personnel Security and National Security Vetting Policy (Annex A of [11]); and
* HMG Personnel Security Controls [11].

1. Where appropriate, dutyholders’ processes and arrangements should provide for the additional requirements laid down by ONR, as the Vetting Authority, and its threshold for taking decisions based on its risk appetite, in accordance with the assurances for the regulated civil nuclear sector which it is required to provide under NISR 2003 [2].

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| FSyP 8 – Workforce Trustworthiness | Pre-employment Screening and National Security Vetting | SyDP 8.2 |
| Dutyholders should deliver the appropriate combination of recruitment checks and vetting to satisfy themselves of the honesty and integrity of their potential workforce (staff and contractor community). | | |

## Corporate governance arrangements

### Designated roles

1. Dutyholders should have in place appropriate corporate governance arrangements which identify personnel authorised to approve the BPSS (where this falls within dutyholders’ approval authorities) and to sponsor NSV applications. The arrangements should also include a record of learning and development activities associated with undertaking those roles.

### Approving the BPSS and sponsoring NSV applications

1. The arrangements should include provision that all personnel who approve the BPSS, or who sponsor NSV applications, are established as being suitably qualified and experienced personnel (SQEP) to carry out those functions. Only a dutyholder, which holds either a Security Plan (SP), Transport Security Statement (TSS), companies that have been approved by HMG to enter either licencing or the Generic Design Assessment (GDA), the Civil Nuclear Constabulary (CNC) or Nuclear Decommissioning Authority (NDA) and its subsidiaries, and URENCO and ETUK which are subject to Treaty arrangements, may approve or endorse the use of a BPSS or be a sponsor of a national security vetting clearance for use in the regulated civil nuclear industry. Such approval or endorsement arrangements must fall within the dutyholders signing authorities (OFFICIAL-SENSITIVE Annex L to the SyAPs), otherwise it must be referred to ONR. Where the approval of a BPSS, or sponsoring of an NSV is centralised (for example, within a “group structure”) and is not carried out at the site to which routine access is required, governance arrangements are to make this clear.

## Pre-employment screening – Baseline Personnel Security Standard (BPSS)

### Role of the BPSS

1. The application of the BPSS should ensure that organisations are employing people who are entitled to work in the UK and who possess the honesty, integrity and values necessary for employment in the civil nuclear sector. The BPSS also underpins the identity check requirements applicable to any person being sponsored for an NSV clearance.

### BPSS signing authority

1. Inspectors need to verify that the BPSS processes in dutyholders’ arrangements are compliant with Cabinet Office guidance. However, those arrangements should also state that approvals by dutyholders are limited to those applications which fall within dutyholders’ approval authorities, as set out in BPSS Signing Authorities. Refer to section ‎6.4.2 on arrangements where the BPSS process is centralised.

### Detailed guidance

1. The following aspects are fundamental to the demonstration of arrangements in place before BPSS approvals can be confirmed adequate:
2. An assurance that Personnel Security processes are compliant with Cabinet Office published guidance.
3. Any Baseline Standard Verification Record (BSVR) template used by dutyholders provides, as a minimum, the information which is detailed in the indicative template at [Appendix 2.](#_Appendix_2_–)
4. BPSS authorisers are sufficiently SQEP to undertake their role effectively; (for example, this could include training provided by Counter Terrorism Security Advisers (CTSA) and NPSA toolkits).
5. There is an understanding as to the circumstances which may necessitate the application of a condition of employment attached to the BPSS approval decision.
6. Arrangements exist to deny a BPSS application.
7. A Basic Disclosure certificate is regarded as valid only if issued within six months of the submission of the BSVR.
8. If, within the last three years, an individual has been resident outside the UK for a total of six months or more (either broken or unbroken) **and** has been resident in one country for six months or more (either broken or unbroken), the dutyholder must require them to obtain a national police certificate from the relevant country’s authorities, in line with associated [HMG guidance](https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants) (which includes countries lists) [13]. English translations of foreign police certificates are to be provided by a trusted source. Certificates are not acceptable if issued more than six months before the date the individual left the country.

HMG guidance offers examples where it might not be possible to obtain a national police certificate. In such instances it is acceptable to obtain a statutory declaration. A statutory declaration should make a clear statement as to whether the individual has committed any offence(s) or come to the attention of that country’s authorities. English translations of statutory declarations are to be provided by a trusted source.

1. The requirements of the Academic Technology Approval Scheme (ATAS) have been met [14].
2. A BPSS can be transferred between organisations where ONR is the Vetting Authority. The existence of a BPSS does not mean an employer’s/contracting authority’s employment procedure should be circumvented, as circumstances can change. In such circumstances:
   1. The previous dutyholder is to provide a copy of the Baseline Standard Verification Record (BSVR); and
   2. The new dutyholder obtains the information it requires to achieve its own pre-employment/appointment threshold of controls.
3. Dutyholders **have the discretion** to accept a BPSS issued by other Facility Security Clearance (FSC) premises (formerly List X), List N organisations, other Government Departments, the Armed Forces and the Police Service.
4. The existence of a BPSS does not mean an employer’s/contracting authority’s employment procedure should be circumvented, as circumstances can change. The BPSS may be accepted as a share or on transfer, provided that:
   1. The dutyholder, or other qualifying external organisation, provides a copy of the BSVR which evidences the Cabinet Office BPSS standard has been achieved;
   2. The new dutyholder obtains the information it requires to achieve its own pre-employment threshold of controls;
   3. Its use is approved by ONR, where it falls outside a dutyholder’s approval authorities.
5. Where a BPSS underpins an extant NSV, there is no requirement to carry out a new BPSS. Where an NSV remains extant, employers or contracting authorities should ensure they have achieved the checks associated with their own standard recruitment/appointment procedures as circumstances may have changed since the original pre-employment checks were completed.
6. A BPSS lapses immediately on cessation of employment with the current employer, unless it is transferred. A lapsed BPSS may be reinstated if the individual is returning to the same employer and/or dutyholder, or where the discretionary transfer/share (formerly known as ‘confirmation’) arrangements are met within twelve months of the lapse date. Where a BPSS holder has a change in employment not falling within the above discretionary arrangements, a new BPSS must be obtained. Where a BPSS is transferred or is reinstated, employers/contracting authorities should still ensure they have achieved in full the checks associated with their standard recruitment/appointment procedures.
7. Access to information and physical assets, which the BPSS permits, is limited to that published in the Mandatory Security Clearances, OFFICIAL-SENSITIVE Annex K to the SyAPs.
8. Though a BPSS does not have an expiry date, individuals may be subject to ongoing right to work checks. Access to civil nuclear assets is prohibited beyond the date any right to work in the UK expires, unless a new right to work application is evidenced as having been submitted to the relevant UK Government department. If the right to work application is refused, the BPSS is immediately invalidated. Where the BPSS is issued for personnel based overseas, it remains valid so long as it has been determined by the employer that the right to work accords with that country’s right to work arrangements. Where the right to work expires, the BPSS lapses.
9. Non-British Citizens must have the employment restriction of “No Access to ‘UK Eyes Only’” applied.

### BPSS denials

1. Where the BPSS is denied by the dutyholder, the dutyholder is to notify the applicant of that decision, including any appeal process. Where ONR has denied an application following a referral from the dutyholder, ONR will notify the individual of the decision and of its appeals process (refer to [Appendix 4](#_Appendix_4_-)). BPSS applications that are within a dutyholder signing guidelines, must not be forwarded to ONR for the purpose of taking a denial decision.

## National Security Vetting (NSV)

### Detailed guidance

1. The following provisions are fundamental to the demonstration of adequate arrangements against which NSV applications can be assessed:
2. The NSV clearance must be sponsored by a dutyholder.
3. There must be an assurance that the dutyholder’s process is compliant with Cabinet Office guidance.
4. Applicants should meet the standard qualifying UK residency requirements, as detailed in the OFFICIAL-SENSITIVE Personnel Security Policy. Where an applicant’s residency does not meet these expectations, overseas police certificates are required. The arrangements for obtaining police certificates can be found at paragraph ‎26 ‎vii). This includes circumstances where, within the standard UK qualifying residency period, the individual has resided outside the UK for a total of twelve months or more, whether broken or unbroken, and has spent time in one country for twelve months or more (either broken or unbroken residency). (This differs at BPSS where the qualifying period for an overseas police certificate is six months.)
5. Under the sponsor section of the security questionnaire relating to items of interest, sponsors are to record:
   1. Any inappropriate activity, or behaviours that are out of the ordinary;
   2. Any relevant convictions, cautions, police warnings or impending prosecutions;
   3. Any relevant disciplinary action; particularly that which is indicative of poor attitudes to security; indicates a lack of judgement, honesty or discretion; actions which have had the potential to cause poor security behaviours in others; or where disciplinary proceedings may have resulted in disaffection;
   4. Any health issues that have the potential to raise a security concern, including those which may result in a loss of consciousness or questionable judgement;
   5. Any aftercare oversight;
   6. Any information relating to non–British citizenship (including dual or former nationalities);
   7. Confirmation of the right to work in the UK, if the applicant is not a British or Irish citizen;
   8. Any clearance held through an overseas security authority;
   9. Any need to access codeword material;
   10. The outcome of checks of overseas police certificates (to include the country to which the certificate relates, the date of the certificate, and the period for which the certificate is intended to cover);
   11. For Civil Nuclear Constabulary personnel, any adverse information identified through Recruitment Vetting (RV)
   12. Any other issue which has the potential for security concern.

An indicative template is provided at [Appendix 5](#_Appendix_5_-) which meets two out of the three record check requirements (checking departmental/ company records and residence history). Dutyholders must also have arrangements in place to achieve the third requirement (consulting an existing employee’s line management).

1. On receipt of the NSV clearance certification, the dutyholder should note any caveats applied by ONR and any subsequent reporting requirements.
2. The dutyholder should ensure, for access to information, material and facilities, that clearance levels and permissions are aligned to those specified in the Mandatory Security Clearances Annex K of SyAPs and limited for the duration of the clearance period for which access is required, or where the “need to know” principle applies.
3. Where individuals are subject to ongoing right to work checks, access to nuclear material and facilities is prohibited beyond the date any right to work expires, or where the “need to know” principle no longer applies.

### Denial of clearance

1. Where an NSV clearance is denied, ONR will provide the subject with notice of the relevant internal or external appeal processes ([Appendix 4](#_Appendix_4_-)). ONR will notify the dutyholder with the level of clearance (if any) the subject is approved to hold.

### Submission of NSV reviews

1. Review applications must be submitted to United Kingdom Security Vetting (UKSV) five months before a valid clearance is due to expire. Where UKSV advises a review application has been cancelled, the individual is then deemed, with immediate effect, to hold the BPSS. Extant clearances will remain valid while the renewal process is underway, providing the full application has been submitted to UKSV.

### NSV transfers and shares

1. If an individual is required to work in the civil nuclear industry and holds a valid and appropriate NSV clearance issued by a recognised UK Vetting Authority, the clearance can be transferred across to, or be shared by, the civil nuclear industry.
2. A transfer occurs when the sponsor organisation in the civil nuclear industry submits a transfer request to UKSV and through this request, agrees to maintain the clearance as its new sponsor, including managing ongoing personnel security arrangements.
3. A share occurs when the sponsor organisation in the civil nuclear industry submits a share request to UKSV and through this request agrees to jointly sponsor the clearance with the organisation that currently maintains it.   
   In sharing the clearance, the civil nuclear sponsor will also manage any ongoing personnel security arrangements that exist within its own organisation. Should the organisation with whom the civil nuclear industry is sharing the clearance cease to sponsor the application, then the civil nuclear sponsor, if it is the first sharer or the only sponsor who has sought to share the clearance, will become the sole or primary sponsor and will receive a notification from UKSV to this effect.
4. The existence of an NSV clearance does not mean an employer’s or contracting authority’s employment/appointment procedure should be circumvented, as an individual’s circumstances can change.
5. Dutyholders should ensure an eligible clearance exists via the Vetting Status Information (VSI) functionality on NSVS and submit the relevant transfer and/or share request for UKSV to process. Only cases where a concern has been identified will be referred by UKSV to ONR for a decision.
6. Transfer requests are not to be submitted where individuals transfer between a dutyholder’s own sites, for example, EDF Sizewell B to EDF Torness, or NRS Chapelcross to NRS Hunterston.
7. Where dutyholders have difficulty in obtaining sufficient information to complete the online transfer or share request, from either the exporting Vetting Authority or Security Controller a new vetting application is to be submitted. Dutyholders may apply the share procedure pending the outcome of the transfer process, so long as the clearance is not lapsed.   
   Expired clearances cannot be shared or transferred.
8. A share of an NSV clearance, (other than when issued by ONR (CNSS)), should normally be used only on a temporary basis. Where there is an ongoing requirement, the clearance should be transferred across to the appropriate Vetting Authority. Where, exceptionally, a clearance is justifiably used on an ongoing share basis, dutyholders should have arrangements to ensure that the clearance remains active. This includes cases where the clearance is confirmed through a sponsor organisation that is also subject to regulation by ONR.

## Use of clearances held through overseas organisations

1. Where an individual holds a clearance issued through an overseas competent security authority, its validity for use in the civil nuclear sector must be confirmed by ONR before the individual is given access to relevant areas or information.

## Crossover between civil nuclear and other sectors work

1. Where an NSV clearance is required for work in both civil nuclear and another regulated nuclear sector, the balance of work undertaken by the individual will determine which Vetting Authority assesses the application.   
   In cases where 50% or more of the individual’s work is to be undertaken in the civil nuclear industry, ONR will take responsibility for approving the clearance and the secondary Vetting Authority will form its own opinion as to whether to accept it. Where the balance of work in the civil nuclear industry is less than 50%, the clearance application is assessed by the Vetting Authority covering the sector where the greatest percentage of work is being performed.

## Clearance arrangements for visitors

1. Visitors to civil nuclear licensed sites sometimes heighten the risk of a security incident. Accordingly, inspectors will be unlikely to approve a security plan that does not align with the notification obligations within OFFICIAL-SENSITIVE Annex M of SyAPs. A dutyholder’s obligation to notify ONR of visitors, (using the template at [Appendix 6](#_Appendix_6_-)) does not negate other, similar, but separate notification obligations to HMG under Export Control Arrangements.
2. **In assessing dutyholder arrangements Inspectors should consider:**
3. Whether pre-employment control, vetting and ongoing personnel security arrangements comply with Cabinet Office published guidance on the BPSS and the Personnel Security elements of the GFS and Personnel Security Policy.
4. Whether arrangements comply with more detailed ONR requirements relating to governance, residency, and clearance portability.
5. Whether staff and personnel performing relevant roles are SQEP and how this is evidenced.
6. Whether arrangements ensure the dutyholder is assured as to the veracity of checks completed by any organisation from which it shares or transfers a BPSS or NSV clearance.
7. Whether relevant information of a security interest which has been identified through the BPSS, or from the NSV record check, is included when sponsoring clearance applications.
8. Whether clearance information is being verified through the VSI.
9. Whether the dutyholder’s arrangements ensure clearance information and associated employment controls or caveats are communicated to relevant parties, i.e. Human Resources, Occupational Health and Line Manager.
10. Whether clearance assurance arrangements for visitors are being followed.

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# Glossary and abbreviations

AIR Aftercare Incident Report

ASAF Annual Security Appraisal Form

ATAS Academic Technology Approval Scheme

BPSS Baseline Personnel Security Standard

BSVR Baseline Standard Verification Record

CNC Civil Nuclear Constabulary

CNPA Civil Nuclear Police Authority

CNSS Civil Nuclear Security and Safeguards

CPPNM Convention on the Physical Protection of Nuclear Material

CS&IA Cyber Security and Information Assurance

CTC Counter Terrorist Check

CTSA Counter Terrorism Security Advisers

DR CNSS Director of Regulation – Civil Nuclear Security & Safeguards

DV Developed Vetting

FSC Facility Security Clearance

FSyP Fundamental Security Principle

GDA Generic Design Assessment

GFS Government Functional Standard

HMG His Majesty’s Government

IAEA International Atomic Energy Agency

NDA Nuclear Decommissioning Authority

NDPB Non-Departmental Public Body

NFA No Further Action

NISR Nuclear Industries Security Regulations

NM Nuclear Material

NPSA National Protective Security Authority

NSS Nuclear Security Series

NSSP Nuclear Site Security Plan

NSV National Security Vetting

NSVS National Security Vetting Solution

ONR Office for Nuclear Regulation

ORM Other Radioactive Material

RV Recruitment Vetting

SC Security Check

SNI Sensitive Nuclear Information

SQEP Suitably Qualified and Experienced Personnel

SVAP Security Vetting Appeals Panel

SyAPs Security Assessment Principles

SyDP Security Delivery Principle

TAG Technical Assessment Guide

TSP Temporary Security Plan

TSS Transport Security Statement

VSI Vetting Status Information

UKSV United Kingdom Security Vetting

# Appendix 1 – Extract of NISR 2003 concerning workforce trustworthiness

**Regulation 9:** “The responsible person in relation to each nuclear premises must ensure that each of his relevant personnel in relation to the premises who -

1. Is specified in the approved security plan for the premises as requiring investigation and assessment as mentioned in regulation 4(3) (a), or
2. Falls within a description of persons who are so specified,

is a person who has been assessed, in accordance with a process that has been approved by the ONR, to be of suitable character and integrity, having regard to the need to ensure the security of the premises and the material, equipment and information mentioned in regulation 4(2).”

**Regulation 17(3):** ”An approved carrier must ensure that each of his relevant personnel who –

1. Is specified in his approved transport security statement as requiring investigation and assessment as mentioned in regulation 16(3)(a), or
2. Falls within a description of persons who are so specified,

is a person who has been assessed, in accordance with a process that has been approved by the ONR, to be of suitable character and integrity, having regard to the need to ensure the security of the material, information and premises mentioned in Regulation 16(3) (a).”

**Regulation 22(3) (c):** “A person to whom this regulation applies must – ensure that each of his relevant personnel who -

1. Is specified in a direction given under paragraph (7)(b) as a person whose suitability requires investigation and assessment by the Secretary of State; or
2. Falls within a description of persons who are so specified,

is a person who has been assessed, in accordance with a process that has been approved by the ONR, to be of suitable character and integrity, having regard to the need to ensure the security of any sensitive nuclear information, uranium enrichment equipment or software within the possession or control of the person to whom this regulation applies.”

# Appendix 2 – Baseline Standard Verification Record (BSVR) (indicative template)

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Duty holder reference** |  | | | | | **ONR reference (where applicable)** | |  |
| **Present Surname** |  | | | **Present Forename(s)** | |  | | |
| **Contractor** | |  | **Staff** | |  | | *Cross (X) one box only* | |
| **Job role for which BPSS is required (do not use abbreviations):** | | | | | | | | |

**Part 1 - Applicant's Details** - Please print in **CAPITAL** letters in **black** ink

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Mr**  **Mrs**  **Ms**  **Miss** | | *Cross (X) one box only* | **Other** |  | |
| **Present Surname** |  | | | | |
| **Present Forenames** |  | | | | |
| **Any other names used** |  | | | | |
| **Permanent Address** |  | | | | |
| **Post Town** |  | | **Postcode** | |  |
| **County** |  | | **Country** | |  |
| **Telephone No** |  | | **Date of Birth** | |  |
| **Nationality** |  | |  | | |
| **Place of Birth** |  | | | | |
| **Former Nationality** |  | | **Dual Nationality** | |  |
| **For non-British & non- Irish citizens the 'right to work' has been established through:** *(attach attributable copy or statement)* | | |  | | |

**Part 2 - Basic Disclosure Consent** (copy of Basic Disclosure to be retained for six months)

|  |  |  |  |
| --- | --- | --- | --- |
| I authorise the Personnel Security and/or Human Resources team to receive and open my Basic Disclosure certificate (and where appropriate overseas police certificate) & to use that information to assess my suitability to hold the Baseline Personnel Security Standard (BPSS). I allow the Office for Nuclear Regulation, as the competent security authority for the UK Civil Nuclear Industry to receive & view the content of the Basic Disclosure certificate (and where appropriate overseas police certificate). I consent to the Personnel Security Team/Human Resources Team retaining the original or a copy of the certificate(s) for six months following the issue or denial of the BPSS to allow ONR, as the Regulator, to conduct the appropriate Personnel Security Inspections. If I wish the Basic Disclosure certificate to be returned to me once the decision has been taken, I will notify the Personnel Security Manager or other relevant person | | | |
| **Signed** |  | **Dated** |  |
|  | | | |

**Part 3 - Documents used to establish identity**

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Document** | **Issued** | **Reference** |
| **1** |  |  |  |
| **2** |  |  |  |
| **3** |  |  |  |

**Part 4 - Certification of employment and education for the past three years**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **From date** | **To date** | **Employer** | **Applicant's occupation** |
| **1** |  |  |  |  |
| **2** |  |  |  |  |
| **3** |  |  |  |  |

**Part 5 – Time spent overseas**

|  |
| --- |
| **Has the applicant resided or worked outside of the UK for six months or more, in the last three years?**  **Yes**  **No**  *Cross (X) one box only*  *(If 'YES' details of countries and dates must be provided)* |

**Part 6 - Certification by Employer, Human Resources or Security Department**

|  |  |  |  |
| --- | --- | --- | --- |
| I certify that I have satisfactorily established the identity, nationality, the right to work in the UK against the job role detailed overleaf of the applicant and the authenticity of their employment history. I confirm that I, or other authorised person, have personally examined the documents supplied by the applicant, which all comply with guidance, and that I am satisfied as to their authenticity, and for audit purposes copies of these will be retained and be accessible through the security department six months following the issuing of the clearance with this BSVR being retained for twelve months following cessation of employment for which this or any NSV clearance is required. I confirm that where the applicant is subject to work restrictions on grounds of nationality that robust mechanisms are in place to ensure that there is an ongoing right to work in relation to both the job role and the sponsoring company, with appropriate records being retained throughout the period of employment. | | | |
| **Signature** |  | **Name** |  |
| **Date** |  | **Position** |  |
| **Work Phone No** |  | **Work E-mail** |  |
| **Company** |  | | |
| **Address** |  | | |

**Part 7 - ONR review request (to be completed where duty holders signing authority exceeded)**

|  |  |  |  |
| --- | --- | --- | --- |
| I certify I am satisfied the identity, nationality, the right to work in the UK' against the job role detailed overleaf of the applicant and the authenticity of their documentation and employment history has been established, however it is being forwarded to the Office for Nuclear Regulation, with all relevant documentation, to be authorised for the following reason(s): | | | |
| **a) Reason for referring application to ONR:**  **b) Upon the granting of a BPSS will the individual be sponsored for an NSV clearance – Yes/No delete as appropriate. If “Yes” at what level?** | | | |
| **Signature** |  | **Name** |  |
| **Date** |  | **Position** |  |
| **Work Phone No** |  | **Work E-mail** |  |
| **Company** |  | | |
| **Address** |  | | |

**Part 8 - Baseline Personnel Security Standard authorisation (only for completion by personnel within the dutyholder organisation with formal authority)**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Having reviewed the certification above and the Basic Disclosure certificate (including any overseas police certificates) which fall within my authority, the individual identified at Part 1 is considered suitable to hold a BPSS to work in the civil nuclear industry & where appropriate with the following recommended condition of employment or caveats:  **The following must be considered as a pre-employment condition –**  **The following restriction is to be applied (ONR use only) -**  **WHERE THERE IS NO CURRENT BRITISH CITIZENSHIP THE CAVEAT OF “NO ACCESS TO ‘UK EYES ONLY’” MUST BE APPLIED** | | | | | | |
| **Disclosure Certificate No** |  | | **Dated** | |  | |
| **Signature** |  | | **Name** | |  | |
| **Position** |  | | **Company** | |  | |
| **Address** |  | | | | | |
| **Telephone No** |  | | **E-mail address** |  | | |
| **Date pre- employment control approved** |  |  | | | |  |

**Data Protection Act (2018)** – This form contains “personal” data as defined by the Data Protection Act 2018. It has been supplied to the appropriate HR or Security Authority exclusively for the purpose of the Baseline Personnel Security Standard. The HR or Security Authority will protect this information provided and ensure it is not passed to anyone who is not authorised to see it. Personal information used for this BPSS will be used in accordance with the organisations HR or Security Authority privacy notice.

# Appendix 3 – Companies able to sponsor national security vetting applications

* Cavendish Nuclear
* Centronic
* Civil Nuclear Constabulary
* EDF Cyclife
* EDF Energy Decommissioning and Generation - Corporate
* EDF Energy Decommissioning – Dungeness B
* EDF Energy Decommissioning – Hinkley Point B
* EDF Energy Decommissioning – Hunterston B
* EDF Energy Generation – Hartlepool
* EDF Energy Generation – Heysham 1 & 2
* EDF Energy Generation – Sizewell B
* EDF Energy Generation – Torness
* EDF Energy New Nuclear Build – Corporate
* EDF Energy New Nuclear Build – Hinkley Point C
* EDF Energy New Nuclear Build – Sizewell C
* Enrichment Technology Company
* GE Healthcare
* Holtec Britain Limited
* Inutec
* National Nuclear Laboratory
* Nuclear Decommissioning Authority
* Nuclear Restoration Services – Corporate
* Nuclear Restoration Services -Berkeley
* Nuclear Restoration Services -Bradwell
* Nuclear Restoration Services - Chapelcross
* Nuclear Restoration Services - Dounreay
* Nuclear Restoration Services – Dungeness A
* Nuclear Restoration Services - Harwell
* Nuclear Restoration Services -Hinkley Point A
* Nuclear Restoration Services – Hunterston A
* Nuclear Restoration Services -Oldbury
* Nuclear Restoration Services -Sizewell A
* Nuclear Restoration Services -Trawsfynydd
* Nuclear Restoration Services -Winfrith
* Nuclear Restoration Services - Wylfa
* Nuclear Transport Solutions
* Nuclear Waste Services
* Rolls Royce SMR
* Sellafield Limited
* Springfield Fuels Limited
* URENCO Capenhurst
* URENCO Stoke Poges

# Appendix 4 - ONR (CNSS) Baseline Personnel Security Standard (BPSS) and National Security Vetting (NSV) – Adverse notification arrangements

## The BPSS

### Denials

This procedure applies both to staff and to contractors, whether they have been appointed or not. Should a BPSS be denied by ONR, ONR will inform the individual in writing. The letter will state the reasons why the BPSS has been denied and provide an understanding of the available avenue of appeal. Concurrently, the Personnel Security Manager, or other relevant person, will be informed that the BPSS has been denied, but they will not usually be told the reason(s) why.

The individual has 28 calendar days from the date of the letter in which to appeal against the decision. Any appeal is to be sent to the Director of Regulation (Civil Nuclear Security & Safeguards). The Director of Regulation (CNSS), or nominated senior official, hereafter referred to as DR (CNSS), will consider the appeal and take the final decision. The individual will be informed of the appeal decision in writing.

A BPSS, once issued, cannot be withdrawn, though it does lapse immediately on cessation of employment.

## National Security Vetting clearances

### Suspensions

ONR’s decision to suspend an NSV clearance may precede the eventual withdrawal of that clearance. A letter notifying the individual of ONR’s decision to suspend that clearance will give grounds for that decision. The individual may choose to challenge ONR’s decision to suspend the clearance. The Personnel Security Manager or other relevant person will be notified of the suspension so that the clearance cannot be transferred elsewhere until ONR has finalised its decision.

### Denials

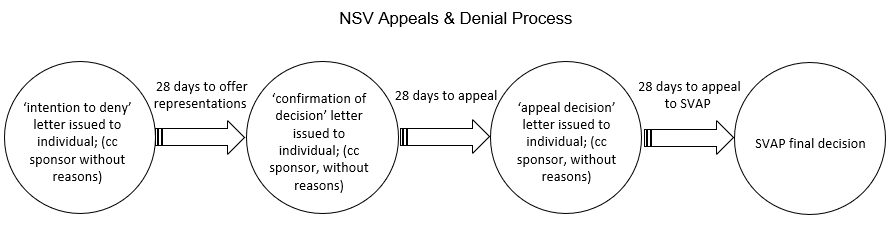
This denials procedure applies both to staff and to contractors, whether or not they have been appointed. Where an NSV level clearance is to be denied, the individual will usually be given notice in writing in the form of a letter that ONR intends to deny an NSV level clearance. This is known as an ‘intention to deny’ letter. Unless there are national security, or public interest constraints on the dissemination of the information or third party confidentiality issues, the ‘intention to deny’ letter will state why it has been issued and offer the individual 28 calendar days (from the date of the letter) to make representations before the decision is finalised. The Personnel Security Manager, or other relevant person from the site sponsoring the NSV application will usually be advised that the individual has been issued with an ‘intention to deny’ letter; but they will not usually be told the reason for the intended denial.

If the individual chooses not to make representations, or the representations are not sufficient to warrant a change to the original decision, the individual will receive a further letter. That letter, confirming the decision to deny, with reasons for that decision and offering an opportunity to appeal to the DR (CNSS), is known as the ‘confirmation of decision’ letter. 28 calendar days from the date of the ‘confirmation of decision’ letter will be allowed for the individual to appeal the decision to deny the clearance.

Should the individual choose to submit an appeal, the DR (CNSS) will consider the appeal and as part of the appeal process, the individual may be given the opportunity to appear before them. Following conclusion of the appeal process, the individual will be informed in writing by the DR CNSS of the final decision. This is known as the ‘appeal decision’ letter. The Personnel Security Manager, or other relevant person of the site sponsoring the clearance will also receive notification that the NSV application has been denied; but they will not usually be told the reason for the denial.

If the DR (CNSS) confirms the decision to deny the clearance in the ‘appeal decision’ letter, there is a further avenue of appeal available for individuals who are already employed within the civil nuclear industry. This final appeals procedure is available through the Security Vetting Appeals Panel (SVAP), which is an NDPB of the Cabinet Office. The individual will be granted 28 calendar days from the date of the ‘appeal decision’ letter to appeal to SVAP.

There is no right of appeal (either internal, or to the Security Vetting Appeals Panel), for candidates who are being recruited, but where no job offer has been made.



### Withdrawals

The process for withdrawing an NSV clearance is the same as that followed for denials, except that, as the individual is already working in the UK Civil Nuclear Industry, there will always be a right of appeal to SVAP.

### Appeals procedures, travel and subsistence costs

Where an NSV clearance is denied or withdrawn, the individual will be given the right to appeal to the DR (CNSS). The individual making the appeal may be given the option of having a face-to-face interview with the DR (CNSS). The duty holder currently maintaining or sponsoring the clearance should have in place a policy for meeting the associated reasonable travel and subsistence costs incurred by the individual to attend any face-to-face discussion.

# 

# Appendix 5 - National Security Vetting record check (indicative template)

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Section A.** | **Details of person being put forward for CTC, SC or DV clearance (initial or renewal)** | | | | | | | | |
| Full Name |  | | | Date of Birth | | |  | | |
| Site |  | | | Vet Number (where known) | | |  | | |
| How long has the post holder been employed by the company? | | | | | Years | | Months | | |
| If you as the employer feel there may be a conflict of interest in completing this Record Check (e.g. a family firm where the subject is a family member) then please tick this box and go straight to Section B. | | | | | | | | | |
|  | | | | | | | | | |
| The record check is in three parts.  Please complete parts one and two by answering the following questions by indicating either **Yes** or **No.** | | | | | | | | **Yes** | **No** |
| **Part One**  Is any information held by way of departmental/ company or security records which indicates that the above-named –   * Has been subject to a clearance refusal, or had their suitability for clearance questioned * Has been the subject of a security breaches and/or had any historic or ongoing risk management (aftercare) action as well as any other information of security concern * Has from Human Resources or other records been subject of any disciplinary action or repeated (for the same event) or vexatious grievances recorded | | | | | | | |  |  |
| **Part Two**  Does the above-named meet the recommended UK residency criteria of three years for CTC applications; five years for SC applications, and ten years for DV applications? (This residency can be broken or unbroken) and if a non-British/non-Irish citizen, how has the evidence of the right to work in the UK been evidenced? | | | | | | | |  |  |
| **Part Three**  A line manager must provide their assessment. A suggested additional template for their completion can be found at Appendix 15 of the Personnel Security Policy | | | | | | | |  |  |
| ***If the answer to section one or two is Yes, please give details below:*** | | | | | | | |  | |
| **Section B** | | **Details of the person verifying** | | | | | | | |
| I certify that I have accurately conducted the above checks and the line manager has completed part three of the check. I am not related to the subject\*  or  I have not completed the Record Check because\*  ………………………………………………………………………………………………….  \*Delete as appropriate | | | | | | | | | |
| Signed | |  | Date | | |  | | | |
| Name in block letters | |  | Telephone No | | |  | | | |
| Position within company | |  | Name of Employing /contractors Company | | |  | | | |
| e-mail address | |  |

This form must be forwarded in a sealed envelope to the Security Team for the relevant information to be included on the subjects Security Questionnaire under the sponsor items of security interest section. This Record Check is an HMG mandated requirement.

# 

# Appendix 6 - Non-British citizens entry check form

**Refer to the guidance notes on how to use this form at Annex M of SyAPs**

| **Visit/access to information details** | | | | |
| --- | --- | --- | --- | --- |
| Regulated sponsor organisation and site submitting notification |  | | | |
| Site(s) to be visited |  | | | |
| Buildings to be visited (where more than one site, detail the site against each) |  | | | |
| Details of areas within buildings or information to which access is being given (where more than one site, detail the site against each) |  | | | |
| Does this visit/access trigger the reporting requirement? If no, do not submit to ONR | Yes |  | No |  |
| Business case for visit/access to premises/ information. Include the benefits & potential risks of allowing this visit/access to information (provide as much information as possible to enable an informed decision. Where insufficient information is given, this form will be returned) |  | | | |
| Regulated sponsor organisation hosting visit |  | | | |
| Regulated sponsor organisation telephone number |  | | | |
| Regulated sponsor organisation e-mail address |  | | | |
| Regulated sponsor organisation postal address |  | | | |

| **Foreign national details** | |
| --- | --- |
| 1. Surname |  |
| (a) Now |  |
| (b) At birth, if different |  |
| (c) Other surnames used |  |
| 2. Forenames |  |
| 3. Country of Birth |  |
| 4. Town of Birth |  |
| 5. Date of Birth |  |
| 6. Current Nationality |  |
| Any former or dual nationality |  |
| 7. Passport Number, date & place of issue |  |
| 8. UK Address (for visitors over six months): |  |
| 9. Employment or Education |  |
| (a) Employer/Educational Establishment |  |
| (b) ATAS CAH3 Code (where relevant) & Course Name |  |
| 10. Occupation or other status |  |
| 11. Period of site visit/access to information |  |
| (a) Date visit starts |  |
| (b) Date visit ends |  |

**This form must be submitted by the ONR approved sponsor organisation personnel security department to** [**onr-cns.personnel-security@onr.gov.uk**](mailto:onr-cns.personnel-security@onr.gov.uk)**.**