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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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| Issue | Description of update(s) |
| 1 | New document |
| 2 | Major update - Updated to reflect the portability of clearances, references to updated UK Government publications and national security vetting procedures, and disclosure arising from police vetting. |
| 3 | Major update - Sections 1-4 amended to bring about consistency with TAG 8.1, introduction of new relevant good practice, updated links to guidance, simplification of BPSS guidance through a link to the revised standard, greater clarity on the portability of the BPSS and sharing or transfer of clearances. |

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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 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 UK legislation and policy

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 dutyholder’s 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 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:
4. UK General Data Protection Regulation 2016/679
5. Data Protection Act 2018
6. Human Rights Act 1998
7. Rehabilitation of Offenders Act 1974
8. Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975
9. Rehabilitation of Offenders (Exclusions and Exceptions) (Scotland) Order 2003
10. Rehabilitation of Offenders (Northern Ireland) Order 1978
11. Equality Act 2010
12. The UK’s Design Basis Threat (DBT) [SECRET] [3], 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, implemented and evaluated.
13. The SyAPs provide ONR inspectors with a framework for making consistent regulatory judgements on the effectiveness of a dutyholder’s 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.
14. The Government Functional Standard (GFS) GovS 007 Security [4] is supplemented by, in order of precedence:
15. the Cabinet Office Personnel Security Strategy (PSStr) [5]
16. the Cabinet Office OFFICIAL-SENSITIVE Personnel Security Policy (PSP) [6], and associated guidance on BPSS policy and guidance on pre-employment checks for all individuals working for government [7];
17. the Cabinet Office OFFICIAL-SENSITIVE Personnel Security Standard (PSSta) [8].
18. The PSStr, PSP, its supplements, and the PSSta are identified as relevant good practice. They describe the Cabinet Office expectations of how HMG organisations, Arm’s Length Bodies (ALB) 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.
19. 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.
20. 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 [9].
21. The Government Security Classification document, together with the ONR Classification Policy [10] describes types of information that contain SNI, the level of security classification that should be applied, and the protective measures that should be implemented throughout its control and carriage.

# 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) [11] and the International Atomic Energy Agency (IAEA) Nuclear Security Fundamentals [12]. 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) 13, Recommendations on Physical Protection of Nuclear Material and Nuclear Facilities (INFCIRC/225/Revision 5) [13]. Further detail at the operational level is contained in an Implementing Guide on Preventive and Protective Measures against Insider Threats (NSS 8) [14], in particular Sections 3 and 5. An Implementing Guide on Nuclear Security Culture (NSS7) [15] contains further information on establishing workforce trustworthiness (Section 4.3(i)).

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# Advice to Inspectors

## Background

1. **National policy** - 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 Technical Directorate (TD) Vetting Authority is the Vetting Authority for the regulated civil nuclear sector.
2. **Mandatory clearance requirements** - 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); Vital Areas (VA); and nuclear materials in transit; in the Mandatory Clearance Level document (OFFICIAL- SENSITIVE Annex K to the SyAPs).
3. **Suitability to carry firearms** - The issue of the BPSS or an 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 or its civilian staff to hold a firearm in an official capacity is the responsibility of the CNC.
4. Definitions - 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.
   * **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.

## 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:
2. The Government Functional Standard 007 – Security;
3. The OFFICIAL-SENSITIVE Personnel Security Policy;
4. HMG Baseline Personnel Security Standard policy and guidance on pre-employment checks for all individuals working for government;
5. The Statement of HMG Personnel Security and National Security Vetting Policy – January 2022; and
6. HMG Personnel Security Controls.
7. 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. See paragraphs 24-30 below for further detail on these requirements for BPSS and paragraphs 31-44 for NSV.

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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

1. **Designated roles** - Dutyholders should have in place appropriate 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.
2. **Approving the BPSS and sponsoring NSV applications** -   
   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.
3. Only dutyholders which hold either an SP or TSS, is a company that has been approved by HMG to enter either licensing or the Generic Design Assessment (GDA), is the CNC or NDA and its subsidiaries, or URENCO & 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, (including as a share or on transfer) with ONR as the Vetting Authority, for use in the regulated civil nuclear industry.
4. All approval or endorsement arrangements must fall within the dutyholder’s approval 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 (e.g. within a “group structure”) and is not carried out at the site or premises to which routine access is required, governance arrangements are to make this clear.

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

1. **Role of the BPSS** - The BPSS ensures organisations are employing individuals who have the right to work, with the honesty and integrity required for working within and/or for the government, including the regulated civil nuclear sector. The BPSS also underpins the identity check requirements applicable to any person being sponsored for an NSV clearance.
2. **BPSS Signing Authority** - Inspectors need to verify that the BPSS processes in dutyholders’ arrangements (the dutyholders as defined at para 25 above) are compliant with Cabinet Office guidance. However, those arrangements should also state that approvals through dutyholders arrangements are limited to those applications which fall within their approval authorities, as set out in Annex L of SyAPs; see para 26 on arrangements where the BPSS process is centralised.
3. **Compliance with Guidance** - The following aspects are fundamental to the demonstration of arrangements in place before BPSS approvals can be confirmed adequate:
4. An assurance that personnel security processes are compliant with Cabinet Office published guidance.
5. BPSS authorisers are sufficiently SQEP to undertake their role effectively; (for example, this could include appropriate training and/or guidance published through; the NPSA website [16]; and Gov.UK guidance on examining identity documents [17].
6. There is an understanding as to the circumstances which may necessitate the application of a condition of employment attached to the BPSS approval decision e.g. Non-British Citizens must have the employment restriction of “No Access to ‘UK Eyes Only’” applied.
7. Overseas police certificates are to be obtained in accordance with the Cabinet Office BPSS guidance on Overseas Residency Checks. Where arrangements to obtain an overseas police certificate are not possible or may put the individual or employer at risk, consideration should be given to obtaining a statutory declaration in lieu.
8. Where a dutyholder wishes to exercise the discretion to utilise an external supplier to grant the BPSS, before the arrangement with that supplier is confirmed, ONR will first need to be assured on the efficacy of arrangements to include –
9. accreditations that the external supplier holds – e.g. BS 7858, certification as a digital Identity Service Provider (IDSP), designated as holding Industry Personnel Security Assurance (IPSA).
10. the risk assessment on the procurement conducted by the dutyholder to ensure the security of the supply chain organisation providing the BPSS service.
11. a matrix that details what would result in a BPSS application being referred to the dutyholder before a decision is taken, as an indicator of security concerns that may warrant further investigation.
12. how the dutyholder will demonstrate that the external supplier is abiding by the terms of the contractual arrangement.

ONR will assess these arrangements and provide advice on whether, in its opinion, the arrangements achieve the BPSS Personnel Security Control and associated ONR referral requirements.

1. **Clarification of Guidance** - The following aims to clarify arrangements on the BPSS
2. Where the BPSS has been transferred between organisations where ONR is the Vetting Authority or into the civil nuclear industry from other organisations [e.g. List N, other public sector bodies, Facility Security Cleared (FSC) entities and those accredited as holding the Industry Personnel Security Assurance (IPSA)], employers/contracting authorities must ensure their own recruitment policies and procedures are additionally adhered to.
3. Where the BPSS is denied by the dutyholder, the dutyholder will have its own notification arrangements. Where ONR has denied an application following a referral, ONR will notify the individual of the decision and of its appeals process (see Appendix 4). BPSS applications that are within a dutyholder’s signing guidelines, must not be forwarded to ONR for the purpose of taking a denial decision.
4. Whilst dutyholders have discretion to use their own Baseline Standard Verification Record (BSVR) template, an indicative template, which includes the referral procedure to ONR, is at Appendix 2.

## National Security Vetting (NSV)

1. **Detailed guidance** - The following provisions are fundamental to the demonstration of adequate arrangements against which NSV applications can be assessed where ONR is the Vetting Authority:
2. The NSV clearance must be sponsored by a dutyholder, as defined at para 25.
3. There must be an assurance that the dutyholder’s process is compliant with Cabinet Office published guidance.
4. Prior to an NSV clearance being sponsored, a check is undertaken of the Vetting Status Information (VSI) to establish that a clearance does not already exist.
5. 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, advice must first be sought from ONR as to whether the application may be sponsored. Since a BPSS is not part of the NSV renewal process, or when an individual is not promptly sponsored for NSV clearance after a BPSS has been issued, sponsors should ensure they receive appropriate assurances regarding time spent overseas.
6. The Departmental/Company Record Check must have been completed in line with Cabinet Office guidance.
7. Under the sponsor section of the security questionnaire relating to items of interest, to prevent delays and to help ensure the integrity of the clearance that may subsequently be issued, sponsors are to record:
   1. Inappropriate activity, or behaviours that are out of the ordinary;
   2. Relevant convictions, cautions, or police warnings;
   3. 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. Health issues that have the potential to raise a security concern; particularly those that have a long term or permanent condition which could have an impact on an individual's cognitive function or which may impact on an individual’s decision-making and/or judgement if not well managed, or have a negative impact on others.
   5. Any current or relevant aftercare oversight;
   6. 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) or disclosures made in statutory declarations;
   11. For CNC personnel, any adverse information identified through Recruitment Vetting (RV)
   12. Any other issue which has the potential for security concern.
8. On receipt of the NSV clearance notification, the dutyholder should note any caveats applied and any reporting requirements.
9. 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.
10. 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.
11. **Denial of clearance** - Where an NSV clearance is denied, ONR will provide the vetting applicant with notice of the relevant internal or external appeal processes (Appendix 4) and simultaneously notify the sponsor of the decision. ONR will notify the clearance sponsor 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. If a clearance is due to expire while the renewal process is ongoing, sponsors are required to request an extension to the current clearance from UKSV at least 30 calendar days prior to the clearance expiry date. UKSV usually grants extensions for a period of six months. Additionally, where an impending prosecution exists at the time a renewal application is due, whilst this should have already been the subject of an aftercare incident report, UKSV should be contacted to determine whether a renewal application should be submitted.

## 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 recorded on the VSI, the clearance can be transferred across to, or be shared by, the civil nuclear industry, unless a non-transferable restriction has been applied or concerns exist meaning further enquiries need to be undetaken by UKSV or ONR.
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. Before any transfer request is submitted, the dutyholder wishing to transfer in an active clearance should obtain the approval of the sponsor organisation currently holding the clearance.
4. 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 sponsor which has sought to share the clearance will also manage any ongoing personnel security arrangements that exist within its own organisation. UKSV will notify the clearance sponsor from whom the clearance is being shared of relevant aftercare submissions to enable any aftercare oversight by all relevant sponsor organisations.
5. Should the primary sponsor (holder) of the clearance cease to sponsor the application the share will remain valid with those other organisations who share the clearance. UKSV will notify a sharing organisation so that they can apply to transfer the clearance allowing them to become the primary sponsor. Shares may also be requested between dutyholders in the civil nuclear industry
6. The existence of an NSV clearance does not mean an employer’s or contracting authority’s employment/appointment procedure should be circumvented, as legal duties apply on ensuring the right to work exists and an individual’s circumstances may have changed since the BPSS was originally approved.
7. Dutyholders should ensure an eligible clearance exists via the 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 before the transfer or share is approved.
8. Transfer or share requests are not to be submitted where individuals transfer between a dutyholder’s own sites e.g. EDF Sizewell B to EDF Torness, or NRS Chapelcross to NRS Hunterston.
9. 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, but the inability to obtain sufficient information is to be recorded under the items of security interest. 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.
10. Where 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 shared with another sponsor organisation that is also subject to regulation by ONR.
11. There is no minimum period for a transfer or share request. For short periods of time, a transfer or share may not be practical or necessary, however this would depend upon the level of access to sensitive information and assets that was being granted during that period.  Any decision not to submit a transfer or share request should be accompanied by a risk assessment.

## 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. For non-British citizens, the caveat of “No access to ‘UK Eyes Only’” must be applied.

## Clearance arrangements for visitors

1. Visitors to civil nuclear licensed sites may heighten the risk of a security incident. 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 HMG through ONR of visitors, (using the template at Appendix 5 in this document) 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. Where dutyholders have outsourced the decision making on the BPSS to an external provider, that ONR has reviewed the arrangements.
7. Whether arrangements ensure the dutyholder is assured as to the completeness of checks identified on the BSVR completed by any organisation from which it shares or transfers a BPSS
8. Whether relevant information of a security interest which has been identified through the BPSS, or from the Departmental/Company Record Check, is included when sponsoring clearance applications.
9. Whether clearance information is being verified through the VSI.
10. 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.
11. Where a transfer or share request has been assessed as neither practical or necessary, has a risk assessment been completed?
12. Whether prior to transfering a clearance, the dutyholder is first seeking the approval of the current sponsor organisation
13. Whether assurance arrangements for visitors are being followed.

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# Glossary and abbreviations

AIR Aftercare Incident Report

ALB Arm’s Length Body

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

CPPNM Convention on the Physical Protection of Nuclear Material

CS&IA Cyber Security and Information Assurance

CTC Counter Terrorist Check

DBT Design Basis Threat

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

IPSA Industry Personnel Security Assurance

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

PSP Personnel Security Policy

PSSta Personnel Security Standard

PSStr Personnel Security Strategy

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

TD Technical Directorate

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(7) (d):** “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 or statutory declaration) & 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/statutory declaration). 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, overseas police certificate or statutory declaration 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 preceding this BPSS application**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **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 preceding this BPSS application?**  **Yes**  **No**  *Cross (X) one box only*  *(If 'YES' details of countries and dates must be provided, and Cabinet Office guidance on overseas residency checks completed)* |

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

|  |  |  |  |
| --- | --- | --- | --- |
| I certify that I have satisfactorily established the identity, nationality, the right to work 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 arrangements 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 – Request for ONR to review BPSS application (Go straight to Part 8 if application does not need to be referred to ONR)**

|  |  |  |  |
| --- | --- | --- | --- |
| This BPSS application is being forwarded to the Office for Nuclear Regulation, with identity and right to work documentation, and other documentation relevant to the reason for referral, 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 clearance 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. Where ONR approval is required a separate approval notification will be provided by ONR)**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| With this application falling within my approval authority as established at Annex L of SyAPs, and having reviewed the certification above with the appropriate supporting documentation, 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 –**  **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** |  |  | | | |  |

UK General Data Protection Regulation 2016/679 and Data Protection Act 2018.This form contains “personal” data. 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 – Bodies able to sponsor NSV clearances where ONR is the Vetting Authority

| Company |
| --- |
| 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 (TD) Baseline Personnel Security Standard (BPSS) and National Security Vetting (NSV) - Adverse Notification Arrangements

## The BPSS

### Denials

1. 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.
2. 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 ONR Vetting Appeals Secretariat. An ONR Director, or nominated senior official, will consider the appeal and take the final decision. The individual will be informed of the appeal decision in writing.
3. A BPSS, once issued, cannot be withdrawn, though it does lapse immediately on cessation of employment.

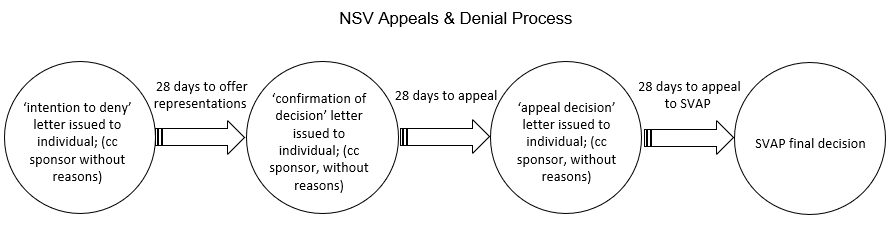
## National Security Vetting Clearances

### Suspensions

1. 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

1. 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.
2. 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, 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.
3. Should the individual choose to submit an appeal, an ONR Director, or nominated senior official, 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 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.
4. If the ONR Director, or nominated senior official, 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.
5. 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

1. 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

1. Where an NSV clearance is denied or withdrawn, the individual will be given the right to appeal. The individual making the appeal may be given the option of having a face-to-face interview. 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.

**Note**: As ONR moves towards a centralised decision-making model where UKSV is responsible for managing the administrative processes associated with the assessment of national security vetting applications, the above arrangements are liable to change, though the principles will remain the same.

# 

# Appendix 5 - 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 detail** |  | | | |
| 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 |  | | | |

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