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| **ONR Chief Nuclear Inspector's (CNI) Independent Advisory Panel (IAP)**  **Terms of Reference** | |
| CM9 Reference | 2023/21176 |
| Date | 31 March 2023 |
| Revision | Revision 3 |

This document sets out the terms of reference and ways of working for the ONR Chief Nuclear Inspector's (CNI) Independent Advisory Panel (IAP).

**CONTEXT**

The CNI IAP was established in 2016 following commitments made to the IAEA Integrated Regulatory Review Service (IRRS) mission in October 2013 and the House of Lords Select Committee on Science and Technology in 2012.

**IAP ROLE**

The IAP’s overarching role is to ensure that ONR has access to independent external advice on a diverse range of nuclear matters. This includes:

* To provide a forum in which experts representing a variety of technical perspectives may provide independent advice to inform ONR’s proposals for development of regulatory policies and strategies.
* To identify and advise ONR on future developments in nuclear technologies and their potential implications for nuclear regulation.
* To advise on the adequacy and balance of the research needs identified by ONR and the work commissioned to meet them.
* To facilitate ONR’s engagement with external centres of technical excellence.

The IAP will not be responsible for providing expert advice on specific technical matters as if required; ONR will establish single issue Technical Advisory Panels on an ad hoc basis to provide this function.

The IAP will be chaired by either ONR’s Chief Nuclear Inspector or ONR’s Executive Director of Regulation and a dedicated secretariat will be provided to the panel by ONR staff.

**IAP RESPONSE TO PAPERS AND DISCUSSION TOPICS**

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| **IAP Response** | **Definition** |
| **Agreed** | The IAP fully agrees and supports the approach to be taken and is not aware of other work being performed within this area. |
| **Accepted** | The IAP accepts the approach, but is aware of some work either completed or in progress that addresses or partly addresses this issue. |
| **Noted** | The IAP notes the approach, but it requires more thought by ONR prior to being incorporated. For example, it may need further development and review against other priorities. |
| **Not Accepted** | The IAP does not agree with the approach and considers that it would not offer added value to ONR. |

**PROVISION OF ADVICE AND POINTS FOR CONSIDERATION**

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| **IAP Response** | **Definition** |
| **Formal Advice** | The IAP considers aspects of the approach are of such significance that it needs to be captured by ONR formally. Any rejection of this advice in whole or in part will be communicated to the IAP at future meetings. |
| **Consideration** | The IAP considers that the approach is not of sufficient significance to warrant raising as formal advice and would raise as a point for consideration. This will be considered by ONR management but will not require to be formally tracked. Progress is not required to be presented at future IAP meetings. |

ONR will endeavour to provide papers and presentations in support of the discussions no later than two weeks in advance of the meeting taking place.

**MEMBERSHIP OF IAP**

Members will be invited to join the IAP by the Chief Nuclear Inspector (CNI). These appointments will be unfunded unless agreed otherwise at the discretion of the CNI. In order to ensure continuity of membership and maintenance of ways of working, further appointments to, or removals from, the Panel will be made by the CNI.

The membership of the IAP will be drawn from a range of sectors in order to provide credible, authoritative and expert advice. This is intended to ensure no one sector dominates discussion and guarantees the collective independence of the IAP. Examples of the sectors invited to participate include:

* universities with significant nuclear research centres and programmes and who are able to represent the wider academic nuclear research sector;
* professional institutions with significant interests in nuclear matters;
* companies and organisations who represent key elements of the UK nuclear industry (including facility operators, design houses and engineering procurement and construction contractors); and
* government departments, agencies and public bodies (including regulators).

Members are appointed as individuals with recognised expertise and are expected to represent the wider interests of the nuclear sector and not just their employer.

**About the Office for Nuclear Regulation (ONR)**

ONR is the UK’s independent nuclear regulator, with the legal authority to regulate nuclear safety, security, nuclear site health & safety, and safeguards at the 35 licensed nuclear sites in Great Britain. ONR also regulates the transport of civil nuclear and radioactive materials by road, rail, and inland waterways.

Further information can be found on the ONR website: <https://www.onr.org.uk/about.htm>

**Remuneration**: The members will not receive payment from public funds during the period of their panel membership.

**Expenses**: Panel members can claim all reasonable expenses for standard class travel, accommodation and subsistence in connection with their attendance at panel meetings. Any claimed expenses will need to adhere with the extant ‘ONR Business Expenses Guidance Manual’ which will be supplied on request. On request, IAP secretariat staff will book train tickets and accommodation direct so that panel members do not need to meet these costs in advance. Panel meetings will include refreshments throughout the day and lunch.

**Support for Panel members**: All necessary support will be put in place to support panel members and if necessary, an Equality Impact Assessment (EIA) undertaken prior to meetings. Hotels and conference centres used for panel meetings will be fully accessible for people with limited mobility. Panel members who need the support and attendance of a carer will have the carer’s travel and subsistence costs reimbursed by ONR.

**Preparatory work & meeting attendance**: IAP secretariat staff will ensure that panel members are informed about meeting dates and are provided with relevant documents in good time. Regular attendance at meetings is a condition of continuing membership of the panel. Panel members unable to attend a meeting are asked to inform the IAP secretariat at the earliest opportunity. As members will be providing advice in a personal capacity, substitutes for absent members will not be allowed. Panel members who live too far from the meeting venue to complete their travel on the day of the meeting may stay overnight beforehand. This accommodation will be booked by secretariat staff on their behalf. Panel members should prepare for panel meetings by reading the agenda papers in advance and raising any issues for clarification with the secretariat.

**Time commitment**: Two scheduled meetings per year with associated preparatory reading.

**Tenure of office**: The length of appointments will be at the discretion of the CNI. Continuity of contribution will be managed by replacement of panel members at staggered intervals.

**Security**: Members must have appropriate levels of national security vetting (i.e. CTC, SC or DV). Where members do not have any existing clearance, a Baseline Personnel Security Standard (BPSS) check in line with ONR policy and [government guidance](https://www.gov.uk/government/publications/government-baseline-personnel-security-standard) will need to be undertaken. Management of security vetting for panel members will be undertaken by ONR staff. All members are expected to handle any sensitive nuclear information shared with the panel in accordance with [government guidance](https://www.gov.uk/government/publications/government-security-classifications).

**Conflicts of Interest**: All members must be seen to be, honest and impartial in the discharge of their duties. All conflicts of interest which may influence member dealings with others, impair their ability to carry out their job fairly, or, just as importantly, could be viewed by others as having an effect on your professional judgement must be declared.

**Dissemination of information**: Both ONR and panel members are expected to adhere to the Principles of Scientific Advice (detailed in the next section). ONR will publish the minutes of meetings.

**Location of meetings**: The majority of meetings will be held at ONR’s London office but the location will vary.

**Principles of Scientific Advice to Government**

The [principles of scientific advice](https://www.gov.uk/government/publications/scientific-advice-to-government-principles/principles-of-scientific-advice-to-government) set out the rules of engagement between government and those who provide independent scientific and engineering advice. They provide a foundation on which independent scientific advisers and government departments should base their operations and interactions.

Whilst the IAP is not providing scientific advice to government, the intention is that wherever possible members of the IAP will follow the principles of scientific advice to government where applicable.

**Clear roles and responsibilities**

* Government should respect and value the academic freedom, professional status and expertise of its independent scientific advisers.
* Scientific advisers should respect the democratic mandate of the government to take decisions based on a wide range of factors and recognise that science is only part of the evidence that government must consider in developing policy.
* Government and its scientific advisers should not act to undermine mutual trust.
* Chairs of scientific advisory committees and councils have a particular responsibility to maintain open lines of communication with their sponsor department and its ministers.

**Independence**

* Scientific advisers should be free from political interference with their work.
* Scientific advisers are free to publish and present their research.
* Scientific advisers are free to communicate publicly their advice to government, subject to normal confidentiality restrictions, including when it appears to be inconsistent with government policy.
* Scientific advisers have the right to engage with the media and public independently of the government and should seek independent media advice on substantive pieces of work.
* Scientific advisers should make clear in what capacity they are communicating.

**Transparency and openness**

* Scientific advice to government should be made publicly available unless there are over-riding reasons, such as national security or the facilitation of a crime, for not doing so.
* Any requirement for independent advisers to sign non-disclosure agreements, for example for reasons of national security, should be publicly acknowledged and regularly reviewed.
* The timing of the publication of independent scientific advice is a matter for the advisory body but should be discussed with the government beforehand.
* Government should not prejudge the advice of independent advisers, nor should it criticise advice or reject it before its publication.
* The timing of the government’s response to scientific advice should demonstrably allow for proper consideration of that advice.
* Government should publicly explain the reasons for policy decisions, particularly when the decision is not consistent with scientific advice and in doing so, should accurately represent the evidence.
* If government is minded not to accept the advice of a Scientific Advisory Committee or Council the relevant minister should normally meet with the chair to discuss the issue before a final decision is made, particularly on matters of significant public interest.