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Communication and Consultation with Interested Parties by the Regulatory Body

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1. INTRODUCTION

BACKGROUND

1.1. Over the last decades, there has been a growing societal awareness of the need for transparency and openness and the participation of interested parties in safety related matters. Members of the public usually have incomplete knowledge and a great deal of uncertainty regarding any issue involving nuclear and radiation safety because of the complexity of this topic. These influence the public's perception of the radiation risk associated with nuclear energy, radioactive waste and the use of radiation sources. Nonetheless, the public rightly expects to have access to reliable, comprehensive and easily understandable (plain, unambiguous and jargon-free) information about safety and regulatory issues in order to form opinions and make fully informed decisions. The public also expects to have fair and reasonable opportunities to provide their views and to influence regulatory decision making processes.

1.2. Communication and consultation are strategic instruments that support the regulatory body in performing its regulatory functions. They enable the regulatory body to make informed decisions, and to develop the awareness of safety amongst interested parties, thereby promoting safety culture. The establishment of regular communication and consultation with interested parties will contribute to more effective communication by the regulatory body in a possible nuclear or radiological emergency.

1.3. Principle 2 of the Fundamental Safety Principle SF-1 [1] states in para. 3.10 that, among other aspects:

“The regulatory body must: ...

- Set up appropriate means of informing parties in the vicinity, the public and other interested parties, and the information media about the safety aspects (including health and environmental aspects) of facilities and activities and about regulatory processes;
- Consult parties in the vicinity, the public and other interested parties, as appropriate, in an open and inclusive process.”

1.4. In addition, communication and consultation are subject to the Safety Requirements on Governmental, Legal and Regulatory Framework for Safety, IAEA Safety Standards Series No. GSR Part 1 [2], in particular:

“Requirement 36: Communication and consultation with interested parties

The regulatory body shall promote the establishment of appropriate means of informing and consulting interested parties and the public about the possible radiation risks associated with facilities and activities, and about the processes and decisions of the regulatory body.”

1.5. Under Requirement 3 of the Safety Requirements on Radiation Protection and Safety of Radiation Sources: International Basic Safety Standards, IAEA Safety Standards Series No. GSR Part 3 [3], the regulatory body is required to establish a regulatory system for protection and safety that includes provision of information to, and consultation with, parties affected by its decisions and, as appropriate, the public and other interested parties.

1.6. The role of the results from safety assessment in communication and consultation with

interested parties is indicated under Requirements 22, 23 and 24 of the IAEA Safety Standards Series No. GSR Part 4 on Safety Assessment for Facilities and Activities [4]. A regulatory requirement on those responsible for performing the safety assessment is stated in para. 5.9 of GSR Part 4 [4]:

“Consideration is also to be given to ways in which results and insights from the safety assessment may best be communicated to a wide range of interested parties, including the designers, the operating organization, the regulatory body and other professionals. Communication of the results from the safety assessment to interested parties has to be commensurate with the possible radiation risks arising from the facility or activity and the complexity of the models and tools used.”

1.7. In relation to the management of radioactive waste, IAEA Safety Standards Series No. GSR Part 5 on Predisposal Management of Radioactive Waste [5] also establishes requirements for communication and consultation. Paragraph 3.4 of GSR Part 5 [5] requires that the government consider:

“Defining and putting in place the overall process for the development, operation and closure or decommissioning of facilities, including the legal requirements at each step, the decision making process and the process for the involvement of interested parties”.

It is also stated in para. 3.8 of GSR Part 5 [5] that the regulatory body has to:

“Encourage dialogue between and participate in dialogues with the operator and other interested parties”.

The need to provide comprehensive and understandable information to interested parties for whom the documents are intended underpins Requirement 15 of GSR Part 5 [5] on documentation of the safety case and supporting safety assessment. IAEA Safety Standards Series No. GSG-3 on The Safety Case and Safety Assessment for the Predisposal Management of Radioactive Waste [6] states in para. 1.2:

“The safety case will also be the main basis on which dialogue with interested parties will be conducted and on which confidence in the safety of the facility or activity will be developed.”

1.8. In relation to decommissioning, IAEA Safety Standards Series No. GSR Part 6 on Decommissioning of Facilities [7] states in para. 3.3:

“The responsibilities of the regulatory body shall include... providing interested parties with an opportunity to comment on the final decommissioning plan and supporting documents before their approval, on the basis of national regulations;”

1.9. In relation to the disposal of radioactive waste, IAEA Safety Standards Series No. SSR-5 on Disposal of Radioactive Waste [8] states in para. 3.9:

“The regulatory body has to engage in dialogue with waste producers, the operators of the disposal facility and interested parties to ensure that the regulatory requirements are appropriate and practicable”.

IAEA Safety Standards Series No. SSG-23 on The Safety Case and Safety Assessment for the Disposal of Radioactive Waste [9] states in para. 1.3:

“The safety case will also be the main basis on which dialogue with interested parties will be conducted and on which confidence in the safety of the disposal facility will be developed.”

1.10. The involvement of interested parties is a mandatory component of various international conventions and treaties that detail the role of governments. This includes, but is not limited to, conventions and treaties covering nuclear facilities. Development of a national policy for nuclear and radiation safety, such as the introduction of a nuclear power programme, is subject to environmental restrictions and specific facilities and activities may be subject to environmental impact assessment.

1.11. The legitimate concerns of interested parties in nuclear and radiation safety matters are best addressed by the participation of all concerned. Such concerns can be addressed through a culture of transparency and openness, and a strategy to involve, when appropriate, interested parties in decision making. Some supporting rationales for such an approach include the following:

- Accountability: transparency and openness promote accountability of the regulatory body, which is a key contributor to safety culture, as stated in Requirement 5 on management for protection and safety of GSR Part 3 [3]. Furthermore, accountability enhances the confidence of interested parties in the regulatory body, and increases the confidence of interested parties that their views will be properly taken into account by the regulatory body;
- Credibility and legitimacy: transparent and open communication about regulatory decision making and the provision of opportunities for the involvement of interested parties reinforces an awareness of the role and responsibilities of the regulatory body. It also contributes to informing interested parties about how the regulatory body is discharging its duties and seeking to maintain and continuously improve safety. The use of a transparent and open regulatory decision making process helps to demonstrate and reinforce the distinction between the regulatory body and those organizations concerned with public acceptance of nuclear energy;
- Quality in the performance of regulatory functions: the active involvement of interested parties allows individuals and societal groups to participate in the regulatory decision making process and to influence or even challenge the regulatory body and the information it uses to perform its regulatory functions. The knowledge of interested parties (for example, the knowledge of local residents of the local environment, and different social factors, values and meanings), can inform how issues are framed. This will allow the regulatory body to better understand and, therefore, better consider the concerns of interested parties as it performs its regulatory functions;
- Independence: a high level of transparency and openness allows the regulatory body to demonstrate its ability to make independent judgements and decisions, and contributes to ensuring its freedom from undue influences that might adversely affect safety.

1.12. Decision making mechanisms differ considerably from State to State, depending on the State’s culture, history and form of government as well as on the legal framework in the State. Therefore, for the establishment of processes for communication and consultation, factors, such as cultural prerequisites, international conventions, legal frameworks and institutional systems that are taken into account.

1.13. There is no ideal or prototypical best practice on communication and consultation.

Instead a ‘best practice’ or ‘good practice’ might be nationally or even locally defined to a great extent, in that it fits within the overall legal and regulatory structure in place. Nevertheless, regulatory bodies of all States should establish and implement mechanisms for enhancing transparency and openness and the participation of interested parties.

OBJECTIVE

1.14. This Safety Guide provides recommendations on meeting the safety requirements concerning communication and consultation with the public and other interested parties by the regulatory body about the possible radiation risks associated with facilities and activities, and about processes and decisions of the regulatory body.

1.15. This Safety Guide can be used by authorized parties¹ in circumstances where there are regulatory requirements placed on them for communication and consultation with interested parties. It may also be used by other organizations or individuals considering their responsibilities for communication and consultation with interested parties.

SCOPE

1.16. This Safety Guide provides general recommendations on communication and consultation with interested parties by the regulatory body for all facilities and activities, for all stages in their lifetime. Further guidance and recommendations for specific facilities or activities is provided in a complementary manner by other Safety Guides.

1.17. This Safety Guide does not provide guidance on communication and consultation in a nuclear or radiological emergency, or on nuclear security issues. These are covered in other IAEA publications [10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20]. However, it is recognized that effective communication and consultation with the public and other interested parties generally involve knowledge in all three areas of safety, nuclear security and emergency preparedness and response. In implementing the recommended measures contained in this Safety Guide, consideration will need to be given to the protection of sensitive information [19, 20]. The need for coordination between different organizations involved in the preparedness and response to an emergency, including the regulatory body, cannot be underestimated [10].

STRUCTURE

1.17. Section 2 of this Safety Guide provides general recommendations that should be applied to meet the relevant safety requirements. Section 3 addresses the provisions of the regulatory framework that the regulatory body should take into account when establishing communication and consultation with interested parties. Section 4 provides recommendations on effective leadership and describes provisions for developing and implementing a

¹ “An ‘authorized party’ is the person or organization responsible for an authorized facility or an authorized activity that gives rise to radiation risks who has been granted written permission (i.e. authorized) by the regulatory body or another governmental body to perform specified activities. The ‘authorized party’ for an authorized facility or activity is usually the operating organization or the registrant or licensee (although forms of authorization other than registration or licensing may apply)” [2].

communication strategy. Section 5 provides recommendations on tools and methods for effective communication and consultation with interested parties. Appendix I and Appendix II present, respectively, examples of a template for a communication strategy and a template for a communication plan. The Annex provides explanations to aid understanding of certain terms in this Safety Guide.

2. GENERAL RECOMMENDATIONS

2.1. This section provides general recommendations that should be applied with the aim of establishing and implementing a strategy for communication and consultation with interested parties to enhance safety.

INDEPENDENCE

2.2. The effective independence of the regulatory body is a key factor in ensuring safety. In any interaction with interested parties, the regulatory body should not be unduly influenced into taking any action that could compromise safety or that would call its independence into question. In this respect, it is to be recalled that the final decision on regulatory matters always lies with the regulatory body.

2.3. The regulatory body is responsible for the regulatory oversight of safety and should not be biased for or against the use of nuclear or radiation technologies. This message should be communicated to interested parties and to the regulatory body's own staff.

TRANSPARENCY AND OPENNESS

2.4. The concepts of transparency and openness should underlie the regulatory body's strategy for communication and consultation with interested parties, so that trust in its independence, competence, integrity and impartiality can be established.

2.5. The regulatory body should be committed to ensuring a high level of transparency and openness. To this end, the regulatory body should communicate proactively with and initiate dialogue with the public, and should demonstrate a willingness to listen and respond to a broad variety of concerns. The regulatory body should also enable genuine participation of the public in the regulatory decision making processes.

2.6. When necessary, the regulatory body should ensure that interested parties are involved at the earliest opportunity, even, in certain situations, before formal regulatory activities have been launched, for example in review and assessment activities relating to radioactive waste management facilities [6, 9]. The early involvement of interested parties will bring the following benefits:

- It provides early insights into the potential for 'conflict' situations and permits a better chance of solving such problems early at a time that a solution may be more tractable;
- It can prevent or, at least, can decrease the likelihood that not all possible relevant aspects are taken into account, which could later prove a significant deficiency and lead to a less effective regulatory process;

- It makes it possible for interested parties to influence the process and to contribute their perspectives at a stage when such perspectives may be more easily incorporated.

2.7. The regulatory body should communicate the arrangements for informing and involving interested parties to the interested parties.

2.8. The outcomes of communication and consultation with interested parties should be documented and made available to the interested parties.

EARNING TRUST

2.9. The regulatory body should be competent in its fields of expertise, objective, reliable and responsive, and should respect interested parties and behave fairly in interactions with them. Trust can be further enhanced by the public perception that the regulatory body fulfils these competences. Trust, once gained, is easy to lose and it needs to be earned on a continuous basis.

2.10. For any process of participation, there needs to be a certain degree of trust among all parties. If any interested party does not trust the regulatory body in a particular process setting, it may not participate fully in the process and consequently the legitimacy of the process may be weakened.

2.11. Consultation with interested parties should be an integral part of the regulatory process. Interested parties should be regarded as an asset that can contribute knowledge to the regulatory process. The interaction of interested parties with the regulatory body should enable well-informed decisions to be made and the best possible outcomes to be achieved.

PROVISIONS FOR COMMUNICATION AND CONSULTATION

2.12. The regulatory body should take the necessary actions to meet the requirement established in para. 4.67 of GSR Part 1 [2]:

“The regulatory body, in its public informational activities and consultation, shall set up appropriate means of informing interested parties, the public and the news media about the radiation risks associated with facilities and activities, the requirements for protection of people and the environment, and the processes of the regulatory body.”

2.13. Within its budget, the regulatory body should allocate appropriate resources to support communication and consultation with interested parties.

2.14. The regulatory body should establish and implement appropriate arrangements for communication and consultation in order to:

- Provide interested parties in a timely manner with reliable, comprehensive, understandable and easily accessible information on safety, radiation risks and regulatory issues;
- Establish meaningful two-way interactions with interested parties in order for them to have fair and reasonable opportunities to provide their views. The regulatory body should listen to and strive to understand the concerns, issues and questions raised and should address them in a manner that is responsible and as understandable as possible;

- Take account of international relations and in particular transboundary relations with neighbouring countries. In this respect, together with the competent national authorities, the regulatory body should explore the possibilities of involving the interested parties of neighbouring States.

2.15. The regulatory body should adapt its methods for communication and consultation to the objectives and the expected interested parties and in accordance with a graded approach². The methods should be used in accordance with national circumstances, and with the concerns and interests of interested parties.

2.16. The regulatory body should continuously improve communication and consultation by taking into consideration other experience at national and international levels, feedback from the interested parties, and evaluation of communication and consultation activities conducted.

AVAILABILITY OF INFORMATION

2.17. All interested parties should be given appropriate access to information concerning safety that is held by the regulatory body. The regulatory body should facilitate and encourage public awareness and participation by making such information widely available. However, some sensitive information cannot be disclosed (e.g. information concerning nuclear security and proprietary information), but restriction on information should be kept to a minimum and fully justified on the basis of national legislative criteria.

2.18. The regulatory body should ensure that information on access to administrative and judicial review procedures is made available to any interested party.

3. REGULATORY FRAMEWORK

3.1. The regulatory body should identify, whether in regulations, legislation or by other mechanisms, means and provisions for effective communication and consultation with interested parties [2, 3]. Such means and provisions may include, where appropriate:

- Mechanisms for involving interested parties in relevant decision making processes, including provisions for informing interested parties in a timely and effective manner (e.g. by public notice or individually) of:
 - The proposed action (e.g. the issuing of a licence);
 - The nature of possible decisions that could be taken or a draft decision, if available;
 - The procedure, including how relevant information will be provided to interested parties;
 - Whether the activity on which a decision is to be taken is subject to a national or transboundary environmental impact assessment;

² “Public information activities shall reflect the radiation risks associated with facilities and activities, in accordance with a graded approach” [2].

- Reasonable time frames for the different stages of the regulatory process, which should allow sufficient time for informing interested parties and for them to prepare and participate effectively.

3.2. The regulatory body should place requirements on authorized parties to inform and, when appropriate, consult interested parties about the possible radiation risks associated with the operation of a facility or the conduct of activities, including the results from the safety assessment [4]. The regulatory body should also place requirements on authorized parties to make available to relevant interested parties decisions with regard to measures for protection and safety [3]. These requirements should be specified in regulations promulgated by the regulatory body, in the authorization or by other legal means.

3.3. The regulatory body should carefully scrutinize prospective changes in regulatory requirements, in order to evaluate the possible impact on the existing regulatory framework in which communication and consultation with interested parties is carried out. The regulatory body should inform and, as necessary, consult interested parties in relation to the basis for such proposed changes in regulatory requirements.

3.4. When several authorities have responsibilities for safety within the regulatory framework, the provisions established for ensuring effective coordination between them for relevant regulatory activities should address communication and consultation aspects.

3.5. The regulatory body should make available safety related information, subject to exceptions provided for under national law. Specific time limits should be established within which information requested should be made available, in order to avoid unnecessary delay. Reasons for non-disclosure of information may include:

- International relations, national defence or public security, including nuclear security [18-20];
- The confidentiality of the proceedings of public authorities, where such confidentiality is provided for under national law;
- The course of justice, the ability of a person to receive a fair trial or the ability of a public authority to conduct an enquiry of a criminal or disciplinary nature;
- The confidentiality of commercial and industrial information, where such confidentiality is protected by law in order to protect a legitimate economic interest;
- Intellectual property rights;
- The confidentiality of personal data and files relating to a person, where that person has not consented to the disclosure of the information to the public, and where such confidentiality is provided for in national law;
- The interests of a third party that has supplied the information but where that party was not under or was not capable of being put under a legal obligation to supply the information, and where that party does not consent to the release of the material.

3.6. Refusal of a written request for information should be provided in writing. A refusal should state the legal basis for not disclosing the information and should briefly describe how the decision was made to deny the request for information. The refusal should be made as soon as possible and within specific time limits established by the regulatory body.

3.7. The regulatory decision making processes should be reviewed regularly to identify opportunities for improving communication and consultation with interested parties.

4. IMPLEMENTATION BY REGULATORY BODY

4.1. This section addresses the provisions that should be developed and implemented by the regulatory body for a transparent and open approach when communicating and consulting with interested parties. These provisions include leadership and strategy and a management system for effective implementation. This section also addresses elements that should be considered when developing any communication and consultation process and provides some examples of interested parties.

LEADERSHIP AND STRATEGY

4.2. Senior management should provide leadership and a clear commitment to a high level of transparency and openness in regulatory activities, going beyond, when possible, the minimum level imposed by laws and regulations, whilst ensuring compliance with legislation and regulation. Merely following the minimum legal and regulatory requirements in an administrative way can result in a low level of meaningful public participation. Efforts should be made to promote the importance of, and to support, an organizational culture of transparency and openness among the regulatory body's own staff.

4.3. A communication strategy should be developed and implemented appropriate to the role and functions of the regulatory body (see Appendix I). This strategy should be integrated within the overall strategy of the regulatory body.

4.4. Clear responsibilities should be established within the regulatory body for communication and consultation activities.

MANAGEMENT SYSTEM AND COMPETENCE

4.5. Arrangements for communication and consultation with interested parties should be part of the regulatory body's management system. Such arrangements should be part of a formal process that is based on specified policies and principles and associated criteria and that follows specified procedures and guidance.

4.6. The regulatory body should develop a process for responding to interested parties' concerns in a systematic manner.

4.7. When several governmental authorities have responsibilities for safety or have authority that overlaps with that of the regulatory body, constructive liaison should be achieved through relevant means (e.g. memoranda of understandings and periodic meetings) to ensure effective communication, consultation and, as necessary, coordination.

4.8. The regulatory body should develop and maintain its competence in order to communicate and consult with interested parties in an efficient and professional manner. Staff members involved in communicating with interested parties should be trained accordingly, including in public outreach techniques (e.g. the facilitation of public meetings, conducting press conferences and the use of social media).

4.9. The regulatory body may use external professional support for communication and

consultation (e.g. communication experts, translators, web-site designers, meeting facilitators or moderators, or academics). Such support could complement the competences of the regulatory body staff and provide new ideas and methods to make communication and consultation more effective.

4.10. An information and knowledge management system should be established to allow staff easy access to historic information on past incidents and emergencies, inspection reports, annual reports, information brochures, fact sheets and other relevant publications and information. Such a system will help to provide interested parties with requested information in a timely manner. Information and knowledge management arrangements should also be established under this system to manage relevant records relating to communication and consultation activities.

4.11. Procedures should be developed regarding: (a) the types of information that can be released to the public; (b) the way in which information should be made available to interested parties (use of media, the Internet and other channels, schedules for releasing information, the use of easily understandable information, the languages used, e.g. in States where several languages are used).

4.12. When relevant, and if it can do so without compromising its independence, the regulatory body should consider participating in meetings, conferences or other public gatherings that are sponsored by other organizations.

INTERESTED PARTIES

4.13. Different interested parties may have different needs or agendas. Therefore, it is important to identify the interested parties, and to determine their interests, needs, expectations and concerns. This is essential to select effective options from a variety of strategies and approaches to communication and consultation. Interested parties differ from State to State, depending on culture, history, government philosophy, and legal and organizational factors. The following paragraphs briefly describe the roles of typical interested parties.

Public

4.14. The public relies on various sources of information to form its opinion. News media, especially television, and both printed and online press, have a large impact on how people perceive issues. Social media has also significant influence.

4.15. People living in the vicinity of a facility or activity usually have different needs from those of the public living elsewhere. The importance of the role of community leaders, such as local elected officials, religious and social leaders, in framing public perception should not be underestimated.

News and social media

4.16. Journalists, news and social media are important for the regulatory body to communicate with interested parties. Usually, there is no way to control how a message is eventually disseminated through the media; that is why all communications with the media should be concise and in easily understandable language.

Local liaison groups (or committees)

4.17. Local liaison groups (or committees) with an interest in local initiatives in respect of a particular facility may be organized upon legal requirements or upon local initiative request to inform and dialogue with the public as well as for education purposes. The local liaison groups are made of individuals having a special interest regarding the safety of the facility (e.g. local elected officials, trade union representatives, local association representatives). The regulatory body may work with such local liaison groups to provide the local population with independent information in addition to the information that is being provided by authorized parties as well as by special interest groups.

Special interest groups

4.18. Special interest groups are linked to particular constituencies that are often motivated to achieve specific goals and interests. They include non-governmental organizations (NGOs) such as labour unions, consumer groups, environmental groups and anti-nuclear groups. Special interest groups can be a valuable resource in highlighting issues that may otherwise be neglected and in providing input from new angles.

Governmental authorities and decision makers

4.19. Within the governmental, legal and regulatory infrastructure, the exchange of information and the consultation among governmental bodies and other regulatory authorities are paramount for the coherent and efficient regulation of safety.

4.20. The regulatory body should establish provisions for effective and direct communication with other governmental authorities at a high level when necessary for effectively performing the functions of the regulatory body.

4.21. Elected officials should be kept informed of the regulatory body's actions in protecting people and the environment and in relation to safety related events.

Professional bodies

4.22. The regulatory body should engage in dialogue with professional bodies (e.g. operating organizations and their supply chain, facility designers and radiation source users and medical societies) when necessary, including in the drafting of regulatory requirements [2, 3, 8]. The regulatory body should provide safety related information to professional bodies. Such information may include new developments relating to safety regulation and findings relating to protection and safety gained from regulatory experience and operating experience and from incidents, including accidents.

4.23. Medical professionals and health professionals can be among the most credible sources of information for the public. Information provided by the regulatory body to these parties should be specifically tailored to their needs.

4.24. Academics, teachers and researchers in the relevant fields (e.g. the nuclear field, the medical area) and other third party experts who are not involved in commercial uses of nuclear technologies and other applications using ionizing radiation can help provide information to the news media and the public as experts. This applies in particular to advisory bodies and support organizations that provide the regulatory body with external technical and other expert opinion and advice.

International organizations and national regulatory bodies

4.25. Regulatory bodies should establish links with other national regulatory bodies and international organizations such as the IAEA. It is beneficial to communicate all relevant information with such organizations, including feedback from operating experience and regulatory experience.

Staff of the regulatory body

4.26. The regulatory body's own staff communicates with the public both formally and also informally, on a routine basis. Therefore all staff should be kept informed about the decisions and activities of the regulatory body, and other relevant safety related information. They should be made aware that their communication might affect the public's perception of the regulatory body, particularly when using media channels that can reach large audiences (e.g. statements to journalists, letters to websites and social media).

COMMUNICATION AND CONSULTATION PROCESS

4.27. As shown in Fig. 1, a communication and consultation process should include a series of steps, from identifying the objective to evaluating the consultation process and identifying areas for improvement.

4.28. Before any communication or consultation process is initiated, the role and functions of the regulatory body, its independence, and its strategy to interact with interested parties need to be clear. The legal and regulatory requirements for a communication and consultation process should also be identified, including requirements applicable to restriction of disclosure of information.

4.29. Through the communication and consultation process, the limits of what the regulatory body can or cannot do should be made clear. If interested parties have unrealistic expectations, they are more likely to be disappointed and lose confidence in the process and in the regulatory body itself.

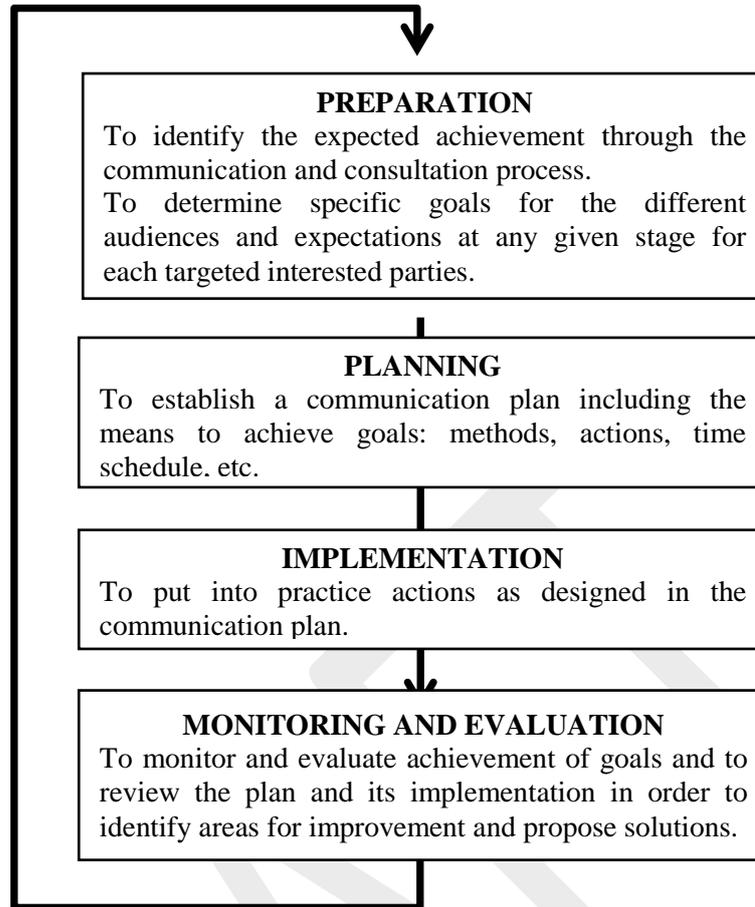


FIG. 1. Steps in the communication and consultation process

Preparation

4.30. A communication strategy should include a logical, coherent and efficient process for communicating and consulting with interested parties. This process should allow the regulatory body to, inter alia [2, 3, 5, 8, 7, 21]:

- Increase public trust and confidence in the regulatory body by keeping the public informed in a transparent and open manner on how safety requirements are established and enforced. The results of evaluation of the organization and the performance of the regulatory body through self-assessment and external assessments, such as the Integrated Regulatory Review Service (IRRS) missions, should be made available to the public;
- Disseminate information on safety to interested parties, including information on incidents in facilities and activities, including accidents and abnormal occurrences, as well as radiation risks associated with facilities and activities;
- Publish or make available on request, as appropriate, results from source monitoring and environmental monitoring programmes and assessments of doses from public exposure;
- Communicate on requirements for protecting people and the environment; processes of the regulatory body; regulatory judgements and decisions, and the bases for them

including those related to optimization of protection and safety and limitation of risks to individuals;

- Notify interested parties of the principles and associated criteria for safety established in its regulations and guides, and make its regulations and guides available;
- Involve interested parties in the decision making process through consultation or even collaboration mechanisms. In this respect, interested parties residing in the vicinity of current or proposed authorized facilities and activities should, when appropriate, be consulted by means of an open, inclusive and responsive process;
- Receive such documents and opinions from interested parties as may be considered necessary and appropriate;
- Cooperate with and coordinate other authorities and governmental organizations;
- Cooperate with other States and with international organizations.

4.31. The overall objective of the communication and consultation process should be established by use of the rationales mentioned in para. 1.11 concerning accountability, credibility and legitimacy, high quality in decision making, and independence.

4.32. The communication and consultation process should be flexible enough so that specific communication plans can be tailored to target audiences, depending on the types of interested party that are involved in a particular issue, facility or activity. A variety of communications tools, methodologies and subject matter expertise should be available within the regulatory body to give maximum flexibility to staff when developing communication plans.

4.33. The regulatory body should ensure that adequate resources are available to achieve the goals of the communication and consultation processes.

Planning

4.34. For the effective and efficient implementation of the communication and consultation process, a communication plan should be established (see Appendix II). This is a key tool to properly address a specific issue and to use efficiently the human and financial resources available for communication and consultation with interested parties.

4.35. For effective communication and consultation, specific and adapted methods and organization should be employed in accordance with:

- The legal and regulatory requirements;
- The goals for informing and involving interested parties;
- The nature of the interested parties to be targeted and their concerns and expectations;
- The topics and the issues.

4.36. A communication plan should include the overall objectives, key messages, appropriate timing and resources to engage interested parties, a list of interested parties to be reached and their concerns, expectations and perspectives, and channels and tools for communicating and consulting with them. Responsibilities and prioritizations should be also addressed. The communication plan should be sufficiently flexible to take account of possible changes.

4.37. In developing a communication plan, groups that could be affected by or interested in the issue should be identified. Such groups may have conflicting agendas, priorities, sensibilities, needs and expectations, all of which should be taken into account in the communication plan. Specific attention should be given to people residing in the vicinity of the facilities or activities.

4.38. Different communication plans could be developed by the regulatory body for different purposes, e.g. for routine circumstances, or for specific aspects of a complex project (e.g. the siting of a radioactive waste repository or the remediation of legacy sites with contamination). The development of such different communication plans by the regulatory body should be effectively coordinated and made subject to approval so as to optimize the use of financial and human resources and to ensure coherence and consistency among plans. Consistent use of communication plans helps ensure an efficient implementation of the communication strategy.

4.39. Communication plans will differ depending on the issue they aim to address. For some issues, simply the provision of information may be sufficient, whereas for a more complex and major issue (e.g. a licence to construct a new nuclear installation or the siting of a radioactive waste repository), the regulatory body may decide to implement a specific process to give interested parties the possibility to participate actively and to be involved, where appropriate, from the very beginning of the decision making process.

4.40. The needs of interested parties range from active participation in and consultation as part of the decision making to a need for information only. Some interested parties may be reluctant to participate fully in the consultation process in order to preserve their independence and autonomy. Such differing needs of interested parties should be considered when developing a communication plan.

4.41. The communication plan may combine different approaches and methods in accordance with the purposes, issues, people and groups involved. The regulatory body should take into account cultural, organizational and other relevant factors in deciding how best to make information available to the largest number of people possible. Such an approach will decrease the likelihood that people decide to not participate or to withdraw from the process.

Implementation

4.42. The senior management of the regulatory body should be made responsible for ensuring implementation of the communication plan. Staff involved in communication and consultation should understand the purposes of the plan, their own functions and responsibilities, and how the various organizations will interact. The necessary training for proper implementation of the plan should be carried out.

4.43. Activities that are carried out should be recorded. Regular reviews of the progress of the communication plan should be carried out, any difficulties with implementation should be identified and any necessary adjustments should be made.

4.44. The use of the communication plan should be flexible as its content may evolve throughout its implementation. Events may lead to changes in the priorities of the regulatory body, which may necessitate amending a communication plan's schedule or key messages.

Monitoring and Evaluation

4.45. The regulatory body should monitor and regularly evaluate its communication and consultation process to identify successes, lessons to be learned and potential improvements to help the process achieve its overall objectives and to enhance public confidence in the regulatory system.

4.46. Such reviews should consider the expectations and opinions of interested parties,

including the staff of the regulatory body. The regulatory body should actively solicit feedback from interested parties. The expectations and opinions of interested parties may be collected in a variety of ways, including by means of the regulatory body's website, emailing campaigns, or monitoring of mass media, or by the use of more sophisticated tools, for example surveys of the public or 'satisfaction committees'³.

4.47. The regulatory body should also put in place procedures for dealing with unsolicited requests for information, and for monitoring and evaluating the effectiveness of these procedures.

4.48. Benchmarking against other experiences in communication and consultation with interested parties at the national and international levels should be considered, although political, cultural and societal differences may limit the extent to which this is possible.

5. METHODS OF COMMUNICATION AND CONSULTATION

5.1. Depending on the issue, communication and consultation activities may necessitate only the provision of information or may involve fuller participation of interested parties. More interactive participation gives interested parties the possibility for a better understanding of complex issues. It allows them to develop their understanding of the issue, to debate, to state their position and, in some instances, to collaborate with the regulatory body. The various communication and consultation methods are outlined below.

PROVISION OF INFORMATION

5.2. The regulatory body should routinely make as much information as possible available to interested parties. This should include the relevant legal and regulatory requirements, conclusions from reviews and assessments, including critical comments, findings of inspections and regulatory decisions. The regulatory body should also inform interested parties about its strategy, policies, procedures and management system.

5.3. The regulatory body should make available information on events that might affect safety. Specific tools should be used for promptly and consistently communicating the safety significance of events. For instance, a Member State may decide to use the joint IAEA and OECD/NEA International Nuclear and Radiological Event Scale (INES⁴).

³ A satisfaction committee generally consists of representatives of the regulatory body, the public and other relevant interested parties, including the media, NGOs and other governmental bodies. At their meetings, members of the satisfaction committee will review the extent to which the communication and consultation process has improved credibility, transparency and openness of the regulatory body and enhanced satisfaction levels.

⁴ INES is used to classify events according to their safety significance to facilitate a common understanding between the technical community, the media and the public. INES comprises 7 levels from 1 (anomaly) to 7 (major accident). Events without safety significance are classified as "below scale / Level 0" and events that have no safety relevance with respect to radiation or nuclear safety are not classified on the scale. As highlighted in the definition of INES in the IAEA Safety Glossary [22], "There remains a fundamental mismatch between the terminology used in Safety Standards and that used in INES. In short, events that would be considered accidents according to the safety standards definition may be accidents or incidents (i.e., not accidents) in INES terminology". This definition also points out that this discrepancy is "a potential problem for public communication". The emergency response classification system is not to be confused with INES. INES is

5.4. All information delivered by the regulatory body should be easily understandable, reliable, based on facts and evidence, accessible, and provided in a timely manner.

5.5. The regulatory body should ensure that relevant parts of the safety case and supporting safety assessment provided by the authorized party for facilities and activities are easily understandable [5, 8]. This means that they should be written in such a way that the interested parties for whom the documents are intended can gain a good understanding of the safety arguments and their bases.

5.6. The regulatory body should publish an annual report on safety to provide interested parties with, as much as is possible, a comprehensive picture of the national safety infrastructure and the actual status of nuclear and radiation safety as well as information on regulatory activities, decisions and judgements.

5.7. The regulatory body should take special care to ensure the consistency of background information and key messages. In this respect, the annual report should be used as a basis for ensuring this consistency.

5.8. Information should be conveyed through a variety of communication channels, either general or targeted to specific audiences. Such channels could be uncontrolled by the regulatory body (e.g. journalist interviews, television programmes, Internet discussion forums) or controlled by the regulatory body (e.g. the regulatory body's website, brochures).

5.9. Communication channels should be selected with the aim of most easily reaching the intended audience. They should be combined in a complementary manner considering that some people have only access to a limited number of tools for communication and information. For instance, some members of the public might not have access to the Internet or be able to use the Internet.

5.10. The regulatory body should consider using or participating in educational activities (e.g. seminars, educational films uploaded on the Internet, university courses) in order to provide, explain and discuss factual, independent and non-biased information on radiation risks associated with facilities and activities, and about the regulatory body's own processes and decisions. This approach is recognized as an effective way to increase knowledge and understanding of interested parties on such those topics.

5.11. Different types of printed materials should be used to provide information, such as information sheets, leaflets and brochures.

5.12. Press conferences or technical briefings to the media should be organized where appropriate to provide opportunities to announce important information and/or explain complex issues that are subject to significant media or public interest. Press conferences and technical media briefings should be announced in a timely manner and advance information may be provided to facilitate the participation of journalists. When possible, press conferences should be recorded and made available on the Internet.

used for communicating to the public the severity or estimated severity of an event and cannot be used as the basis for emergency response actions [10].

The relevant IAEA publications provide more information on INES [10, 17, 23, 24].

5.13. The Internet is a very effective channel of communication. Large quantities of focussed information can be made widely accessible and delivered through this channel, when necessary, in different languages. The regulatory body should use its website as one of the key tools to communicate with the public and other interested parties. This facilitates the dissemination of updated information and the collection of concerns, questions and comments. The regulatory body should also consider using other Internet tools such as social networks and discussion forums, bearing in mind the specific characteristics of these tools (e.g. user expectations regarding the speed and frequency with which content is published) and the resources needed to ensure they are effective.

5.14. Internet-based tools used by the regulatory body (e.g. websites, social networks, on-line encyclopaedias) should be user-friendly and maintained up-to-date and consistently. Internet-based tools should enable interested parties to efficiently retrieve information, submit questions and provide comments.

5.15. The extent to which information is made publicly available depends on the national legislative criteria. If the regulatory body provides general information to the extent possible and explains the reasons for withholding any details, usually interested parties will understand the need for such restrictions, so long as such rules are applied properly and are not abused.

PROVISIONS FOR PARTICIPATION

General provisions for participation

5.16. The effective participation of interested parties (through dialogue, consultation, collaboration or a combination of them) is essential for furthering the understanding of the issues by both sides and clarifying the issues in question. The regulatory body should strongly encourage effective participation when appropriate, including, when necessary, by government representatives and local elected persons. The provisions for participation by interested parties should be clearly explained as early as possible. Interested parties with different viewpoints should be given opportunities to participate in the communication and consultation process.

5.17. Proceeding step by step and setting goals for the participation process may be beneficial and such an approach should be considered. If, on the other hand, the decision making process is close to the final stage, the participation should be more oriented towards supporting decision making by clarifying the remaining options.

5.18. The relationships between the participation process and political and regulatory issues should be clarified as much as possible at an early stage.

5.19. The participation process should include discussions on the form and the structure of the decision making process and the regulatory process, as much as about its technical and scientific contents. Enough time for proper participation should be allowed for.

5.20. It can be beneficial to the development of the participation process, both for practical work and for research purposes, to obtain a broader perspective by involving international experts in related fields. The aim should be to systematically access experience, views and comparisons with similar situations in other States.

5.21. The possibility of forming new initiatives and taking part in processes of participation may be dependent on the resources of interested parties. Therefore, the regulatory body should consider the possibility of providing support to enable interested parties to contribute more fully.

Dialogue

5.22. In some cases, to increase the effectiveness of communication, a dialogue between the regulatory body and interested parties should be established [5]. A dialogue is an exchange of information based on discussions between two or more parties as equals and with mutual respect. Even if no consensus can be reached at the end of the process, every participant should have possibility to express and discuss their positions and views to further one another's understanding of the issues. Depending on the complexity or sensitivity of the issue being discussed, the dialogue process may take time and require multiple exchanges.

5.23. For a successful dialogue, it is important to establish the working format. This should include the provision of a 'safe space'. A 'safe space' is a process by which all interested parties can participate without fear of reprisal or without committing themselves to any kind of consensus building.

5.24. Specific arrangements for dialogue should be agreed upon by participants and adhered to. Such arrangements could include the timing of meetings, venues, management of discussions, facilitation of the debate, agreements on the credibility of the process itself and reports of the discussion.

5.25. Public meetings may be conducted at national or local level as part of the process of dialogue. Public meetings allow direct verbal communication between participants to share information, discuss developments and obtain comments and opinions. To gain maximum benefits from a public meeting, it should be thoroughly prepared. The targeted interested parties should be informed in a timely manner regarding the scope, purpose, planning, venue and agenda of the meeting. Attention should be paid to the conduct of the meeting to ensure fruitful dialogue between participants.

Consultation

5.26. In accordance with national legal and regulatory provisions, such as those relating to licensing process [25] or the development and implementation of protection strategies for existing exposure situations [3], the regulatory body should consult interested parties. In addition, the regulatory body should also consider asking for inputs on other issues such as complex or major topics (e.g. when drafting legislation or regulations).

5.27. For each of the different stages of consultation, appropriate communication channels and tools should be used. The use of the Internet and the conduct of meetings with interested parties are two specific channels that seem particularly adapted to consultation. In all cases, the roles and responsibilities of each interested party should be explained to all the participants.

5.28. Consultation could include several different stages, which should be followed to comply with legal and regulatory requirements and to give the process better chance to succeed. To design a consultation procedure, the following aspects should be considered:

- Clarification of the objectives of the consultation;

- Identification of targeted interested parties;
- Identification of applicable legal and regulatory requirements;
- Establishment of plans and time frames that are sufficient for effective participation and are adapted in accordance with the needs of the interested parties;
- Preparation of relevant documents to be published or otherwise made publicly available;
- Establishment of mechanisms and tools for consulting with interested parties and for them to comment, directly or through representative consultative bodies;
- Public meetings, formal hearings and other appropriate means of consultation;
- Provisions for reviewing and considering the results of the consultation in the decision making process.

5.29. When necessary, and in order to ensure the proper organization and effective conduct of the consultation, the regulatory body should meet with the concerned applicants or authorized parties, relevant governmental authorities and agencies early in the process.

5.30. A process of consultation should start by the provision of initial information to targeted interested parties. This information should include a clear explanation of the issue(s) (e.g. a new regulation, a licensing decision), the process (e.g. planning and timescale, activities such as public meetings, and uses of the Internet) and the way the final outcome will be reached.

5.31. Interested parties should be provided with access to relevant information relating to the consultation, free of charge at designated locations. Interested parties should be given the possibility to comment freely, with sufficient time to do so, and it should be explained how their comments will be taken into account in the process.

5.32. The arrangements for consultation should allow interested parties to submit, in writing or, as appropriate, at public hearings, meetings or inquiries, any comments, information, analyses or opinions that they consider to be relevant.

5.33. The regulatory body should review the results of consultation and should take them into account where appropriate. These results and how they have been considered should be made publicly available.

5.34. The regulatory body should inform interested parties promptly of its final decision in accordance with the appropriate procedures and should make the text of the decision, along with the reasons and considerations on which the decision is based, available to interested parties.

Collaboration

5.35. To explore potential solutions to regulatory issues, such as the development of regulations, policies and guidance, a collaborative process may be implemented to directly involve different interested parties. In this way, involved interested parties are active participants in developing a regulatory process with a focus on finding common ground.

5.36. Different mechanisms may be used to make a collaborative process efficient. The mechanisms used should encourage interaction among participants and give them the opportunity to provide, discuss and debate their perspectives. In the discussion, the concerns and interests behind the participants' positions on the issues should be identified. This allows the participants to find common ground in the resolution of the issues.

5.37. Before starting a collaborative process, the scope, objective, main steps, timescale, and participants should be established, although these may need to remain flexible.

5.38. A collaborative process may include task groups made of a limited number of representatives of interested parties. A task group may be beneficial in the development a possible draft solution prior to consideration of the issue by the wider collaborative process.

DRAFT

APPENDIX I: EXAMPLE OF TEMPLATE FOR A COMMUNICATION STRATEGY

Paragraph 4.3 states “A communication strategy should be developed and implemented appropriate to the role and functions of the regulatory body. This strategy should be integrated within the overall strategy of the regulatory body.”

TITLE, Period of validity

Purpose and vision

The purpose of the communication strategy and the vision of the regulatory body for the long term should be described. The values of the organization may be also highlighted in this section. Transparency and openness should guide the communication strategy.

Key messages

The top three or four key messages should be identified, so that these can be conveyed throughout all of the communications activities conducted by the regulatory body.

Interested parties

The regulatory body should identify its key interested parties that the communication strategy will reach through the implementation of the strategy.

Communication strategy

This section describes how the communication and consultation can help to achieve the mission and the vision of the regulatory body. For example:

- For the staff of the regulatory body, it may address the improvement of the communication and consultation system, the support of organizational changes within the regulatory body and the promotion of safety culture, transparency and openness;
- For other interested parties, it may address dialogue with the public, engagement of the news media, participation in industrial forums and the establishment of relations with relevant organizations in other States or with relevant international organizations.

Evaluation

This section should outline how the regulatory body evaluates its communications and consultation process and how it will incorporate or adjust its strategy as necessary.

APPENDIX II: EXAMPLE OF TEMPLATE FOR A COMMUNICATION PLAN

Paragraph 4.34 states “For the effective and efficient implementation of the communication and consultation process, a communication plan should be established (...). This is a key tool to properly address a specific issue and to use efficiently the human and financial resources available for communication and consultation with interested parties.”

TITLE and date

Key messages

A bulleted list of a limited number of main messages on a specific issue that the regulatory body wants to convey to interested parties. Each message should be no longer than two sentences (three at very most) and should be written in easily understandable language. They are not to be a duplicate of the regulatory body’s strategic goals.

Background

A brief history of relevant issue and an explanation of why the communication plan is needed. It should be as long as necessary to be helpful to people not fully immersed in the topic, but not so detailed as to be unwieldy and thus not useful. Relevant legal and regulatory provisions should be included as well as, when relevant, the actual results of previous communication plans.

Audience

A list of interested parties, including those within the regulatory body, who should be targeted by the communication and consultation tools listed later in the communication plan. The list could also outline their concerns, expectations and perspectives.

Communication Team

A list of the names and contact information of the staff members responsible for the implementation of the communication plan.

The team leader and the back-up to the team leader should be identified. The team should typically consist of relevant experts who work on the issue and the relevant communication staff. Any person listed as having responsibilities for the implementation of the communication plan should be aware that they are listed.

Communication channels and tools

The number and type of tools will depend on the message, audience, timing, resources and legal and regulatory requirements.

Such tools could include:

Meetings	Press releases	Frequently asked questions	Brochures
Talking points	Fact sheet	Web pages	Speeches
Direct mail	Phone calls	Reports	Social media
Advertisements	Newsletters	Posters or fliers	Videos
Transcripts	Press conferences	Forums, seminars	Annual report
Public information centre			

Schedule

This is useful to ensure activities are well coordinated within the regulatory body or with different interested parties. The schedule should detail communication and consultation activities.

Challenges

The communication plan should address potential controversies, pre-identified key interested parties, important timing elements, etc. Identified challenges should be linked to specific steps being taken to overcome the challenge.

Evaluation

An identification of the successes and lessons identified in implementation of the communication plan to date.

Questions & Answers

A list of questions and their possible answers should be developed to anticipate questions raised by interested parties. These answers should be made available in written easily understandable form.

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ANNEX: USE OF TERMS

I-1. In this Safety Guide, the following terms are used. Explanations are provided in this Annex to aid understanding of the text, but they do not represent consensus definitions of the terms as they are used in the IAEA safety standards.

Communication

Exchange of information between an organization and its interested parties with the purpose to inform, influence, persuade or develop a common understanding in pursuit of an organization's long term objectives and to serve the public interest for safety.

Communication plan (or communication and consultation plan)

A plan to implement the communication strategy in relation to a specific issue or facility. It may be relatively short-term, regarding an emerging issue such as a licensing review, or cover routine regulatory activities such as transportation of radioactive materials or management of radioactive waste. It may also be long-term e.g. to continue exchange of information and communication regarding new regulatory policy development.

Communication strategy

A long term framework of policies and arrangements for the regulatory body to inform and consult with interested parties. It encourages communication and consultation as important for the success of the regulatory body's efforts to ensure the protection of people and the environment. The communication strategy helps ensure openness and transparency by guiding the regulatory body's interactions with interested parties during the course of various regulatory actions, including regulatory development, licensing reviews, inspections and enforcement. As such, an effective communication strategy is essential for gaining public trust and protecting the regulatory body's credibility.

Consultation

Refers to processes through which the regulatory body seeks or, according to the national legal framework, has to seek the views of interested parties on regulatory matters that affect the decision making process, affect them directly or in which they have a significant interest. Consultation can occur at various points in the regulatory process and can be used to help frame an issue, identify or assess options and evaluate existing regulatory policies.

Interested Parties

Also known as stakeholders or concerned parties, those individuals or organizations concern with safety and the regulatory body's decisions. Interested parties include, among others, the public, such as people residing in the vicinity of facilities and activities; elected officials and governmental authorities at the national, regional and local level; national and local non-governmental organizations; regulated industry and its employees, trade unions, and suppliers; professional and academic organizations; news media; and neighbouring countries.

Transparency and openness

Concepts:

- By which information related to the regulatory body's responsibilities, including its decision making process, is proactively and easily accessible to and understandable by interested parties,
- Which promote an active participation of interested parties in decision making in order to fully consider their views and opinions.

These concepts refer to the model based on an involvement of interested parties as early as possible in a decision making process (e.g. "Engage, Interact and Cooperate" model), which in most countries has been replacing the traditional model which undertakes communication with the public and other interested parties late in the process or even after having made the decision (e.g. "Decide, Announce and Defend" model). One of the most important challenges to implement these concepts is the natural tension between the aim of achieving transparency and openness, and legally required restrictions in disclosure of information.

CONTRIBUTORS TO DRAFTING AND REVIEW

Addison, P.	Office for Nuclear Regulation, United Kingdom
Ahmed, B.	Ministry of Environment, Radiation Protection Centre, Iraq
Ali, F.	Atomic Energy Licensing Board, Malaysia
Alonso Gonzalez, I.	Centro Nacional de Seguridad Nuclear, Cuba
Andersson, K.	KARITA Company, Sweden
Aoyama, Y.	Nuclear Regulation Authority, Japan
Babakhani, A.	Iranian Nuclear Regulatory Authority, Islamic Republic of Iran
Baldassarri, P.	Company SOGIN, Italy
Besenyei, E.	Hungarian Atomic Energy Authority, Hungary
Bouchot, E.	Autorité de sûreté nucléaire, France
Brenner, E.	Nuclear Regulatory Commission, United States of America
Busto, A.	International Atomic Energy Agency
Chanial, L.	Autorité de sûreté nucléaire, France
De Jesus, T.	Philippine Nuclear Research Institute, Philippines
Dokter, S.	Gesellschaft für Anlagen und Reaktorsicherheit, Germany
El Messiry, A.	Nuclear and Radiological Regulatory Authority, Egypt
Gibb, T.	Nuclear Safety Commission, Canada
Hueber, S.	Swiss Federal Nuclear Safety Inspectorate, Switzerland
Jovanovic, S.	University of Montenegro, Montenegro
Jubin, J.-R.	International Atomic Energy Agency
Kannisto, A.	Radiation and Nuclear Safety Authority, Finland
Khartabil, H.	International Atomic Energy Agency
Körmendi, G.	Hungarian Atomic Energy Authority, Hungary
Koteng, A.	Radiation Protection Board, Kenya
Lima, C.	National Nuclear Energy Commission, Brazil

Lorenz, P. Friends of the Earth, Austria

Lyons, J. International Atomic Energy Agency

Maoddi, P. Company SOGIN, Italy

Molin, A. Federal Ministry of Agriculture, Forestry, Environment and Water Management, Austria

Molnar, A. Hungarian Atomic Energy Authority, Hungary

Morozov, S. Federal Service for Environmental, Industrial and Nuclear Supervision, Russian Federation

Mueller, A. Swiss Federal Nuclear Safety Inspectorate, Switzerland

Mughal, N. International Atomic Energy Agency

Muner, R. Federal Ministry of Agriculture, Forestry, Environment and Water Management, Austria

Muraj, I. Institute of Public Health, Albania

Muskens, P. International Atomic Energy Agency

Nicic, A. International Atomic Energy Agency

Ouedraogo, A. Autorité nationale de radioprotection et de sûreté nucléaire, Burkina Faso

Petit, E. Autorité de sûreté nucléaire, France

Riveros, D. Ministerio de Minas y Energía, Colombia

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Satriawan, B. Nuclear Energy Regulatory Agency, Indonesia

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Shadad, I. International Atomic Energy Agency

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Zeleznik, N. Regional Environmental Centre, Slovenia

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