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IAEA SAFETY STANDARDS

for protecting people and the environment

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Review Committees**
(After consultation of the Member States)

Communication and Consultation with Interested Parties by the Regulatory Body

DRAFT SAFETY GUIDE

DS 460

New Safety Guide

IAEA

International Atomic Energy Agency

FOREWORD

The IAEA's Statute authorizes the Agency to "establish or adopt... standards of safety for protection of health and minimization of danger to life and property" – standards that the IAEA must use in its own operations, and which States can apply by means of their regulatory provisions for nuclear and radiation safety. The IAEA does this in consultation with the competent organs of the United Nations and with the specialized agencies concerned. A comprehensive set of high quality standards under regular review is a key element of a stable and sustainable global safety regime, as is the IAEA's assistance in their application.

The IAEA commenced its safety standards programme in 1958. The emphasis placed on quality, fitness for purpose and continuous improvement has led to the widespread use of the IAEA standards throughout the world. The Safety Standards Series now includes unified Fundamental Safety Principles, which represent an international consensus on what must constitute a high level of protection and safety. With the strong support of the Commission on Safety Standards, the IAEA is working to promote the global acceptance and use of its standards.

Standards are only effective if they are properly applied in practice. The IAEA's safety services encompass design, siting and engineering safety, operational safety, radiation safety, safe transport of radioactive material and safe management of radioactive waste, as well as governmental organization, regulatory matters and safety culture in organizations. These safety services assist Member States in the application of the standards and enable valuable experience and insights to be shared.

Regulating safety is a national responsibility, and many States have decided to adopt the IAEA's standards for use in their national regulations. For parties to the various international safety conventions, IAEA standards provide a consistent, reliable means of ensuring the effective fulfilment of obligations under the conventions. The standards are also applied by regulatory bodies and operators around the world to enhance safety in nuclear power generation and in nuclear applications in medicine, industry, agriculture and research.

Safety is not an end in itself but a prerequisite for the purpose of the protection of people in all States and of the environment — now and in the future. The risks associated with ionizing radiation must be assessed and controlled without unduly limiting the contribution of nuclear energy to equitable and sustainable development. Governments, regulatory bodies and operators everywhere must ensure that nuclear material and radiation sources are used beneficially, safely and ethically. The IAEA safety standards are designed to facilitate this, and I encourage all Member States to make use of them.

NOTE BY THE SECRETARIAT

The IAEA safety standards reflect an international consensus on what constitutes a high level of safety for protecting people and the environment from harmful effects of ionizing radiation. The process of developing, reviewing and establishing the IAEA standards involves the IAEA Secretariat and all Member States, many of which are represented on the four IAEA safety standards committees and the IAEA Commission on Safety Standards.

The IAEA standards, as a key element of the global safety regime, are kept under regular review by the Secretariat, the safety standards committees and the Commission on Safety Standards. The Secretariat gathers information on experience in the application of the IAEA standards and information gained from the follow-up of events for the purpose of ensuring that the standards continue to meet users' needs. The present publication reflects feedback and experience accumulated until 2014 and it has been subject to the rigorous review process for standards.

DRAFT

THE IAEA SAFETY STANDARDS

BACKGROUND

Radioactivity is a natural phenomenon and natural sources of radiation are features of the environment. Radiation and radioactive substances have many beneficial applications, ranging from power generation to uses in medicine, industry and agriculture. The radiation risks to workers and the public and to the environment that may arise from these applications have to be assessed and, if necessary, controlled.

Activities such as the medical uses of radiation, the operation of nuclear installations, the production, transport and use of radioactive material, and the management of radioactive waste must therefore be subject to standards of safety.

Regulating safety is a national responsibility. However, radiation risks may transcend national borders, and international cooperation serves to promote and enhance safety globally by exchanging experience and by improving capabilities to control hazards, to prevent accidents, to respond to emergencies and to mitigate any harmful consequences. States have an obligation of diligence and duty of care and are expected to fulfil their national and international undertakings and obligations.

International safety standards provide support for States in meeting their obligations under general principles of international law, such as those relating to environmental protection. International safety standards also promote and assure confidence in safety and facilitate international commerce and trade.

A global nuclear safety regime is in place and is being continuously improved. IAEA safety standards, which support the implementation of binding international instruments and national safety infrastructures, are a cornerstone of this global regime. The IAEA safety standards constitute a useful tool for contracting parties to assess their performance under these international conventions.

THE IAEA SAFETY STANDARDS

The status of the IAEA safety standards derives from the IAEA's Statute, which authorizes the IAEA to establish or adopt, in consultation and, where appropriate, in collaboration with the competent organs of the United Nations and with the specialized agencies concerned, standards of safety for protection of health and minimization of danger to life and property and to provide for their application.

With a view to ensuring the protection of people and the environment from harmful effects of ionizing radiation, the IAEA safety standards establish fundamental safety principles, requirements and measures to control the radiation exposure of people and the release of radioactive material to the environment, to restrict the likelihood of events that might lead to a loss of control over a nuclear reactor core, nuclear chain reaction, radioactive source or any other source of radiation and to mitigate the consequences of such events if they were to occur. The standards apply to facilities and activities that give rise to radiation risks, including nuclear installations, the use of radiation and radioactive sources, the transport of radioactive material and the management of radioactive waste.

Safety measures and security measures¹ have in common the aim of protecting human life and health and the environment. Safety measures and security measures must be designed and implemented in an integrated manner so that security measures do not compromise safety and safety measures do not compromise security.

The IAEA safety standards reflect an international consensus on what constitutes a high level of safety for protecting people and the environment from harmful effects of ionizing radiation. They are issued in the IAEA Safety Standards Series, which has three categories (see Fig. 1):

Safety Fundamentals

The Safety Fundamentals SF-1 presents the fundamental safety objective and principles of protection and safety. It provides the basis for the safety requirements.

Safety Requirements

An integrated and consistent set of Safety Requirements establish the requirements that must be met to ensure the protection of people and the environment, both now and in the future. The requirements are governed by the objective and principles of the Safety Fundamentals. If the requirements are not met, measures must be taken to reach or restore the required level of safety. The format and style of the requirements facilitate their use for the establishment, in a harmonized manner, of a national regulatory framework. The safety requirements use 'shall' statements with statements of associated conditions to be met. Many requirements are not addressed to a specific party, the implication being that the appropriate parties are responsible for fulfilling them.

Safety Guides

Safety Guides provide recommendations and guidance on how to comply with the safety requirements, indicating an international consensus that it is necessary to take the measures recommended (or equivalent alternative measures). The Safety Guides present international good practices, and increasingly they reflect best practices, to help users striving to achieve high levels of safety. The recommendations provided in Safety Guides are expressed as 'should' statements.

¹ See also publications issued in the IAEA Nuclear Security Series

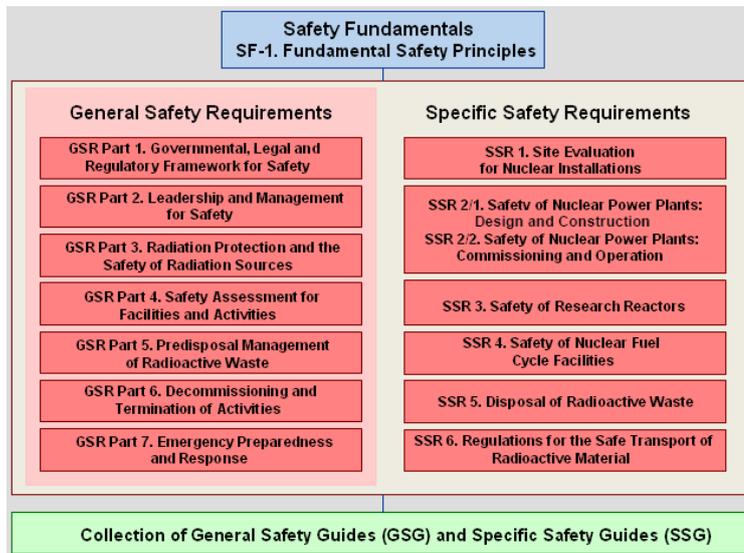


FIG. 1. The long term structure for the IAEA Safety Standards Series.

APPLICATION OF THE IAEA SAFETY STANDARDS

The principal users of safety standards in IAEA Member States are regulatory bodies and other relevant national authorities. The IAEA safety standards are also used by co-sponsoring organizations and by many organizations that design, construct and operate nuclear facilities, as well as organizations involved in the use of radiation and radioactive sources.

The IAEA safety standards are applicable, as relevant, throughout the entire lifetime of all facilities and activities — existing and new — utilized for peaceful purposes and to protective actions to reduce existing radiation risks. They can be used by States as a reference for their national regulations in respect of facilities and activities.

The IAEA's Statute makes the safety standards binding on the IAEA in relation to its own operations and also on States in relation to IAEA assisted operations.

The IAEA safety standards also form the basis for the IAEA's safety review services, and they are used by the IAEA in support of competence building, including developing educational curricula and training courses.

International conventions contain requirements similar to those in the IAEA safety standards and make them binding on contracting parties. The IAEA safety standards, supplemented by international conventions, industry standards and detailed national requirements, establish a consistent basis for protecting people and the environment. There will also be some special aspects of safety that need to be assessed at the national level. For example, many of the IAEA safety standards, particularly those addressing aspects of safety in planning or design, are intended to apply primarily to new facilities and activities. The requirements established in the IAEA safety standards might not be fully met at some existing facilities that were built

to earlier standards. The way in which IAEA safety standards are to be applied to such facilities is a decision for individual States.

The scientific considerations underlying the IAEA safety standards provide an objective basis for decisions concerning safety; however, decision makers must also make informed judgements and must determine how best to balance the benefits of an action or an activity against the associated radiation risks and any other detrimental impacts to which it gives rise.

DEVELOPMENT PROCESS FOR THE IAEA SAFETY STANDARDS

The preparation and review of the safety standards involves the IAEA Secretariat and four safety standards committees for safety in the areas of nuclear safety (NUSSC), radiation safety (RASSC), the safety of radioactive waste (WASSC) and the safe transport of radioactive material (TRANSSC), and a Commission on Safety Standards (CSS), which oversees the IAEA safety standards programme (see Fig. 2).

All IAEA Member States may nominate experts for the safety standards committees and may provide comments on draft standards. The membership of the CSS is appointed by the Director General and includes senior governmental officials having responsibility for establishing national standards.

A management system has been established for the processes of planning, developing, reviewing, revising and establishing the IAEA safety standards. It articulates the mandate of the IAEA, the vision on the future application of the safety standards, policies and strategies, and corresponding functions and responsibilities.

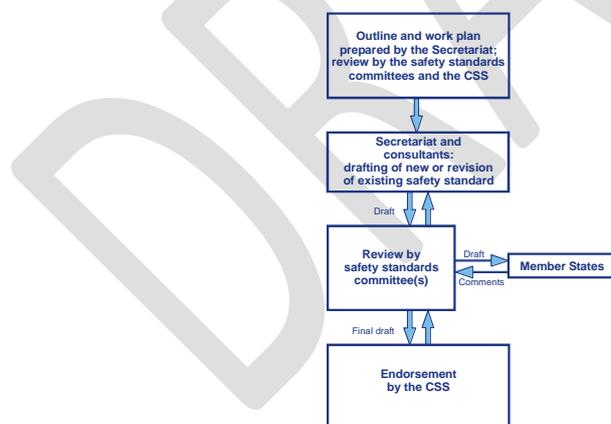


FIG. 2. The process for developing a new safety standard or revising an existing standard.

INTERACTION WITH OTHER INTERNATIONAL ORGANIZATIONS

The findings of the United Nations Scientific Committee on the Effects of Atomic Radiation (UNSCEAR) and the recommendations of international expert bodies, notably the International Commission on Radiological Protection (ICRP), are taken into account in developing the IAEA safety standards. Some safety standards are developed in cooperation

with other bodies in the United Nations system or other specialized agencies, including the Food and Agriculture Organization of the United Nations, the United Nations Environment Programme, the International Labour Organization, the OECD Nuclear Energy Agency, the Pan American Health Organization and the World Health Organization.

INTERPRETATION OF THE TEXT

Safety related terms are to be understood as defined in the IAEA Safety Glossary (<http://www-ns.iaea.org/standards/safety-glossary.htm>). Otherwise, words are used with the spellings and meanings assigned to them in the latest edition of The Concise Oxford Dictionary. For Safety Guides, the English version of the text is the authoritative version.

The background and context of each standard in the IAEA Safety Standards series and its objective, scope and structure are explained in Section 1, Introduction, of each publication.

Material for which there is no appropriate place in the body text (e.g., material that is subsidiary to or separate from the body text, is included in support of statements in the main text, or describes methods of calculation, procedures or limits and conditions) may be presented in appendices or annexes.

An appendix, if included, is considered to form an integral part of the safety standard. Material in an appendix has the same status as the main text, and the IAEA assumes authorship of it. Annexes and footnotes to the main text, if included, are used to provide practical examples or additional information or explanation. Annexes and footnotes are not integral parts of the main text. Annex material published by the IAEA is not necessarily issued under its authorship; material under other authorship may be presented in annexes to the safety standards. Extraneous material presented in annexes is excerpted and adapted as necessary to be generally useful.

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1. INTRODUCTION

BACKGROUND

1.1. Over the last decades, there has been a growing societal awareness of the necessity for transparency, openness and the participation of interested parties in safety related issues. 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 perception of the radiation risk associated with nuclear energy, radioactive waste and the use of ionizing 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. However, it should be kept in mind that the final decision on regulatory matters always lies with the regulatory body.

1.2. Communication and consultation are strategic instruments to support the regulatory body in discharging its regulatory functions. This enables the regulatory body to make informed decisions, and to develop the safety awareness amongst interested parties, thereby promoting safety culture. Establishing strong regular communication and consultation practices contributes to more effective communication **by the regulatory body** during a possible nuclear or radiological emergency.

Comment [JRJ1]: 2. USA NRC

Deleted: by the regulatory body

1.3. Safety fundamental principle 2 established in the Safety Fundamentals SF-1 [1] says in paragraph 3.10. that, amongst others, “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 Requirement 36 of the IAEA Standard Series No. GSR Part 1 on governmental, legal and regulatory framework for safety [2] “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 IAEA Safety Standards Series No. GSR Part 3 on radiation protection and safety of radiation sources [5], 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 Standard Series No. GSR Part 4 on safety assessment for facilities and activities [6]. A regulatory requirement on those responsible for performing the safety assessment is stated in paragraph 5.9. as “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. The IAEA Standard Series No. GSR Part 5 on predisposal management of radioactive waste [7] addresses also communication and consultation. Requirement 1: Legal and regulatory framework requires “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 under Requirement 3: Responsibilities of the regulatory body, “Encourage dialogue between and participate in dialogues with the operator and other interested parties”. The necessity to provide comprehensive and understandable information to interested parties for whom the documents are intended underpins Requirement 15: Documentation of the safety case and supporting safety assessment.

1.8. The IAEA Safety Standard Series No. GSR Part 6 on decommissioning of facilities [13] states in Requirement 5: “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. The IAEA Safety Standard Series No. SSR-5 [10] on disposal of radioactive waste requires 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”. The IAEA Safety Standard Series No. GSG-3 on the safety case and safety assessment for the predisposal management of radioactive waste [20] states in paragraph 1.2. that “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.” The IAEA Safety Standard Series No. SSG-23 on the safety case and safety assessment for the disposal of radioactive waste [21] also states in paragraph 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 now a mandatory component of various international conventions and treaties that detail the role of governments. This includes, but is not limited to, nuclear facilities. Development of a national policy for nuclear and radiation safety, such as the introduction of a nuclear power programme, is subject to strategic environmental assessment, and specific facilities and activities are 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 at the appropriate level. The regulatory body should develop and implement a strategy and a culture of transparency and openness, and to involve, when appropriate, interested parties in order to establish and maintain trust in its independence, competence, integrity and impartiality. Some supporting rationales include:

- Accountability: transparency and openness promote accountability which is a key contributor to safety culture as stated in Requirement 5: Management for protection and safety of GSR Part 3 [5]. Accountability enhances interested parties’ confidence in the regulatory

body, and increases the confidence of interested parties that their views are properly taken into account by the regulatory body;

- Credibility and legitimacy: transparent and open communication about regulatory decision making and opportunities for interested parties' involvement reinforces awareness of the role and responsibility of the regulatory body for protecting people and the environment from harmful effects of ionizing radiation. It also helps to inform interested parties how the regulatory body discharges its duties and seeks 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;

- Higher quality in regulatory function implementation: the active involvement of interested parties allows individuals or societal groups to participate in the regulatory decision making process and to influence or even challenge the regulatory body and the information used to fulfil its regulatory functions. The knowledge of interested parties – for example, local residents' knowledge of the local environment, diverse social factors, values and meanings – can inform how issues are framed. At the same time, this is an opportunity for interested parties to express their concerns and opinions, allowing the regulatory body to better understand and, therefore, better consider these concerns;

- Independence: implementing a high level of transparency and openness allows a regulatory body to effectively demonstrate its ability to make independent judgements and decisions, and its freedom from undue influences that might adversely affect safety.

1.12. Decision making mechanisms vary considerably from country to country, depending on culture, history, government philosophy as well as legal framework. For the establishment of processes for communication and consultation, there are factors, such as cultural prerequisites, international conventions, legal frameworks and institutional systems that should be taken into account.

1.13. There is no ideal or prototypical best practice on communication and consultation. Instead 'best practice' or rather 'good practice' might be nationally or even locally defined to a great extent, given that it fits within an overall legal and regulatory structure. Even taking this into account, all States should create and implement instruments that enhance transparency, openness and participation of interested parties.

OBJECTIVE AND SCOPE

1.14. This guide provides general guidance and recommendations for regulatory bodies concerning communication and consultation with the public and other interested parties about the possible radiation risks associated with facilities and activities, and about processes and decisions of the regulatory body. When necessary, guidance and recommendations specific to a facility or an activity may be provided in a complementary manner by other Safety Guides.

1.15. This guide should be used by authorized parties² in circumstances where there are

² GSR part 1, Requirement 4 – footnote 6: "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)."

regulatory requirements 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.

1.16. This document provides guidance neither on communication and consultation on emergency preparedness and responses, nor on security issues. These are covered in other IAEA publications [3, 19, 34, 35, 36, 37, 38, 39, 40, 41, 42]. However, it is noted that effective communication and consultation with the public and other interested parties generally involve knowledge in all three areas of safety, security and emergency preparedness and response. In implementing the recommended measures contained in this Safety Guide, consideration should be given to protecting the confidentiality of sensitive information, the disclosure of which could compromise nuclear security [41, 42]. The need for coordination between different organizations involved in the preparedness and response to an emergency, including the regulatory body, cannot be underestimated, [3].

Comment [JRJ2]: 3. USA NRC

Deleted: In order to have an effective public communication to an emergency, the need for coordination between different organizations involved in the preparedness and response of an emergency, including the regulatory body, should be acknowledged

STRUCTURE

1.17. This General Safety Guide consists of five sections and two appendices:

- Section 1 is an introduction, which presents the background, objective, scope and structure of the Safety Guide;
- Section 2 provides overarching recommendations which 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 addresses the need for having an effective leadership and describes provisions for developing and implementing a communications strategy;
- Section 5 provides guidance about methods for effective communication and consultation with interested parties;
- Appendix I and Appendix II present, respectively, examples of a communication strategy template and a communication plan template.

2. OVERARCHING RECOMMENDATIONS

2.1. This section addresses overarching recommendations which should be applied with the aim of establishing and implementing a strategy for communication and consultation with interested parties in line with the objective to increase transparency and openness.

INDEPENDENCE

2.2. Demonstration of its effective independence is a key factor for the regulatory body being recognized by interested parties as reliable and trustworthy. In any interaction with interested parties, the regulatory body should not be unduly influenced into taking any action which could compromise safety, or which would call its independence into question. In this respect, it should 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 nuclear or radiation uses. This should be a fundamental communication message to interested parties, including the regulatory body's own staff.

TRANSPARENCY AND OPENNESS

2.4. Transparency and openness should be concepts underlying the strategy of the regulatory body to communicate and consult 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 implement a high level of transparency and openness. This implementation should be based on proactive public communication and initiating dialogue, and on willingness to listen and respond to a broad variety of concerns, as well as genuine participation of the public in informing 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 the formal regulatory activity is launched, e.g., review and assessment relating to radioactive waste management facilities [20, 21]. Their early involvement brings the following benefits:

- It provides an early insight for potential conflict situations and a better chance to solve problems early;
- It can prevent or, at least, decrease the likelihood of not taking into account all possible relevant aspects which could later prove a significant deficiency. Early involvement provides perspectives that could make the entire process more effective;
- It makes it possible for interested parties to influence the process and to contribute their perspectives at a stage when they may be more easily incorporated.

2.7. The regulatory body should communicate the arrangements to inform and involve interested parties and make them readily available.

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, responsive, should respect the interested parties and be fair with them to develop confidence and credibility. Trust can be further enhanced by the public perception that the regulatory body fulfils these competences. It should be noted that trust, once gained, is easy to lose and that it needs to be earned on a continuous basis.

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

2.11. Consultation with interested parties should be an integral part of the regulatory

processes. Interested parties should be regarded as an asset that contributes knowledge to those processes. The role of interested parties and their interaction with the regulatory body should be to ensure the most informed decisions and best possible outcomes.

PROVISIONS

2.12. The regulatory body should take the necessary actions to implement the outcomes stated in the text accompanying Requirement 36 - Communication and consultation with interested parties - of GSR part 1 [2]: “4.67. 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 timely 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. A primary goal should be to listen to and understand the concerns, issues and questions and address them in a manner that is as responsible and understandable as possible;
- Consider 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 as appropriate.

2.15. The regulatory body should adapt its methods for communication and consultation to the objectives, the expected interested parties and in accordance with a graded approach³. These methods should be used in accordance with national circumstances, concerns and interests of interested parties.

2.16. As a general objective, the regulatory body should continuously improve communication and consultation taking into consideration other experiences at the national and international level, feedback from the interested parties, and evaluation of activities conducted to communicate and consult.

AVAILABILITY OF INFORMATION

2.17. Each interested party should have appropriate access to information concerning safety that is held by the regulatory body. The regulatory body should facilitate and encourage

³ GSR part 1, Requirement 36, paragraph 4.69: “Public information activities shall reflect the radiation risks associated with facilities and activities, in accordance with a graded approach”

public awareness and participation by making information widely available. It should be acknowledged that some sensitive information cannot be disclosed (e.g., with regards to nuclear security and proprietary information) but any restriction on information should be minimized 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 available to any interested party.

3. REGULATORY FRAMEWORK

3.1. The regulatory body should identify, whether in regulations, legislation or by other mechanisms, the means and provisions for effective communication and consultation with interested parties [2, 5]. These may include where appropriate:

- Mechanisms for involving interested parties in relevant decision making processes, including provisions to inform interested parties in a timely and effective manner (e.g., by public notice or individually) of:
 - The proposed action (e.g., issuing a licence);
 - The nature of possible decisions or the draft decision;
 - The procedure, including how this information can be provided;
 - Whether the activity is subject to a national or transboundary environmental impact assessment;
- Reasonable time frames for the different phases of the regulatory process, allowing sufficient time for informing interested parties and for them to prepare and participate effectively.

3.2. Requirements should be placed 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 [6]. Requirements should also be placed on authorized parties to make available to relevant interested parties, through their representatives where appropriate, decisions with regard to measures for protection and safety [5]. These requirements should be specified in the regulation 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 to communicate and consult with interested parties. 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 for ensuring effective coordination between them for the relevant regulatory activities should address communication and consultation aspects.

3.5. The regulatory body should make available safety related information [4], with exceptions allowed by national law. Provision for the disclosure of information within specific timescales should be established to avoid unnecessary delay. Reasons for non-disclosure may include:

- International relations, national defence or public security, including nuclear security [40, 41, 42];

-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 which has supplied the information requested without that party being under or capable of being put under a legal obligation to do so, and where that party does not consent to the release of the material.

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

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

4. IMPLEMENTATION BY REGULATORY BODY

4.1. This section addresses the provisions which should be developed and implemented by the regulatory body for a transparent and open approach when communicating and consulting with interested parties. The provisions include leadership, strategy and a management system for effective implementation. This section also addresses important elements that should be considered when developing any communication and consultation process and defines the boundaries of key interested parties generically.

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 including its overall aim to improve transparency and openness and contribute to increased public confidence in the regulatory body (cf. 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 to deal with 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. They should be part of a formal process that is based on specified policies, principles and associated criteria and that follows specified procedures and guidance.

4.6. The regulatory body should develop a process to respond to interested parties' comments in a systematic manner.

4.7. When several governmental authorities are concerned for safety or have authority that overlaps that of the regulatory body, constructive liaisons should be developed through relevant means (memoranda of understandings, periodic meetings, etc.) 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., facilitation of public meetings, conducting press conferences and in 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, facilitators, meeting moderators, or academic representatives). Such support could complement the regulatory body's human resources and competence 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 should 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 communication and consultation activity related records.

4.11. Procedures should be developed regarding: (a) types of information that should 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, use of easily understandable information, choice of languages in multilingual countries, etc).

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, sponsored by other organizations.

INTERESTED PARTIES

4.13. Different interested parties may have different needs or agendas. Therefore, it is important to identify 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 communicate and consult. Interested parties may vary from country to country depending on culture, history, government philosophy, legal and organizational factors. The following paragraphs briefly describe the role of typical interested parties.

Comment [JRJ3]: 1. JAPAN NRA – NUSCC

Deleted: Interested parties can be national or from other countries.

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~~.

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Comment [JRJ4]: 5. USA NRC

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Deleted: an increasing role. Members of the public may also contact the regulatory body directly (by mail, email, phone, social media, public meetings, etc.) to obtain answers to specific questions

4.15. People living in the vicinity of a facility or activity usually have different needs from those of the public living elsewhere. 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 media should be concise and in easily understandable language.

Local liaison groups (or committees)

4.17. An important role for societal trust is played by local communities. With local or national initiatives, local liaison groups (or committees) may be organized near facilities to inform and dialogue with the public as well as for education purposes. The regulatory body may use these local liaison groups to provide the local people with independent information in addition to the information provided by authorized parties as well as 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 antinuclear groups. Special interest groups can be a valuable resource for highlighting issues that may otherwise be neglected and for 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 coherent and efficient regulation of safety.

4.20. The regulatory body should ensure that provisions exist 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 on 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, radiation source users and medical societies) when necessary, including when drafting regulatory requirements [2, 5, 10]. The regulatory body should contribute to providing safety related information to professional bodies. This may include: new developments relating to safety regulation and lessons learned for protection and safety from regulatory experience and operating experience, from incidents and accidents, and the related findings.

Comment [JRJ5]: 1. WNA/ CORDEL

Moved (insertion) [1]

Deleted: , e.g., facility designers, radiation source users and medical societies

Moved up [1]: The regulatory body should engage in dialogue with professional bodies when necessary, including when drafting regulatory requirements [2, 5, 10].

4.23. Medical 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.

4.24. Academics, teachers and researchers in the relevant fields (nuclear, medical, etc.) and other third party experts who are not involved in the 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 which provide the regulatory body with 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 these organizations, including operating experience and regulatory experience.

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Comment [JRJ6]: 6. USA NRC

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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 they should be kept informed about the regulatory decisions and activities, and other relevant safety related information. They should be aware that their communication might affect the public perception of the regulatory body, particularly when using large audience channels (e.g., statements to journalists, letters to websites and social media).

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Comment [JRJ7]: 11. USA NRC

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COMMUNICATION AND CONSULTATION PROCESS

4.27. As shown in figure 3, 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 initiating any communication or consultation process, it is important to be clear about the role and functions of the regulatory body, its independence, and its strategy to interact with interested parties. The legal and regulatory requirements should also be identified for a communication and consultation process, including requirements applicable to

restriction of information disclosure.

4.29. During 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.

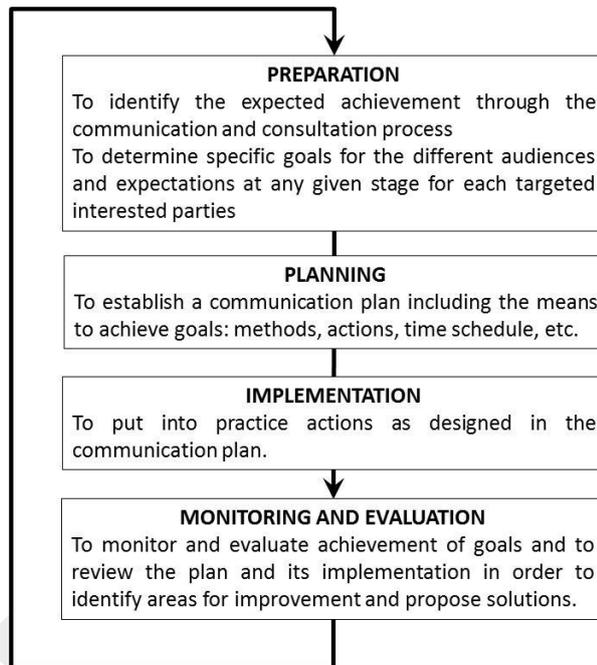


FIG. 3. Steps in the communication and consultation process.

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, 4, 5, 7, 10, 13]:

- 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 the evaluation of the organization and performances 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 about abnormal occurrences, incidents and accidents in facilities and activities, 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;

Comment [JRJ8]: 10. USA NRC

- 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;
- Communicate of such documents and opinions from interested parties to the regulatory body as may be considered necessary and appropriate;
- Cooperate and coordinate with other authorities and governmental organizations;
- Cooperate with other countries 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 paragraph 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 which types of interested parties may be involved in a particular issue, facility or activity. A variety of communications tools, methodologies, and subject matter expertise should be available 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 (cf. 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 implemented according to:

- The legal and regulatory requirements;
- The goals for information and involvement;
- The nature of the targeted interested parties, 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, list of interested parties to be reached, their concerns, expectations and perspectives, channels and tools to communicate and consult with them. Responsibilities and prioritizations should be also addressed. The communication plan should be sufficiently flexible to take account of changes.

Comment [JRJ9]: 11. USA NRC

4.37. It is important when developing a communication plan to identify groups that could be affected by or interested in the issue. These groups may have conflicting agendas, priorities, sensibilities, needs and expectations, all of which should be accounted for by the communication plan. Specific attention should be given to people residing in the vicinity of

the facilities or activities.

4.38. Several communication plans may be developed by the regulatory body for different purposes, e.g., for routine circumstances, specific complex projects (siting of a radioactive waste repository, remediation of legacy contaminated sites, etc.). The development of these different communication plans by the regulatory body should be effectively coordinated and approved 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 vary depending on their purpose. For some issues, simply providing information may be sufficient, whereas for a more complex and major issue (e.g., licence to construct a new nuclear installation, 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 and consultation to only requiring information. Some may be reluctant to participate fully in the consultation in order to preserve their independence and autonomy. The needs of interested parties should be considered when developing a communication plan.

4.41. A communication plan may combine different approaches and methods according to the purposes, issues, people and groups involved. The plan should account for cultural, organizational and other relevant factors in deciding how best to make information available to the most people possible. This should decrease the likelihood that people decide to not participate or to withdraw from the process.

Implementation

4.42. The senior management should be responsible to ensure implementation of the regulatory body's communication plan. Persons involved should understand the purposes of the plan, their own functions and responsibilities, and how various organizations will interact. Necessary training for the proper plan implementation should be carried out.

4.43. Activities implemented should be recorded. Regular reviews of the plan's progress should be carried out, identifying any difficulties with implementation and making any necessary adjustments.

4.44. The use of communication plans should be flexible as their content may evolve during the process. Events may necessitate amending a communication plan's schedule or key messages as the regulatory body's priorities change.

Monitoring and Evaluation

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

4.46. These reviews should consider the expectations and opinions of interested parties, including the staff of the regulatory body. The regulatory body should actively ask interested

parties for feedback. The expectations and opinions of interested parties may be collected in a variety of ways, including the regulatory body’s website, emailing campaigns, mass media monitoring, or more sophisticated tools, for example public surveys or satisfaction committees⁴.

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

4.48. Benchmarking against other experiences at the national and international levels should be considered, keeping in mind political, cultural and societal differences.

5. COMMUNICATION AND CONSULTATION METHODS

5.1. Depending on the issue, communication and consultation activities may require only the provision of information or may require 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 give their position and, in some instances, to collaborate with the regulatory body. The communication and consultation methods are outlined below.

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, review and assessment conclusions, including critical comments, findings of inspections, regulatory decisions, etc. The regulatory body should also inform the interested parties on its strategy plan, policies, procedures and management system.

5.3. The regulatory body should provide information on events which might affect safety. Specific tools should be used for promptly and consistently to communicate 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 (INES⁵).

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Comment [JR10]: 12. USA NRC

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⁴ A satisfaction committee consists of representatives of regulatory body staff, the public and other relevant interested parties, including media, NGOs and other administrations. During the meetings, committee members review the achievements for improving credibility, transparency and openness of the regulatory body and enhancing satisfaction levels.

⁵ 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 [29], “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 the INES. The INES is 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 [3].

INES should be used in accordance with the relevant IAEA publications [3, 30, 31, 39].

5.4. Whatever the information delivered by the regulatory body, it should be easily understandable, reliable, based on facts and evidences, 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 [7, 10]. 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 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 this consistency.

5.8. Information should be conveyed through a variety of communication channels which are either general or targeted to specific audiences. These channels can be uncontrolled (journalist interviews, television program, internet forums, etc.) or controlled (regulatory body website, brochures, etc.).

5.9. Information channels should be tailored to most easily reach their 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 of them 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 on the Internet, university courses, etc.) in order to provide, explain and discuss factual, independent and non-biased information on radiation risks associated with facilities and activities, and about its processes and decisions. This approach is recognized as an effective way to increase knowledge and understanding of interested parties on 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 media briefings should be organized where appropriate and provide opportunities to announce important information and/or explain complex issues that are subject to significant media or public interest. A press conference or technical media briefings should be announced in a timely manner and advance information may be provided to facilitate journalists' participation. When possible press conferences should be recorded and made available on the Internet.

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 websites as one of the key tools to communicate with the public and other interested parties. This facilitates dissemination of updated information and collection of concerns, questions and comments. The regulatory body should also consider using other Internet tools such as social networks

and forums bearing in mind the specific characteristics of these tools (e.g., user expectations regarding speediness and frequency in which content is published) and the resources needed.

5.14. Web-based tools used by the regulatory body (websites, social networks, on-line encyclopaedias, etc.) should be user-friendly, maintained up-to-date and used consistently. When using the web-based tools, it is important to 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 the interested parties will understand the need for such restrictions so long as these are used properly and not abused.

PARTICIPATION

General provisions for participation

5.16. Effective participation (dialogue, consultation, collaboration or a combination of them) of interested parties is essential to develop mutual understanding and clarify the issues in question. The regulatory body should strongly encourage effective participation when appropriate, including, when necessary, government representatives and local elected persons. The provisions for interested parties' participation 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 processes of participation may be beneficial and implementing such an approach should be considered. If, on the other hand, the decision making process is close to the final phase, the role of processes of participation should be more goal-oriented to support decision making by clarifying the remaining options.

5.18. The relationships between the participation process and the political, regulatory and other decision making aspects 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 and regulatory processes as much as about its technical and scientific contents. It is important to allow for enough time for participation.

5.20. It can be beneficial to the process development, both for practical work and research, to include international experts in related fields to obtain broader perspectives. The aim should be to systematically involve experience, views and comparisons with similar situations in other countries.

5.21. The possibility to form new initiatives and to take part in processes of participation may be dependent on resources of interested parties. Therefore, the regulatory body should consider the possibility of providing some support to enable them to contribute.

Dialogue

5.22. In some cases, to increase the effectiveness of communication, a dialogue between the regulatory body and interested parties should be established [7]. This means 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 give, express and discuss their positions and views to develop a mutual understanding. According to 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. This could include timing of meetings, venues, discussion management, facilitation of the debate, 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. They allow direct verbal communication between participants to share information, discuss mutually understood developments and obtain comments and opinions. To gain maximum benefits from a public meeting, it is important to thoroughly prepare it. The targeted interested parties should be informed in a timely manner regarding the scope, purpose, planning, venue and agenda of the meeting. It is also important to pay attention 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 related to licensing process [23] or the development and implementation of protection strategies for existing exposure situations [5], 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 Internet and meetings are two specific channels which seem particularly adapted to consultation. Whatever the channel used, 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 consultation objectives;
- Identification of targeted interested parties;
- Identification of applicable legal and regulatory requirements;
- Establishment of plans and time frames which should be sufficient for effective participation and should be adapted according to the needs of interested parties;
- Preparation of relevant documents to be published or otherwise made publicly available;
- Establishment of mechanisms and tools to consult with interested parties and for them to comment, directly or through representative consultative bodies;
- Public meetings, formal hearings and other appropriate means of consultation;
- Arrangements to review and assess the result of the consultation in order to consider them as far as possible;
- Provisions to consider the result in the decision making process.

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

Comment [JRJ11]: 13. USA NRC

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

5.31. Interested parties should have access to relevant information related to the consultation, free of charge at designated locations. Interested parties should have the possibility to comment freely, be given sufficient time and the right to know 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 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 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. Thus, involved interested parties become 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. Those mechanisms should encourage interaction among participants to develop a mutual understanding and to 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 but need to stay 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 to develop a potential draft solution prior to consideration by the wider collaborative process.

APPENDIX I: EXAMPLE OF COMMUNICATION STRATEGY TEMPLATE

“A communication strategy should be developed and implemented appropriate to the role and functions of the regulatory body including its overall aim to improve transparency and openness and contribute to increased public confidence in the regulatory body. This strategy should be integrated within the overall strategy of the regulatory body.” (4.3)

TITLE, Period of validity

Purpose and vision

The purpose of the strategy and the vision of the regulatory body should be described for the long term. The values of the organization may be also highlighted under this section. Transparency and openness should guide the strategy in order to increase interested parties confidence in the regulatory body.

Key messages

The top three or four key messages should be identified in order to 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 communications strategy will reach through the implementation of the strategy.

Communication strategy

It 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 forum and establishment of international relations with relevant organizations.

Evaluation

There is a need to outline how the regulatory body evaluates its communications and consultation process and how it will incorporate or adjust its strategy as required.

APPENDIX II: EXAMPLE OF COMMUNICATION PLAN TEMPLATE

“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.” (4.34)

TITLE and date

Key messages

A bulleted list of a limited number of main messages you would want 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 a duplicate of the regulatory body’s strategic goals.

Background

This is a brief history of the issue and why the 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

List of interested parties, including those within the regulatory body, who should be targeted by the communication and consultation tools listed later in the plan. This can list their concerns, expectations and perspectives.

Communication Team

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

The team leader and back-up should be identified. The team should typically consist of relevant experts who work on the issue and the relevant communication staff. Any person listed should be aware of it.

Communication channels and tools

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

They 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/fliers	Videos
Transcripts	Press conferences	forum, 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 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 learned.

Questions & Answers

A question and answer list should be developed to anticipate questions raised by interested parties. The answers should also be made available in written easily understandable form.

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USE OF TERMS

In this document, the following terms are used.

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 [27], 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.

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