

BNFL NATIONAL STAKEHOLDER DIALOGUE
Co-ordination Group

March 2004

Draft Report to Main Group

WORK IN PROGRESS

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Foreword

Aim of the BNFL National Dialogue

The BNFL National Dialogue involves a wide range of organisations and individuals interested in or concerned about nuclear issues. Its aim *is to inform BNFL's decision-making process about the improvement of their environmental performance in the context of their overall development.*

The Dialogue is open to national organisations and regional groups as well as expert and specialist concerns. If you believe you are affected by the issues, think you can contribute or wish to participate (or if you know of anyone else who should be involved) then please contact The Environment Council on 020 7632 0134 (criteria for Membership exist).

Guidance on Interpreting this Draft Report

The principal purpose of group reports is to inform the deliberations of the Main Group of stakeholders in the Dialogue and any related decisions or activities they might undertake. (It is important to note that this is therefore, an interim report to the Main Group of stakeholders in the Dialogue).

Participation (by organisation or individuals) in either the overall Dialogue or the working groups must not be taken as an indication of support or disagreement with the Dialogue itself, its outputs or BNFL's activities.

Any quotes from the reports used in talks, articles, consultation papers and/or other documents published on paper or electronically must be put within the context given within the relevant section of the working group's report. The Environment Council strongly advise those considering quoting from the reports to forward their proposed text for review to Rhuari Bennett (e-mail: rhuarib@envcouncil.org.uk)

The role of the convener

The convener of the Dialogue is The Environment Council, an independent UK charity. The Environment Council is responsible for designing and facilitating each stage in the Dialogue, and provides relevant support, like issuing invitations and booking venues.

The Environment Council is not responsible for any issue discussed in the Dialogue, and holds no formal position on any of the substantive issues that are or might be considered. It is for the participants to decide what issues are raised, how they might be addressed and how any observations, conclusions and recommendations might be recorded and communicated.

The website of The Environment Council, www.the-environment-council.org.uk displays a full history and evolution of the Dialogue, as well as all of the reports that have been produced from the process.

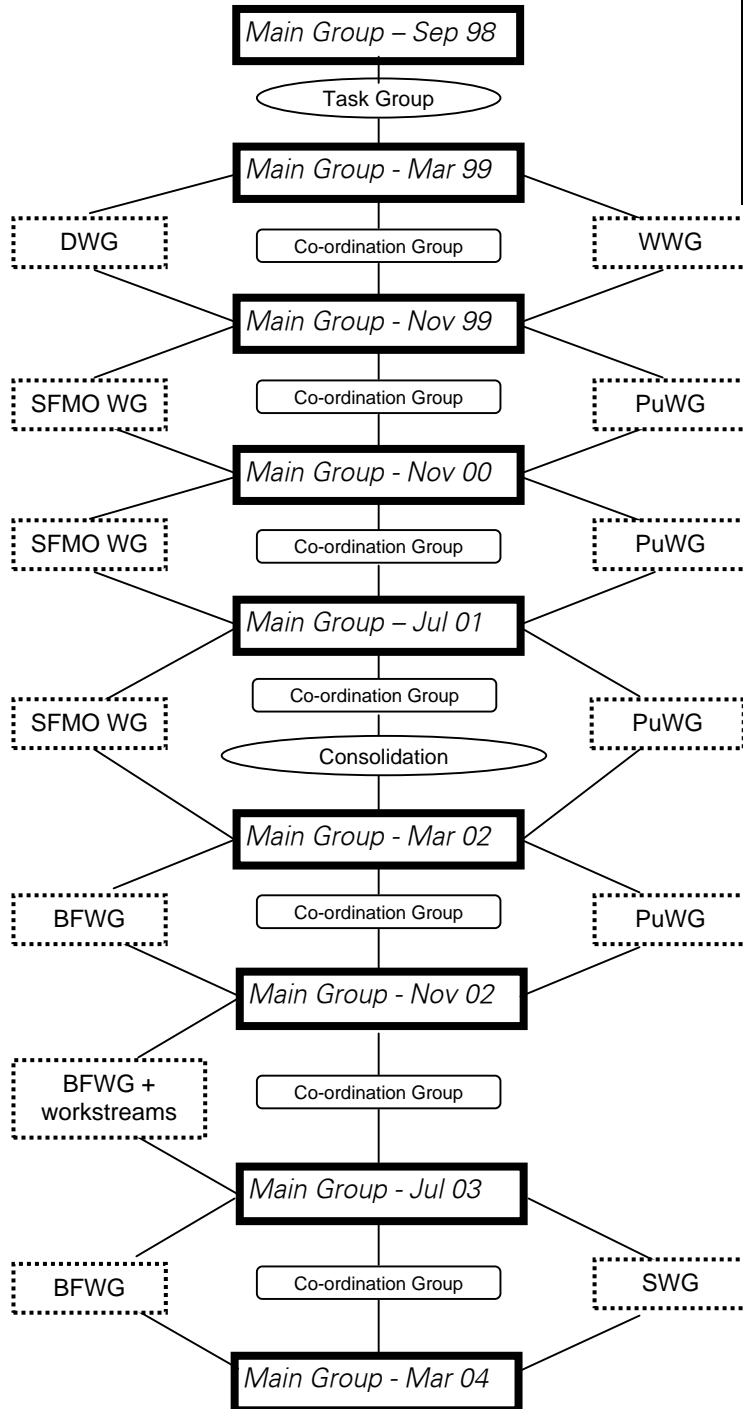
The Environment Council, Feb 2004.

History of the BNFL National Stakeholder Dialogue

The diagram below outlines the inception and evolution of the BNFL National Stakeholder Dialogue process. A more detailed history and explanation of each of the groups, together with the reports produced and lists of group members is available at www.the-environment-council.org.uk

Key:

WWG	Waste Working Group
DWG	Discharges Working Group
PuWG	Plutonium Working Group
SFMO WG	Spent Fuel Management Options Working Group
BFWG	Business Futures Working Group
SWG	Security Working Group



* **Consolidation:** this was a phase of work including:
Reconvening of:
Magnox Task Group
WWG & DWG
Transport Task Group
LLR Task Group
BFWG startup
Evidence gathering

Notes:

- The Coordination Group is responsible for providing guidance on linkages and continuity between groups, as well as identifying problems and "potential wobbles."
- "Socio-Economic" and "Transport" issues were discussed throughout the process

Contact Rhuari Bennett for more information on 020 7632 0134, rhuarib@envcouncil.org.uk

BNFL : NATIONAL STAKEHOLDER DIALOGUE
GROUND RULES
6th DRAFT
17th November 2000

SELECTION CRITERIA FOR WORKING GROUPS

One output from Main Group meetings of stakeholders in the BNFL National Stakeholder Dialogue will be the formation of Working Groups. These Working Groups will carry forward more detailed elements of the work and report back to the next Main Group meeting.

Experience of Working Group meetings demonstrates that around 15 members provides a cohesive, practical and effective group. If there are more volunteers than places, a number of criteria will inform the Co-ordinating Group's selection from the volunteers.

People participating in the Working Groups must:

- represent a particular constituency and/or have relevant experience or expertise relevant to the Working Group;
- have been inducted into the process and style of working;
- accept and conform to the ground rules, and participate in their review and development;
- develop, observe and work in a co-operative spirit in the Working Group, while respecting that profound differences of opinion may exist;
- be a competent and collaborative negotiator (rather than a positional/competitive bargainer);
- be available for the full series of Working Group meetings (which may be 1 to 1½ days every month or 6 weeks) and Main Group meetings;
- be willing to undertake work between meetings, signposting or providing papers and reviewing information within the timescales agreed within the Working Group (this may be up to 1 week's work per month).

In addition to the above, the overall group profile will also influence Co-ordinating Group's choice. Ideally, each working group will need to contain representatives from the following sectors

- communities;
- company;
- customers;
- environmental NGOs;
- other NGOs;
- government;
- regulators;
- workforce;

and will need to be balanced in terms of the necessary skills.

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1. Introduction

The Co-ordination Group exists to oversee the various aspects of the Dialogue to ensure its smooth running and to deal with issues which arise from time to time which have a bearing on the Dialogue. This report explains the activities of the Co-ordination Group since the last Main Group meeting in July 2003 and attempts to put the BNFL National Stakeholder Dialogue in perspective.

The membership of the Co-ordination Group is appended to this report in Appendix 2. The current members of the Co-ordination Group are content to continue in their role and suggest that it would be appropriate for them to do so to avoid disruption as the Dialogue enters its final stages. The Co-ordination Group proposes that there should be a vigorous and robust interaction between the Dialogue process, DTI/NDA and new BNFL, and a handover of Dialogue products.

Recommendation 1. The Co-ordination Group membership should remain as now until the completion of this Dialogue programme, but retain the ability to involve Main Group members for particular tasks.

2. Engagement processes

As highlighted in the Co-ordination Group report in July 2003, it remains an extremely busy and important time for the energy sector and for the nuclear industry in particular. The last few years has seen a rapid growth in consultation and engagement exercises. In addition to the many industry-led initiatives, other bodies have recently embarked on an ambitious and far-reaching programme of consultation which it is hoped will lead to a more consensual approach to the reshaping of the industry. For example:

- a) DTI Stakeholder framework – after two series of regional workshops a draft DTI Stakeholder Engagement Framework document has been published. The Business Futures Working Group and The Environment Council contributed to the development of this document, which is fully addressed in the BFWG report. The next round of DTI regional stakeholder fora is planned for April/May 2004.
- b) The Committee on Radioactive Waste Management (CoRWM) has been appointed. One of its first jobs is to get ministerial approval for its programme, and to develop a public and stakeholder engagement programme on long-term waste management options.
- c) The DTI Decommissioning Consultation document has been published. We are aware that the reconstituted Magnox Decommissioning Dialogue is providing a view of this document.

3. Dialogue completion and transition to future engagement – Way Forward

Comments from stakeholders were recorded from the Forward Planning Discussion Groups at the July 2003 Main Group Meeting and circulated to Main Group Members. They are included in Appendix 1.

3.1 Capturing Past Achievements and Evaluation

The Main Group mandated a steering group¹ to monitor the progress of the evaluation process being undertaken by CAG Consultants. Their report will be circulated and discussed as a separate agenda item.

The exercise has been designed to identify the learning points for (a) the remainder of the Dialogue and (b) future dialogues and engagement processes, so that they can benefit from the wealth of experience that resides in Main Group and Working Group stakeholders.

After the Main Group has had the opportunity to discuss the report and its findings, the Co-ordination Group will progress the delivery of the report as mandated. This evaluation will be used by the Co-ordination Group to ensure that the learning from the Dialogue provides a foundation for future stakeholder engagement as discussed in 4 below.

Recommendation 2. The Co-ordination Group should take account of the evaluation report in developing the arrangements for transferring experience gained during the Dialogue process.

3.2 Dialogue Closure

Progress Report on Working Group Recommendations

The Co-ordination Group notes that consolidation and reporting of the recommendations from previous groups is one of the Business Futures Working Group (BFWG) workstreams and will be reported. The Co-ordination Group propose that it may be appropriate for them to assume responsibility for the final consolidation of the recommendations. This will include the final recommendations of BFWG and the Security Working Group (SWG) which will be presented at the final Main Group Meeting in October 2004. Based on the Main Group comments, there will need to be a small number of meetings of the Co-ordination Group and the Working Groups to finalise the reports, incorporate the findings into the review of recommendations to inform future

¹ The Evaluation Steering Group comprises Helen Ashley (TEC), Fred Barker (Independent Nuclear Policy Analyst), Richard Evans (*ethics etc.*), Val Mainwood (BRARE), Grace McGlynn (BNFL)

engagement programmes. After consideration by the Main Group, the Co-ordination Group may also need to develop an overview of the dialogue process in its entirety.

Recommendation 3. The Co-ordination Group should take responsibility for the final consolidation of the Working Group recommendations.

Recommendation 4. The Co-ordination Group should develop an overview of the Dialogue process in its entirety.

Dialogue Programme

As agreed at the July 2003 Main Group, no further Working Groups have been established, and the Co-ordination Group anticipates that the dialogue process will conclude within the current timetable.

3.3. Communications Strategy

The strategy continues to be worked on by the Communications Sub-Group². Copies of the draft strategy that they are working to implement will be available at the Main Group meeting.

4. Using Experience to Go Forward

The Co-ordination Group will present, to the final Main Group, a document with recommendations for the transfer of experience gained during this dialogue to the relevant elements of the future stakeholder engagement structures in NDA and 'New BNFL'. This document will take account of the results of the evaluation report and the consolidated recommendations, together with the issues raised in the 'Way Forward' document (Appendix 1).

Recommendation 5. The Co-ordination Group should develop a document with recommendations for the transfer of experience gained during this Dialogue.

² The Communications Sub-Group comprises Helen Ashley and Rhuari Bennett (The Environment Council), Rupert Wilcox-Baker (BNFL) and Pete Wilkinson (WECL)

5. Links to the Magnox Decommissioning Dialogue

The Magnox Decommissioning Dialogue has been reconstituted and is undertaking Strategic Action Planning (SAP) to examine the consequences of various decommissioning scenarios. Although the timescales of the two Dialogues are not aligned, informal links are enabled by common membership. The outputs of the two Dialogues will form common strands to inform 'New BNFL' and NDA.

6. Representation

Membership of the Main Group still remains open, subject to the usual groundrules. The Co-ordination Group encourages ongoing efforts by Working Groups to develop mechanisms to engage as wide a stakeholder representation as possible. However, it would be difficult for the Working Groups to assimilate new members at this late stage in their programmes.

The Environment Council is developing more extensive arrangements for stakeholder support, and its current thinking is given for Main Group information at Appendix 3.

7. Security Working Group (SWG)

SWG has identified the attributes of an ideal security system for a high hazard industry and is in the process of undertaking a 'gap' analysis of these optimum attributes against those which currently apply to the UK nuclear sector. This work will be detailed in the SWG Draft Interim Report to this Main Group Meeting.

Recommendation 6. The Main Group is asked to support the continued SWG work programme.

8. Business Futures Working Group (BFWG)

BFWG has continued its work in line with the programme given to the last Main Group Meeting. It has attempted to meet the objective of sharing experience and advice with DTI/LMU, with mixed results. Interaction with DTI, both LMU and NDA Team, will be crucial during the forthcoming transition.

There have been improved formalised links between BNFL and Plutonium Working Group participants who are now BFWG members. Following the

appointment of the new BNFL Chief Executive, the Co-ordination Group welcomes the greater interaction between the Company and the existing Working Groups.

Recommendation 7. The Main Group is asked to support the continued BFWG work programme.

9. Previous Actions Required of the Co-ordination Group by the July 2003 Main Group.

All actions placed on the Co-ordination Group by the July 2003 Main Group have been addressed, as seen below.

Action	Who	When
Check record for process actions → carry forward	TEC/Co-ord Grp	23 Sept 2003 - complete
Way forward suggestions to be taken on board by Co-ord Gp, BFWG + SSWG in their work	BFWG, SSWG + CG	Future meetings → Main Gp See Section 3 and Appendix 1
CG will amend written report as appropriate	CG	End July 2003 Complete

Recommendations from all the Main Group meetings will be reviewed by the Co-ordination Group to ensure that any outstanding actions are identified at the next Main Group meeting, together with recommendations for follow-up.

Recommendation 8. The Co-ordination Group should review all previous Main Group actions.

Appendix 1 - Main Group: Key Points for Co-ordination Group from Forward Planning Discussion Groups

The key questions dealt with by the Discussion Groups were:

- 1) Looking ahead to the completion of the programmed dialogue, what do we need in place by the end which we don't have now? and
- 2) *Looking beyond completion, what principles should inform future decisions about continuing stakeholder engagement for BNFL?*

Before the end of the current dialogue programme we need to have done the following:

Capturing Past Achievements

Identify some output/key things that have been achieved from the whole process.

Collate an overall executive summary of all the work so that the key points of all the reports are in one place, with the CAG evaluation as a potential chapter, and a 'closing statement' which makes recommendations on the value of the process and a way forward. This should be produced in a form that is accessible to the lay reader.

Produce a guide on how to engage in dialogue, when to engage and in what form: what has been learned from the dialogue and how could it potentially be applied in future?

Identify if corporate strategy has taken on board issues raised by the dialogue process.

Detailed learning points raised at the Main Group included:

- Overview of the dialogue (possibly done by BFWG if time).
- Executive summary / commentary capturing the story and endpoint.
- Review original remit.
- Engage with NDA to ensure output is of value to them.
- Ensure the right people are spoken to at the right time (LMU and Legislation teams due to disappear).
- Extend stakeholder dialogue to supply chain as stakeholders.
- Don't repeat / duplicate the dialogue, pick up the learning points and move on.
- The process needs to capture all outcomes with a split between new BNFL and NDA so that products and learning are passed on.
- Top ten learning points and findings from the working groups to be identified.

- Assess why some recommendations haven't been acted on, why some recommendations may not now be relevant, and what happens in the future.
- Final evaluation / perspective on 'how was it for you'.
- Firmer ideas on how best to engage with different stakeholders on different things.
- Clear focus on 'orphan' issues as they may not be for new BNFL.
- Apply the learning from the strengths and weaknesses of this process.

Dialogue Closure

The Main Group raised the following points on matters which need to be completed to achieve satisfactory closure of the current dialogue programme.

- Progress on all Working Group recommendations should be identified, evaluated and collated by BFWG and presented to the Main Group, with
 - clear 'tick in boxes' against previous recommendations to give an agreed viewpoint;
 - a simple method of assessing progress on recommendations from previous working groups.
- Do not start any more working groups, with existing working groups producing their final reports within current timetable (November 04).
- Any slippage in timetable should observe absolute final date of April 05.
- Ensure NDA receives the stakeholder output and takes account of stakeholder views at Board level
- Clear channel on where on where all the dialogue recommendations are to go to especially the final reports of BFWG and SSWG.
- Check on overall objective of the dialogue, especially considering recent SoS statement {Strategic Review?}.
- Don't lose experience gained in this dialogue.

Publicise Dialogue Output and Process

There seemed to be general agreement at the Main Group that the dialogue process should be publicised through various media with particular reference to:

- giving the dialogue the credit/recognition that it deserves;
- distributing the final documentation to all relevant stakeholders and government departments;
- the formation of a group able to make use of an agreed presentations at conferences etc.

Using Experience to Go Forward

Unresolved Issues

After following up on recommendations and completing the existing programme there will inevitably be a number of loose ends and unresolved issues. The Coordination Group should try to ensure that the best possible link is achieved to the next stage of the engagement process.

Stakeholder identification

Stakeholder roles will clearly change when the NDA becomes operational. There is therefore a need for:

- Defining how wide the category of stakeholders should be, which depends on the issues. The categories will need to be sufficiently wide to include anyone with interest in dialogue.
- Defining, mapping and reviewing the needs of each group.
- Prepare a statement of intent to engage with all stakeholders.
- Amend list of stakeholders accordingly.
- Ensure continuity where possible, and
- Obtain a declaration of their commitment from organisations wishing to be involved.

The following additional points were made:

- BNFL will become a stakeholder in the NDA dialogue.
- Hierarchical mapping would help identify gaps in engagement.

Representation

There are a number of different criteria which will influence the breadth of stakeholder representation. One of these is the method by which the form of engagement is determined. E.g.

- by stakeholder e.g. customers;
- by geography – site/national;
- by business e.g. Westinghouse.

There is a general concern that the stakeholder representation of any future programme addresses the stakeholder identification issues mentioned above, and provides sufficient diversity of representation. The following remarks were made by the Main Group in this area:

Make sure that the makeup of the dialogue is accurately reflected

- Change representation increase green groups.
- Ensure those who are in stay in and are able to communicate to others.

- Do the independents involved represent green views as they are not accountable to organisations?
- Steps have to be taken to try to involve green groups who have taken a policy decision to leave the dialogue.
- Green group meetings for communication to / from the dialogue no longer happen.
- The issues of green making the decision not to be involved or not being able to afford the time must be considered in methods of future engagement.
- Only through demonstrating this will the process achieve credibility.
- Local mechanisms need to be able to enable consultation and dialogue as well as communication.
- Who should / shouldn't be represented.
- Need to ensure good representation to allow the convenor to set up processes.
- Should the representatives reflect the make up of the local community.
- Continuing lack of green representation.
- Sea change in the quality of engagement in the dialogue.
- To re-engage some green groups there would need to be some formal commitments to some issues.
- Need to have an intensification of participation.

Resourcing

Whatever stakeholder engagement framework, including representation, is appropriate from the considerations given above, the key factor in ensuring the success of any future dialogue will be the ability to resource the stakeholder involvement.

The Main Group raised the following points related to this issue:

- We need a resourced plan to do these things.
- Should be an allowable cost of running site by licensee.
- Capacity building is necessary.
 - Contractual requirement to build on mechanisms for communicating with stakeholders.
 - Support for resourcing participation.
- Need to consider demands on sectors to participate and resources they have available?
- Resource constraints exist at local and national level.
- Need to ensure inclusivity/representation of different stakeholder groups at national and local levels.
- Need to clarify who funds this engagement.
- Time commitment to stakeholder dialogue is impossible for some stakeholder groups so maybe we could:
 - pay people for their time;

- reduce length of reports needed to be read before meetings.
- Need to ensure sufficient funding for independents to run processes.

Ownership

Although BNFL will wish to continue stakeholder engagement in some form when the NDA is operational, it will no longer be the primary problem holder for many of the issues dealt with in the current dialogue. The DTI White Paper commits the NDA to establishing an open and transparent framework of stakeholder engagement which may lead them to become a replacement sponsor for a national dialogue process. If this is the case, then:

- many issues will be NDA owned;
- there will be a need for an indication of willingness for NDA to become the sponsor on these issues;
- there needs to be continuity and integration between the current and future processes.

Transition and Future Programmes

The experience gained from the existing BNFL dialogue must form the basis of future engagement processes in whatever form they take. As we move towards the closure of the current dialogue process, the need for on-going engagement with stakeholders has been identified by the company. In addition, engagement across a range of related issues, from hazard reduction indices to site remediation programmes and long-term management options involving the Committee on Radioactive Waste Management, the Nuclear Decommissioning Authority as well as other agencies involved in nuclear clean-up, is a future imperative.

Main Group stakeholders identified an impressive list of issues which they felt should inform and assist future engagement processes with BNFL and others. These are broken down below into three categories which can be loosely characterised as:

- learned attributes from past programmes;
- what is required today to prepare the establishment of new programmes and
- setting up future programmes.

Attributes of a Successful Programme

- Build on existing experience of the dialogue
- Need facilitation – independent convenor
- Engagement should be early and sustained
- Engagement as a partnership
- Mechanisms for communication
- Any engagement process should be integrated
- Effective outreach and integrated policy
- Capacity of dialogue is limiting factor to what it can cover
- Prioritisation up front to ensure more issues covered
- Scope out expectations of engagement and inform stakeholders of them
- Needs support and encouragement
- Allow space to consider what stakeholders have to say i.e. the time for dialogue whilst recognising you need to have timeframes
- Competence/independent facilitation
- Mutual respect between convenor and stakeholders including other groundrules
- List of 20 sites to inform BFWG's work
- Events such as MG meetings should continue due to the benefit gained from social interactions
- SoS statement has raised concerns about impact on the dialogue – BFWG to consider this

Setting Up the New Programme

- Representative body from this dialogue needs to have exploratory discussion
- Look at whether openness and transparency principles will translate
- TEC will want to write this dialogue up as a case study
- A severed stakeholder engagement would not be wise for BNFL
- Map out how dialogue will continue throughout the country
- A UK dialogue communications strategy
- Needs some restatement to hand over to NDA
- Early and wide discussions on issues you want to engage stakeholders on/policy developments – even the engagement strategy itself
- Ground rule development/amendment for the situation
- Some level of continuous engagement (not necessarily dialogue) e.g. some examples – annual conference – linking to CSR report – a forum to address other projects as they emerge
- Measures needed – developed in terms of what to monitor/evidence of performance
- Reporting on these measures

- Maintaining the skills and competence across the dialogue processes not losing the 5 years of experience - Achieved through some level of continuous engagement
- Closeout and 'package up' all actions raised by previous working groups to be carried forward elsewhere
- Any new engagement structures should begin as soon as possible to ensure continuity
- Consideration of a bridge between the dialogue and what happens next
- Compatibility between NDA and new BNFL engagement processes should be complementary and avoid duplication
- Information and resources (baseline data for Sellafield) needs to build up a picture of what different plants (facilities/sites) do e.g. transfers between them and Sellafield (Is this the dialogues role or is this available on BNFL's website?)
- BNFL and NDA will be 'stakeholders' of each other
- Would possibly need to combine / establish roles of national and local engagements
- Involve independents to run local liaison committees to stop exclusion of local stakeholder groups e.g. as at Sellafield
- Models work in some areas and not in others
- Could the NDA act as convenor and provide enough objectivity
- Uncertainties beyond 2004 are affecting confidence
- DTI document asks for barriers to engagement to be identified
- Use existing models that are around

Future Programme

- Principles of engagement common to both
- NDA buy-in to a clarified engagement structure
- National nuclear stakeholder engagement needs to be joined up
- New BNFL and UKAEA should fit stakeholder engagement with NDA structure for engagement to avoid duplications and overlaps of activities
- One suggestion of topic for discussion 'is there a nuclear future – under what conditions if any? Relation to energy policy future? Note significant difficulties in engaging in such a conversation
- Agencies and organisations willing to take the dialogue forward
- Review of progress in 5 years time
- Agree how local and national levels of dialogue would be organised and interact
- Make more resource – efficient, don't lose the momentum we have
- Could try a completely different process such as news letters and specific meetings
- Process should involve financial support for stakeholders and 'ambient' support as well as social responsibility

- The process should use the right tool for the right job
- Seek consensus where appropriate
- Possible distinction between:
 - Standard engagement
 - One off engagement as a response to certain issues
 - Builds on current experience from:
 - Nirex
 - Environment agencies
 - European
 - USA
- Balance between openness and confidentiality
- NDA has to engage at national and local level
- New BNFL will have to engage at local level of operating sites

And lastly, a provocative idea for consideration:

Final document sworn to by stakeholders re governance of nuclear facilities and care of waste to inform present and future BNFL activities – a reference document

Similar to universal declaration of human rights – could represent a significant workstream – a declaration sub-group?

Appendix 2 - Membership of the Coordination Group (at March 2004)

Fred Barker	Independent Nuclear Analyst
Grace McGlynn	BNFL
Gregg Butler	University of Manchester
Helen Ashley	The Environment Council
John Hetherington	Cumbria County Council
John Kane	BNFL
Pete Wilkinson	Wilkinson Environmental Consulting
Peter Kane	GMB
Peter Addison	NII
Rupert Wilcox-Baker	BNFL
Richard Griffin	DTI

Additionally, David Bonser (BNFL) and Suzannah Lansdell (The Environment Council) occasionally attend Coordination Group meetings.

Appendix 3 - Representation – Stakeholder Support

The Environment Council has previously set up the stakeholder support fund to which stakeholders on working groups of the BNFL national and the Magnox Decommissioning Dialogues can apply for financial assistance. This fund was set up in recognition of the fact that being a member of these working groups can not only be very time consuming but that it can also cost some stakeholders financially. By enabling more stakeholders to participate in the working groups the aim of the fund is to ensure all constituency groups are able to participate. The fund's criteria state that financial assistance can only be applied for working group meetings, not Main Group meetings or subgroup meetings.

In addition to the stakeholder support fund, The Environment Council is currently considering making payment available to stakeholders on the BNFL National Dialogue for participating in subgroup meetings and drafting work. This is to ensure that, if appropriate, all constituencies are represented on these groups. This is because The Environment Council has recognised that the BNFL National Dialogue has developed so that subgroup working has become a more common way of achieving the workload of the working groups. Likewise, drafting of the reports and interim pieces of work has become a more onerous and skilled task as the Dialogue has progressed. Funds would come out of the project budget which The Environment Council manages with the aim of ensuring the most effective Dialogue possible.

Further information will be available at the Main Group.