

Stakeholder Involvement in Radioactive Waste Management in the UK

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Background and Introduction

The UK Prime Minister's Strategy Unit has produced a Strategy Survival Guide in which it states that 'drawing together a clear plan for stakeholder engagement is crucial to the success of the project. It will help ensure buy-in to the strategy, and will also help secure commitment to implementation'¹. It would seem that we have now got to the stage of accepting the need for Public and Stakeholder Engagement (PSE) as a given; the only questions are about the details of how best to do it. It is easy to forget that openness and transparency policies, of which PSE is an important component, are relatively new to the UK public agenda in general and represent a major change in direction for matters nuclear.

This paper briefly traces the background to the adoption of a new policy of openness and transparency in relation to radioactive waste management in the UK before going on to describe how this policy was put into effect by the Committee on Radioactive Waste Management (CoRWM)² in the process of drawing up its recommendations for the long term management of higher activity wastes³. Government is in the early stages of implementing CoRWM's recommendations and the paper comments on the future role of stakeholder engagement in this process.

The paper concludes with some observations on the work on stakeholder engagement undertaken under the auspices of the International Radiation Protection Association.

What Happens When You Don't Engage?

The history of radioactive waste management in the UK was reviewed by the House of Lords in 1999⁴. The Nuclear Industry Radioactive Waste Executive (Nirex) was set up in 1982 to construct and operate waste disposal facilities. In 1989, Nirex announced that it intended to explore the potential of Dounreay and Sellafield – both existing nuclear sites – as sites for a repository. The Government confirmed its preference for disposal in a deep repository in its White Paper on sustainability published in 1990⁵. In 1991, Nirex decided to focus its attention on Sellafield and in 1992 it announced its proposed timetable for developing a repository. The first step was to be the construction of a Rock Characterisation Facility (RCF). Nirex intended to submit a planning application for its construction in 1993, followed by a planning application for the repository in 1998 with the aim of having a facility operational by 2007. There was an almost immediate slippage in these dates; the planning application for the RCF was submitted in 1994 and the operational date put forward to 2010.

A lengthy Public Inquiry into the RCF planning application was held in 1995-96. During this period, the Government re-stated its commitment to disposal⁶. However, in 1997, progress with the

¹ Available at <http://interactive.cabinetoffice.gov.uk/strategy>.

² Lynda Warren has been a member of CoRWM since its inception in 2003. This paper, however, is based on personal views and knowledge and should not be regarded as presenting CoRWM's position.

³ Published as *Management Radioactive Waste Safely. CoRWM's Recommendations to Government*. CoRWM Document 700, July 2006.

⁴ House of Lords Select Committee on Science and Technology *Management of Nuclear Waste* Session 1998-99, 3rd Report, HL Paper 41, paragraph 2.27.

⁵ *This Common Inheritance* Cm 1200.

⁶ *Review of Radioactive Waste Management Policy*, Cm 2919, paragraph 177.

implementation of Government policy was brought to a sudden end by the Secretary of State's decision to accept the Public Inquiry Inspector's recommendation to refuse planning permission.

The substantive reasons for refusal included the Inspector's conclusion that the application had been made too soon and that further work should have been undertaken before selecting Sellafield as the site for investigation. In particular, more information was needed on the underlying geology and hydrogeology before disturbing these by excavation, and a stronger case needed to be put forward for choosing Sellafield in the first place because it was not clear that it was the best location. However, as their Lordships noted, there were underlying concerns over the process which led to the selection of Sellafield. The process was not transparent and had not been conducted in an open manner. Although Nirex did have offices at Sellafield, most decisions were made at the Head Office in the south of England and this perceived remoteness alienated many in the local community. It appears that Nirex seriously misjudged their relationship with the local people in general and the Local Planning Authority in particular. If Cumbria County Council had, as Nirex had expected, given planning permission for the RCF, it is highly likely that the work would have been able to proceed without Government intervention. It was only because Nirex had to appeal against the County Council's refusal that there was a Public Inquiry.

In retrospect, it is easy to draw conclusions on what Nirex did wrong. Greater public interest in environmental issues was reflected in the Government's strong focus on taking forward the sustainable development agenda. Public engagement was a key tool for achieving sustainable development and there were already the beginnings of an opening up of the decision-making process. Furthermore, the planning system had always allowed for decisions to be made by a democratically elected body with knowledge of local issues. Not surprising then that the local authority took offence to what looked like a classic decide-announce-defend approach to site selection, especially when this was dressed up as a decision-making process that had engaged local interests. The House of Lords concluded that there

'has been an over reliance on the nuclear industry to establish or change public views, to formulate its preferred policy and to gain public acceptance of it. Past approaches, which could be characterised as "decide, announce, defend", have not worked. Local planning inquiries have become the focus of major public debate on the nation's policy for nuclear waste disposal, a role for which they are singularly ill suited. A national policy must be established with which the public is broadly content'⁷.

These conclusions echoed those made by the Radioactive Waste Management Advisory Committee (RWMAC)⁸ in whose view

'the failure to make progress was attributable, to a large extent, to public perception about the lack of transparency and openness in Nirex's programme, particularly in relation to site selection. Concerns about secrecy surrounding the siting decisions taken in 1989 led to lack of reassurance of scientific objectivity; polarisation of views from concerned parties; intense (in some cases biased) media coverage; and loss of confidence by the local community which may, in turn, have contributed to Cumbria County Council's initial refusal of planning permission for the RCF, without which the inquiry would not have taken place. This did real damage even though the quality of much of Nirex's science and its peer review and publication practices won praise from the inquiry inspector ...'⁹.

⁷ *Op. cit.* note 4 at paragraph 5.43.

⁸ RWMAC was an independent advisory body set up in 1978 in response to the Royal Commission on Environmental Pollution's 6th Report *Nuclear Power and the Environment* (Cm 6618), published in 1976. Lynda Warren was a member of RWMAC from 1994 until it was put into abeyance and subsequently disbanded following the establishment of CoRWM.

⁹ *The Radioactive Waste Management Advisory Committee's Initial Recommendations on the Long Term Management of Intermediate Level Radioactive Waste following Rejection of the UK Nirex Rock Characterisation Facility Planning Application: "Rethinking Disposal"*, January 1998, page 3.

Their Lordships recommended¹⁰ that public acceptance could only be achieved with wide ranging consultation, preferably through the issue of a consultation paper (Green Paper) which would then lead to a proposed policy (White Paper). It would then be up to a new organisation to implement the policy. Although RWMAC¹¹ was in broad agreement with the House of Lords' recommendations, it was concerned that the proposed consultation might amount to nothing more than a set piece for vested interest groups to express pre-cast views. Instead it proposed an approach based on an initial phase of work to establish wider public views so that these could be incorporated in the consultation paper. It went on to advise¹² Government that both public and stakeholder groups should be involved in the process of policy formulation. This, in effect, is what Government decided to do in its Managing Radioactive Waste Safely Programme.

“Managing Radioactive Waste Safely”

In 2001 the Government issued its Consultation Document *Managing Radioactive Waste Safely* (MRWS)¹³ as the first stage of its new programme for radioactive waste management. The Consultation Document took note of the advice of the House of Lords and RWMAC and makes clear reference to the need to involve public and stakeholders. The consultation closed in March 2002 and led to the establishment of CoRWM¹⁴ as an independent body to oversee Stage 2 of the programme, the review of waste management options. The review was to ‘seek the views of interested stakeholders, the public and government departments’. Government’s announcement of its response to CoRWM’s recommendations¹⁵ marked the end of Stage 2. Stage 3 was a consultation on the Government’s framework for implementing CoRWM’s recommendations¹⁶. Government has reported on this consultation¹⁷ and intends to begin Stage 4, implementation, later in 2008.

Committee on Radioactive Waste Management

CoRWM’s original Terms of Reference were ‘to oversee a review of options for managing solid radioactive waste in the UK and to recommend the option, or combination of options, that can provide a long-term solution, providing protection for people and the environment’¹⁸. CoRWM was required to

‘ensure that this review of options [was] carried out in an open, transparent and inclusive manner. The process of review [was required to] engage members of the UK public, and provide them with the opportunity to express their views. Other key stakeholder groups with interests in radioactive waste management [were] also [to] be provided with opportunity to participate. The objective of CoRWM’s programme [was] to arrive at recommendations which [could] inspire public confidence and are practicable in securing the long-term safety of the UK’s radioactive waste. It [had] therefore [to] listen to what people [had to] say during the course of its work, and address the concerns that they [raised]’¹⁹.

¹⁰ *Op. cit.* note 4 at paragraph 8.11.

¹¹ *The Radioactive Waste Management Advisory Committee’s Response to the House of Lords Select Committee on Science and Technology Report on the Management of Nuclear Waste*, May 1999, page 4.

¹² *The Radioactive Waste Management Advisory Committee’s Advice to Ministers on the Process for Formulation of Future Policy for the Long Term Management of UK Solid Radioactive Waste* September 2001

¹³ *Managing Radioactive Waste Safely. Proposals for Developing a Policy for Managing Solid Radioactive Waste in the UK*, September 2001.

¹⁴ Announced to Parliament in a statement from the Secretary of State for the Environment, July 2002.

¹⁵ *Response to the Report and Recommendations from the Committee on Radioactive Waste Management (CoRWM)*, UK Government and the Devolved Administrations, October 2006.

¹⁶ *Managing Radioactive Waste Safely. A Framework for Implementing Geological Disposal*, a public consultation by Defra etc., June 2007.

¹⁷ *Summary and Analysis of Responses to the Consultation on Managing Radioactive Waste Safely: A Framework for Implementing Geological Disposal*, January 2008 and Ministerial Statement by the Secretary of State for Environment, Food and Rural Affairs, 10 January 2008.

¹⁸ *Op. cit.*, note 3, Annex 1 *Terms of Reference*, paragraph 1.

¹⁹ *Ibid*, paragraph 2.

The Terms of Reference went on to state that CoRWM ‘must inspire public confidence in the way in which it works, in order to secure such confidence in its eventual recommendations’²⁰. Its work was to be characterised by:

- a transparency policy;
- an active programme of public and relevant stakeholder group debate, using innovative and appropriate techniques to ensure public involvement and support;
- encouraging people to ask questions;
- public meetings and other consultative processes;
- holding a significant number of its meetings in public;
- clear communications;
- making information accessible to as many people as possible;
- providing opportunities for people to challenge information.

CoRWM recognised that an effective PSE programme was critical to the success of its work²¹. It spent most of its first year considering different techniques for engagement before embarking on a phased programme of events designed to involve a range of stakeholders and the public. It decided that a participative, inclusive, deliberative approach was needed; one that went beyond consultation. CoRWM sought to encourage debate and enable the public and stakeholders to participate in key stages of CoRWM’s assessment and decision-making.

The PSE programme was designed to engage different categories of public and stakeholders at both national and local levels. Stakeholder categories included:

- those with a technical knowledge of radioactive waste, such as regulators and industry;
- those with no detailed knowledge but a remit to uphold the well-being of society such as local councillors;
- those with no public appointment but with an interest in the issue, such as
 - those living in the vicinity of a nuclear facility, or
 - members of environmental pressure groups
- members of the public.

Table 1 provides an overview of the PSE activities that CoRWM employed. CoRWM’s Terms of Reference made a distinction between the public and stakeholders and CoRWM’s PSE programme treated them as separate categories. There is a strong argument to suggest that everyone – public included – is a stakeholder; the only distinction is on the level and nature of the interest held. CoRWM decided, however, that there is a real difference between those people and organisations that have a particular knowledge of the nuclear industry and those who do not. Many of the PSE activities were focused on the first group, the so-called stakeholders, partly because it was considered essential to understand the views of those with knowledge and experience of the nuclear industry but also because of the difficulty of engaging with the wider public. However, CoRWM had been charged with engaging

²⁰ *Ibid*, paragraph 20.

²¹ Fuller details of CoRWM’s PSE programme can be found in *Management Radioactive Waste Safely. CoRWM’s Recommendations to Government Chapter 7 Involvement of Citizens and Stakeholders, op. cit.* note 3.

Table 1 CoRWM's PSE Activities²²

Activity	Participants	Main Aims
Discussion Groups	Eight groups of 8 recruited citizens at different locations across the UK.	To elicit basic views and concerns about radioactive waste management (PSE1).
Citizens' Panels	Four panels of 12-16 citizens met three times. The panels covered Scotland, Wales, North and South England. Citizens were recruited to ensure a mix of gender, age and social class, but to avoid people who work for the nuclear industry or belong to an anti-nuclear group.	To participate in shortlisting, options assessment and review of draft recommendations (PSE2, 3 and 4).
Discussion Guide	568 self-selecting groups from across the UK, including community groups, environmental groups, older people and schools.	To discuss issues relevant to the assessment of shortlisted options and provide feedback (PSE3).
Schools Project	1305 students (aged 11-18) from 15 schools in Bedfordshire.	To identify and discuss the issues considered important to the assessment of options and provide feedback (PSE3).
National Stakeholder Forum	20-25 participants from national bodies, including Government Departments, Non-Departmental Public Bodies, the nuclear industry, the regulators, local government and campaigning groups. The NSF met four times.	To participate in shortlisting, options assessment and review of draft recommendations (PSE1, 2, 3 and 4).
Nuclear Site Stakeholder Round Tables	Meetings in eight locations for stakeholders from local organisations around a total of 14 nuclear sites (covering civil and military, public and private sector and different types of facilities). The RTs met three times, with a fourth round of events for nominees from each area.	To participate in shortlisting, options assessment and review of draft recommendations (PSE1, 2, 3 and 4).
Open Meetings	Two rounds of open meetings were held in eight areas close to nuclear sites.	To identify views and concerns about radioactive waste management, including shortlisting (PSE1 and 2).
'Bilateral' Meetings	A series of meetings between CoRWM members and representatives from stakeholder organisations.	To obtain information and discuss issues as appropriate to the aims of each period of PSE.
Consultation Documents	Various stakeholders and members of the public.	To seek views on a formal consultation document over a three month period (PSE1 and 2).
Web-based	Various stakeholders and members of the public.	To provide opportunity for comment on consultation papers, specialist judgements of option performance, and draft recommendations (PSE1, 2, 3 and 4).

members of the UK public and providing them with an opportunity to express their views and, given that one of CoRWM's primary objectives was to inspire public confidence, considerable effort was put into devising a programme that would involve the public.

There were four phases of PSE, designed to provide information and obtain feedback to guide the development of CoRWM's thinking. These phases are described in Table 2.

²² Table 7.1 from *Managing our Radioactive Waste Safely. CoRWM's Recommendations to Government. Op.cit.* note 3 above.

Table 2 CoRWM's PSE Phases

Phase	Purpose of Engagement
PSE 1	seeking views on the radioactive waste inventory, the long list of management options and the screening criteria to be used to produce a shortlist
PSE 2	seeking views on the proposed shortlist of management options, the criteria for assessing them, participatory processes for assessment, and implementation issues
PSE 3	enabling participation in options assessment, including views on importance of the different assessment criteria, specialist scores on option performance, and preferences for long term management options
PSE 4	seeking comments on CoRWM's draft recommendations, including proposals on implementation, and ways of increasing public confidence

CoRWM engaged with stakeholders at the national and local level. Relevant stakeholders at the national level were UK Government and the devolved administrations, non-departmental public bodies, the regulators, the nuclear industry and non-governmental organisations. The main activity for engaging with these sectors in an interactive way was the National Stakeholder Forum but CoRWM also held a large number of bilateral meetings with different sectors during the course of its work. National stakeholders also provided detailed responses to CoRWM's consultation documents.

CoRWM used tried and tested methods of stakeholder engagement with these sectors. It tried to be a bit more innovative with respect to public engagement in an attempt to reach a range of different parts of the public. Its most intensive work was with a number of independently recruited Citizens' Panels. Four panels of between 12-16 members were recruited covering different parts of the country. Members were selected to provide a mix of ages, gender and social class; the only common factor was that none had any prior involvement in, or special knowledge of, radioactive waste management. A separate process was used for intensive engagement with young people – a group that CoRWM was particularly interested in hearing from, given the long term nature of radioactive waste management. CoRWM took up an offer to provide the substantive content for a schools project being organised across 15 schools in one region of the country.

CoRWM was keen to become directly involved in the PSE process because members wanted to have first hand experience of what was being discussed and agreed. There were concerns, however, that the intensive programme of engagement would only ever reach a very small number of people. Use of more traditional consultation methods such as issuing a consultation document provided an opportunity, in theory, for anyone to contribute but the reality is that responses tend to come only from the 'usual suspects'. Consultation documents tend not to reach people who are not already involved in some way. CoRWM's Discussion Guide was more successful in this respect. The aim was to provide an information pack to enable groups to discuss the issues amongst themselves without the need for a member of CoRWM to be present and then feed in their responses to a number of questions.

Engaging with the public and stakeholders is only the first stage of the PSE exercise. CoRWM was determined that it would not only take account of the input from PSE in its deliberations but that it would also make it clear how it had done this and why some suggestions were taken on board and others not. For each of the facilitated events, the facilitators – who were independent of CoRWM – produced a detailed event report. CoRWM members spent a considerable amount of time analysing these in detail and cataloguing the various inputs and CoRWM's responses to these. CoRWM's report to Government²³ describes how the PSE process influenced its decisions and recommendations and this is summarised in Table 3.

²³ *Management Radioactive Waste Safely. CoRWM's Recommendations to Government Chapter 7 Involvement of Citizens and Stakeholders, op. cit. note 3.*

Table 3 PSE Influences on CoRWM's Decisions and Recommendations

Issue	Influence
Inventory	Feedback on draft inventory informed revised report. Particular issues covered were new build, suitability of near surface burial for some waste streams, status of plutonium, uranium and spent fuel.
Long list of options	Feedback indicated that all options had been included and were sufficiently characterised. Clarification of definition of 'indefinite storage' which was renamed 'storage forever'. Some options deemed to be processes and left off long list.
Screening criteria	Broad support but some criticism that there was a lack of precision. Additional criterion added – whether option should be implemented abroad if it could be implemented in UK.
Shortlist	Feedback indicated widespread support.
Assessment criteria	Feedback indicated broad support for proposed assessment criteria. Large number of comments on ways of applying criteria and possible additional criteria which were taken into account in determining sub-criteria.
Participatory processes for options assessment	Strong support for a second assessment method to run alongside a multi-criteria decision analysis (MCDA). Strong support for conducting assessment in an open and transparent manner which led to CoRWM conducting MCDA in public.
Ethical Issues	Responses to a series of questions on ethical issues informed CoRWM's workshop on ethics which in turn fed into the option assessment.
Implementation issues	Feedback informed preparation of paper for CoRWM's workshop on implementation which in turn informed recommendations on implementation issues.
Criteria weighting	Major PSE input on relative importance of different assessment criteria which was used to shape sensitivity testing.
Specialist judgments of option performance	Comments on scores that specialists had given to the options against the criteria were used to revise scores for sensitivity testing.
Preferences for long term management options	The preferences expressed were taken into account by CoRWM members during their holistic assessment of the management options which was carried out alongside the MCDA.
Draft recommendations	Great majority of participants and respondents were very supportive of draft recommendations.

What happened next

Government broadly accepted CoRWM's main recommendations²⁴ and issued a consultation document on a framework for implementing them²⁵. The key points from the Government's response²⁶ are reproduced here:

- the UK's higher activity radioactive waste should be managed in the long-term through geological disposal;
- a robust programme of interim storage must play an integral part in the long-term management strategy;
- the Government is supportive of exploring how an approach to siting based on voluntarism (that is, willingness to participate) and partnership could be made to work in practice;
- Nuclear Decommissioning Authority (NDA) (incorporating Nirex) to be a strong and effective implementing organisation, with clear responsibilities and accountabilities;
- strong independent regulation by the statutory regulators;
- continued independent scrutiny and advice on the implementation programme by a reconstituted CoRWM;
- commitment to an open and transparent process throughout; and
- implementation undertaken on a staged basis, with clear decision points allowing progress to be reviewed and costs, value for money and environmental impact to be assessed before decisions are taken to move to the next stage.

²⁴ *Op. cit.* note 15.

²⁵ *Op. cit.* note 16.

²⁶ *Ibid*, at Box 1, paragraph 1.14.

The Government's proposal²⁷ for PSE is that the NDA, as the implementing organisation, should work in partnership with potential host communities and in this way engage with those members of the public and stakeholders who are most likely to be affected by the development of the disposal facility. In addition, it is stated that the NDA will seek to use stakeholder forums and that it plans to undertake a further range of PSE at national and local levels. This PSE activity is likely to include holding workshops and seminars, use of the NDA website, providing briefings, and working with the media. The consultation document sought specific comments through Question 3 which asked:

'Do you agree with the approach to public and stakeholder engagement ...? If not, how do you believe your input could be better managed or your concerns addressed?'

Further reference to public engagement is made in relation to permissioning processes and environmental assessments. Paragraph 4.29 refers to opportunities for the public to comment on applications as part of the legal requirements for the process. CoRWM's role in implementation is to provide independent scrutiny and advice.

Of the responses to the consultation exercise²⁸, more than 50 per cent of those answering question 3 agreed with the approach proposed by the Government. A number of detailed points were also made but these do not detract from the overall approach.

CoRWM's New Remit

CoRWM was re-constituted in September 2007 with a largely new membership and revised Terms of Reference²⁹ which centre on the scrutiny and advisory roles. The requirements for PSE are clearly spelled out as follows:

'CoRWM must continue to inspire public confidence in the way in which it works. In order to secure such confidence in its advice it will work in an open and transparent manner. Hence, its work should be characterised by:

- a published reporting and transparency policy;
- relevant public and stakeholder engagement as required;
- clear communications including the use of plain English, publishing its advice (and the underpinning evidence) in a way that is meaningful to the non-expert;
- making information accessible;
- encouraging people to ask questions or make their views known and listening to their concerns;
- providing opportunities for people to challenge information, for example by making clear the sources of information and points of view on which the Committee's advice is based;
- holding a number of its meetings in public.'

These requirements are similar to those in the original Terms of Reference but differ in degree. PSE remains an important part of CoRWM's work but it is no longer central to its activities. There are subtle changes in wording between the two sets of Terms of Reference. PSE is to be 'relevant' and 'as required' rather than an 'active' programme using innovative techniques. Information has to be made accessible but there is no longer a reference to this being 'to as many people as possible'. A number of meetings are to be held in public but this no longer needs to be a 'significant' number. These differences are not surprising, given that CoRWM is no longer a central player in the MRWS process; there are others, such as Government itself and the NDA, who will be the prime movers.

²⁷ *Ibid*, paragraphs 3.43-3.45.

²⁸ *Op. cit.* note 17.

²⁹ The Terms of Reference are set out in full in Annex A to *Managing Radioactive Waste Safely. A Framework for Implementing Geological Disposal*, *op.cit.* note 16.

Nevertheless, CoRWM has decided that PSE will be one of its main work areas³⁰. It has identified two main streams of PSE activity:

- establish and oversee CoRWM’s programme of engagement with public and stakeholders; and
- scrutinise and advise on plans for PSE and their implementation (Government, NDA, regulators etc.).

In addition, it is acknowledged that PSE will need to be undertaken for each of the substantive work areas, including the waste inventory, storage, implementation of geological disposal, research and development, resources, the regulatory framework and policy developments. Given the limited resources available for PSE activity, CoRWM’s current thinking is that its engagement with stakeholders will primarily be through bilateral meetings on particular issues but it is also developing plans for one or two public and stakeholder events which will bring representatives from different sectors together.

Lessons Learned from the CoRWM Process

One of the final acts of the original CoRWM membership was to review their work and attempt to identify what had gone well and where it could be improved upon in subsequent processes³¹. It concluded that its PSE work had been a significant success, as judged by the support it received for its recommendations. This success was credited to a number of key decisions. CoRWM insisted from the outset that the PSE process would be one of engagement and not just management of stakeholder expectations. CoRWM’s approach was to try to keep an open mind and listen. Deliberation was regarded as the cornerstone of engagement because it ensured that views were considered and informed. Obtaining uninformed views on such an emotive issue was regarded as of little value as an aid to CoRWM’s decision-making. In addition, CoRWM decided that it would seek stakeholders’ views on how CoRWM should undertake its work before it committed to a particular work programme.

A clear distinction was made between public and stakeholders in the engagement process because CoRWM wanted to find out what the views of the initially ‘unaligned’ would be after their participation in the deliberative process. There was also a commitment to hold bilateral meetings with stakeholder groups both to inform stakeholders of CoRWM’s progress and also to obtain the views of different stakeholder sectors on key issues. CoRWM was flexible in the way it met and listened to stakeholders and recognised that bilateral meetings, although expensive in terms of member time, often yielded clearer input than might have been obtained through a series of joint stakeholder events.

Although CoRWM was well resourced, it did not have the time or funding to engage intensively with many people. Because of the need to reach as many people as possible, it was decided to set up a programme of extensive engagement alongside the intensive programme in order to try to reach a wider audience. CoRWM also had to address the question of balancing the need to engage with communities and organisations with previous experience of radioactive waste management issues against the desire not to privilege any particular community or interest group. In practice, CoRWM did pay special attention to the views of the public and stakeholders living near existing nuclear facilities (e.g. through its use of stakeholder round tables and open meetings in appropriate localities) but balanced this with intensive engagement with Citizens’ Panels.

CoRWM recognised that it would only be trusted as a body if its constituent members were also trusted. It was concluded that it would be easier to build this trust if the public and stakeholders had a

³⁰ *CoRWM’s Draft Programme of Work, 2008-2010* (CoRWM document 2266) is available on the CoRWM website <http://www.corwm.org.uk>.

³¹ For further details see *Lessons Learned* (CoRWM Document 1896.3)

chance to get to know individual members. For this reason it was decided that CoRWM members should attend all PSE events and that, wherever possible, the same members should attend subsequent meetings of the same group of people. It was also deemed important to publicise CoRWM's decisions as soon as possible, so that the public and stakeholders had rapid feedback on how their inputs were being taken into account.

Conclusions on the CoRWM process

It is relatively easy to understand why the CoRWM process was so successful. Two features stand out as important. First, CoRWM was making recommendations on options not on siting. This helped to de-personalise the process and enabled CoRWM to avoid becoming embroiled in debates over the suitability or otherwise of named potential sites for disposal facilities. Secondly, CoRWM's focus was on legacy waste. This was an important factor because it dissociated the waste management problems from the issues surrounding a possible new generation of nuclear power. The UK Government's position on new build changed during the course of CoRWM's work but CoRWM maintained its position of neutrality on the issue of new build. Given the UK Government's decision to support new build, following a public consultation whose validity has been questioned, CoRWM's position on new build will probably need to be reconsidered to see if any changes are needed.

There are three elements of CoRWM's recommendations that may cause problems in maintaining future public and stakeholder confidence and these will need to be addressed in some way by the newly re-constituted CoRWM. In its report to Government, CoRWM made it clear that its recommendations were made as 'an integrated package'. In the event, the Government response focused almost entirely on the first recommendation, namely that geological disposal was considered to be the best available approach. It did not make the link to the second recommendation which called for 'a robust programme of interim storage' to play 'an integral part in the long-term management strategy'. CoRWM had made this second recommendation partly because it recognised that there was a risk of delay or even failure in a repository programme. Nor did the Government response give due credit to the caveat attached to the first recommendation to the effect that geological disposal was the best option 'within the present state of knowledge'. Recommendation 4 went on to specify the need for a commitment to an intensified programme of research and development. The failure to address storage and R&D in sufficient detail caused CoRWM and others to respond adversely to the Government's statement on CoRWM's report. It is interesting to note, therefore, that the CoRWM's draft work programme places both of these firmly back on the agenda.

CoRWM urged Government to make progress without delay so that the momentum established by the CoRWM process was not lost. In the event, Government's response came much more quickly than had been expected and, more worryingly, without any further consultation on its proposed approach to institutional arrangements. For example, the Government's statement announced that CoRWM would be re-constituted as a scrutiny and advisory committee without seeking the views of the public and stakeholders.

CoRWM had recommended that an independent body should be set up to oversee the implementation process. This recommendation was supported in the PSE process and endorsed by the House of Lords in a report of the Science and Technology Committee³². Despite this recommendation, the Government has decided that responsibilities for implementing the programme will be divided between Government itself, which will have responsibility for setting policy and taking final decisions; the NDA, which will be the implanting organisation; potential host communities, which will have the opportunity to engage through a partnership process; local government, which will be involved in the planning decisions; the regulators; and CoRWM, which will have a scrutiny and advisory role. In other words, there is no single body with an overseeing function.

³² House of Lords Select Committee on Science and Technology *Radioactive Waste Management Update* Session 2006-07, 4th Report, HL Paper 109.

International Radiation Protection Association (IRPA)

Societal aspects and public involvement in radiation protection was one of the thematic areas discussed at the 11th International Congress of IRPA held in Madrid in 2004. The discussion and conclusions drawn at the Congress show strong parallels with CoRWM's experience. In summing up this thematic area, Rick Jones of the US Department of the Environment, concluded³³ that contemporary society required active participation in public health decision making and that the decision-making process should be inclusive, proactive, open and responsive to the spectrum of stakeholder views. The process must also be sensitive to local cultural issues. Without these components, there is a danger that the ultimate decision will not be accepted. Trust in the organisations making the decisions is the fundamental issue. To achieve this, it was suggested that the decision-making process should change from the traditional decide-announce-defend (DAD), through meet-understand-modify (MUM), to become share-open-negotiate (SON)! The radiation protection profession was urged to open itself to independent review and monitoring and to establish suitable forums for discussing and addressing the views of stakeholders.

A plenary session on stakeholder involvement in decision-making has been scheduled for the final day of the next international congress to be held in Buenos Aires in October 2008. As part of the preparation for this event, a series of tripartite European workshops has been held to assist in the development of guidance to help radiation professionals understand the requirements, demands and objectives of stakeholder engagement, to encourage public participation and provide a framework for establishing constructive dialogue with other stakeholders. It is hoped that the 12th Congress will endorse specific principles of stakeholder engagement.

The first workshop was hosted by the Spanish Society for Radiation Protection in Salamanca in November 2005 on the theme of 'Processes and Tools for Stakeholder Engagement in Radiation Protection'. This workshop concluded that it would be necessary in the future to:

- further diffuse the existing experience with stakeholders;
- provide long term support and commitment to the stakeholder engagement process;
- create forums for dialogue between stakeholders; and
- elaborate a code of conduct for stakeholder engagement processes including ethical guidelines.

The second workshop, hosted by the Community of Municipalities of the Montbéliard Country, France, in November 2006, built on the conclusions of the Salamanca Workshop with the objectives of continuing the sharing of on-going experience on processes and tools for stakeholder engagement and contributing to their improvement and to begin to elaborate a code of conduct. The main output from the Montbéliard Workshop, which included representation from the Italian Society of Radiation Protection, was a draft set of guiding principles of stakeholder engagement in decision-making in radiological protection together with an explanatory memorandum. These principles were considered further at the third workshop, hosted by the UK Society for Radiological Protection near Oxford in December 2007, which continued the tradition of information exchange but also devoted much of the time to critical examination of the draft principles. Following this the principles were redrafted by a small working group from the three Societies to form the final version. During the course of this development the progress was systematically reported to meetings of the IRPA Executive Council.

The principles document is therefore the outcome of the work by the three Societies with involvement in the second and third meetings by the Italian Society. It is offered by IRPA to all Associate Societies in the hope that they will find the guidance useful to their members and may wish to adopt it as a preferred mode of operation for stakeholder engagement.

Conclusions

³³ Paper available at <http://irpa11.irpa.net/pdfs/HC9.pdf>.

There is now a wide acknowledgement of the need to engage with the public and stakeholders in the formulation of policy and the making of decisions that have an effect that is perceived to be of importance to them. The ‘old’ technique of decide-announce-defend has been relegated to history as governments and public bodies reach out to the wider world in an attempt to be inclusive. It is important to remember, however, that the engagement must be real. This means that there must be a purpose for doing it beyond being seen to be aware of the need to do so and, furthermore, that something must happen as a result of the engagement. PSE for the sake of it is not an improvement on decide-announce-defend!

There are a few simple key factors to be taken into account in devising a PSE programme. It is essential to be able to answer the following questions before embarking on PSE:

Why engage?

The purpose for the engagement is all important. If it is simply to inform people of what is being done this will require a different process from that which would be required if input is expected, for example. Knowing why engagement is needed is a fundamental precursor to knowing who to engage with.

What to engage on?

The question of what issues to engage on is closely tied to the question of why engagement is deemed necessary. It may be just to provide others with an overview of work in progress or it may be to seek specific advice on how to allocate resources. The actual topic is unimportant provided it is couched in terms that will enable the target PSE group(s) to engage in a meaningful way.

Who to engage with?

The CoRWM experience has illustrated that different groups of people need to be engaged with for different purposes. The most obvious distinction is between members of the public and stakeholders but the boundaries between these blur – members of stakeholder groups are, after all, members of the public as well. Other differences relate to geographical scale; engagement on a national level is generally much simpler than engagement on a local level because there are fewer candidates to select and they usually have more resources available to them.

When to engage?

The timing of the engagement is crucial. If input is needed to help shape a programme it is no good leaving it until the programme has been fully drafted before seeking views – this amounts to an old style consultation. Sometimes, of course, this may be what is required; this will be best determined by addressing the purpose. Sometimes, too, the timing is not within the gift of the group running the PSE. There may well be deadlines to be met, with no flexibility, and therefore insufficient time to conduct the ideal PSE.

How to engage?

There is a wide range of tools and techniques for PSE work. As a basic rule, it is best to decide the answers to the questions above before deciding on the most appropriate approach to use. It is not quite that easy though. Major events take several months to organise and it may be necessary to set the wheels in motion before decisions have been made as to precise content. Nevertheless, it is important to ensure that there is an appropriate match between the ‘who’, ‘what’, ‘why’ and ‘when’ on the one hand and the ‘how’ on the other. Whatever approach is taken, it is probably essential to ensure that there is a follow up. This might amount to nothing more than a report back on the event but might entail considerable work in providing a clear auditable trail of how PSE input has influenced subsequent decisions.

In conclusion, then, the CoRWM experience to date has been that appropriate PSE enhances the overall decision-making process. It is time consuming in the short term and can be resource-intensive but, if it avoids misunderstandings, it can prove effective in the long term.