

FRAMEWORK DOCUMENT

Committee on Radioactive Waste
Management

August 2019



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1 Introduction

- 1.1 This Framework document has been drawn up by the Department for Business, Energy & Industrial Strategy (BEIS) and the Devolved Administrations¹ in consultation with the Committee on Radioactive Waste Management (CoRWM). It replaces CoRWM's Terms of Reference.
- 1.2 The document sets out the broad framework within which CoRWM will operate and covers the following areas:
 - Role of CoRWM.
 - Governance and accountability.
 - Working arrangements for CoRWM.
- 1.3 CoRWM members are always expected to comply with the Framework Document and its associated documents.
- 1.4 This document does not convey any legal powers or responsibilities.
- 1.5 This document is a living document and will be reviewed at least annually and will be updated as necessary to reflect changes in policy, management and requirements of the committee. The document will be signed and dated by BEIS, the Devolved Administration² and the Chair of CoRWM.

¹ References to “Devolved Administrations” in this document refers to the Scottish Government, Welsh Government and the Northern Ireland Civil Service in the absence of the Northern Ireland Executive

² In Northern Ireland, this is subject to decisions to be made by incoming Ministers, see footnote 3 below

2 Sponsorship and Funding of CoRWM

- 2.1 CoRWM is jointly sponsored by and will provide advice to the UK Government, the Scottish Government, the Welsh Government and the Department of Agriculture, Environment and Rural Affairs.
- 2.2 The Committee is funded by the UK Government through the Department of Business Energy & Industrial Strategy (BEIS). BEIS will be responsible for the provision of and management of the CoRWM Secretariat and the Administration of the committee. The BEIS Permanent Secretary will be the Principle Accounting Officer (PAO) and discharge the appropriate duties in relation to CoRWM. They will nominate an official to act as the lead sponsor for the committee who will supervise the CoRWM Secretariat and ensure compliance with relevant policies.
- 2.3 In Scotland, the sponsor role will be performed by the relevant Scottish Minister and a Scottish Government official will act as a liaison between the Scottish Ministers and the committee.
- 2.4 In Wales, the sponsor role will be performed by the relevant Welsh Minister and an official in the Welsh Government will act as a liaison between the Welsh Ministers and the committee.
- 2.5 Under temporary arrangements for managing government business in Northern Ireland officials from the Northern Ireland Civil Service have worked with the UK Government on the development of this document ³.
- 2.6 In the absence of a Northern Ireland Executive, a senior official within DAERA will act as a liaison between the Department and the Committee and fulfil any sponsorship role.
- 2.7 Sponsors of the Committee will form the Sponsor Group that will meet regularly, no less than bi-annually. The Sponsor Group will be chaired by BEIS Officials unless otherwise delegated.
- 2.8 BEIS will allocate appropriate and reasonable funding and agree appropriate resources to fund work relating to the specific needs of other Sponsors subject to the Committee's annual funding settlement. This will be discussed and agreed in advance as part of the CoRWM work programme or as per procedures for dealing with ad-hoc tasks throughout the year.

³ Officials from the Northern Ireland Civil Service have engaged in the development of this framework as the policy area intersects with the devolved competence of the NI Assembly. However, in the absence of the NI Executive, references to Northern Ireland matters are without prejudice to the views of future NI Executive Ministers, who may wish to review these arrangements. Similarly references to commitments made by the devolved administrations should be taken to mean the Scottish Government and Welsh Government and not the views of the NI Executive.

- 2.9 Devolved Administrations will have the ability to provide funding for the committee to deliver additional work on an ad hoc or regular basis beyond the normal scope of the work programme or that is not approved by BEIS in its annual work plan.
- 2.10 Authorisation to complete additional funded work will not be unreasonably withheld unless it has an impact on the delivery of the committees agreed programme of work. Changes to the funding of the committee will be reflected upon during reviews of the governance of the committee and the roles of sponsors.
- 2.11 BEIS will undertake the recruitment for new and additional members of the committee as necessary and Devolved Administrations will be asked to participate in the recruitment process and endorse all recruitment decisions. BEIS may, if deemed necessary, choose to renew the tenure of the existing members in consultation with the Devolved Administrations [or Sponsor Ministers].
- 2.12 BEIS will agree the work programme and annual report with CoRWM. Devolved Administrations will be invited to provide comments on both these documents and to endorse them.

3 Role of CoRWM

- 3.1 CoRWM was established in 2003 as a non-statutory advisory committee and is classed as a non-departmental public body (NDPB). Its purpose is to provide independent advice to the UK Government, and Devolved Administrations based on scrutiny of the available evidence on the long-term management of radioactive waste, arising from civil and, where relevant, defence nuclear programmes, including storage and disposal.
- 3.2 The remit for CoRWM is to give independent scrutiny and evidence-based advice on issues that concern the management, storage and disposal of radioactive waste to:
 - The UK Government.
 - The Devolved Administrations.
 - The Nuclear Decommissioning Authority (NDA), including Radioactive Waste Management (RWM).
 - Other interested parties (with the agreement of Sponsors).
- 3.2.1 CoRWM's remit covers radioactive waste arising from civil, and where relevant, defence nuclear programmes, together with material that could potentially be included in the inventory for disposal in a geological disposal facility but has not yet been declared as waste.
- 3.2.2 This involves providing independent, evidence based advice on scientific, technical, planning, legislative and regulatory issues relevant to radioactive waste management, including government policy and the NDA's and RWM's strategies, programmes and processes. This scrutiny and advice will be delivered in such a way that does not duplicate the role already fulfilled by the statutory independent safety, security and environmental regulators.
- 3.2.3 The precise focus of CoRWM's work is agreed through discussion with the UK Government and the Devolved Administrations and is set out in its three-year rolling work programme, updated at least annually. The Committee will, as appropriate, undertake additional work as discussed and agreed with sponsors and in all its work use both the range of member expertise and other inputs as appropriate.
- 3.2.4 CoRWM's scrutiny and advice will be independent and includes the duty to report any matters of concern as well as a duty to maintain public confidence in the work under consideration. CoRWM will seek to engage and communicate openly and regularly with stakeholders and with the public whilst ensuring that high ethical and professional standards apply, and that confidentiality is maintained as and when appropriate.
- 3.3 In fulfilling its remit to provide independent and evidence-based advice, CoRWM is expected to maintain an independent overview of the scientific and technical issues relevant to the delivery of UK Government and Devolved Administrations' radioactive waste management programmes. It should bring to the attention of relevant Ministers' issues that it considers to be either:
 - Positive and worthy of note.

- Concerns that in the Committee's opinion need to be addressed.

3.4 CoRWM will have collective responsibility for:

- Recognising the policy framework within which it will operate, including the roles and responsibilities of UK Government and Devolved Administrations, the NDA, RWM and the various statutory independent regulators in relation to CoRWM's own advisory role.
- Delivering its evidence-based advice to Sponsor Ministers in accordance with agreed work programmes.
- Delivering the work programme within the agreed budget and in accordance with HMT guidance 'Managing public money'. The Chair may request sponsor Ministers provide an adjustment to this budget should it be considered necessary.
- Submit an annual written report to sponsor officials by 31st May each year. The report will include CoRWM's progress with the agreed work programme, advice deriving from it and costs incurred. Copies of the report are to be made available to members of the public on the CoRWM's website.

3.5 Subject to paragraph 2.2 the objectives of CoRWM are as follows:

- Advice on the management, storage and disposal of radioactive waste arising from civil, and where relevant, defence nuclear programmes, together with material that could potentially be included in the inventory for disposal in a geological disposal facility but has not yet been declared as waste.
- Scientific and technical advice on the Nuclear Decommissioning Authority (NDA) and Radioactive Waste Management Ltd's (RWM) proposals, plans and programmes to deliver geological disposal, together with robust interim storage, for the UK's higher activity waste.
- Community and public engagement to promote the work of the committee and support its advice as it pertains to policy of the UK Government and Devolved Administrations.

4 Specific accountabilities and responsibilities of BEIS and Devolved Administrations' Principal Accounting Officers and Sponsoring Officials

- 4.1 Each sponsor organisation is responsible for advising their Ministers on CoRWM's work as they deem appropriate. This may include:
- An appropriate framework of objectives for CoRWM in the light of their wider strategic aims and priorities.
 - How well CoRWM is achieving its strategic objectives and whether it is delivering value for money.
 - Any relevant risks both to their organisation and CoRWM in relation to the objectives and activities of CoRWM.
- 4.2 Each sponsor organisation is responsible for:
- Ensuring that a suitable nominated official is made available to form the sponsor group that will discuss progress of the committee on its work programme and on advice being provided.
 - Reporting any concerns about the activities of CoRWM to the Chair of the Sponsor Group and the Committee.
- 4.3 In addition, BEIS's PAO is responsible for advising the Secretary of State on an appropriate budget for CoRWM and ensuring arrangements are in place in order to:
- Monitor CoRWM's activities.
 - Ensure CoRWM continues to function effectively, making such interventions as are judged necessary.
 - Ensure that it delivers value for money.
- 4.4 Additionally, BEIS's Policy DG is responsible for:
- Informing CoRWM of relevant government policy in a timely manner.
 - Ensure that the Chair's performance is appraised annually by a member of the SCS in an appropriate policy area.
- 4.5 The CoRWM Secretariat within the Radioactive Waste and Decommissioning Team in BEIS is the primary contact for CoRWM. It is the main source of advice to the responsible Minister for BEIS on the discharge of his or her responsibilities with respect to CoRWM. It also supports the BEIS PAO on their responsibilities toward CoRWM. The CoRWM Secretariat is responsible for liaising with sponsor departments in the Devolved Administrations.

- 4.6 The CoRWM sponsor group will consist of representatives from BEIS and the Devolved Administrations. The meetings will be coordinated by the CoRWM Secretariat and will be chaired by BEIS. These meetings will normally occur quarterly or as required and will:
- Agree with CoRWM the issues to be addressed in the work plan (including any requests for advice, analysis, information or other assistance) and the timetable for its preparation prior to submission to Ministers.
 - Prior to the end of the financial year review the performance of CoRWM and its outputs for the previous year.
 - Discuss with the Chair of the Committee as appropriate progress on agreed work programme and advice being provided.
 - Discuss ongoing risks and issues of the Committee.

5 The Chair's personal responsibilities

- 5.1 The Chair is responsible to the relevant BEIS Minister (currently the Parliamentary Under Secretary of State for Business) and relevant Devolved Administration sponsor Ministers. Communications between CoRWM and the responsible Ministers should normally be through the Chair via the Secretariat.
- 5.2 The Chair is responsible for ensuring that CoRWM's affairs are conducted with probity and it delivers value for money. This should be clearly communicated to all CoRWM members. The Chair is responsible for ensuring that CoRWM delivers its work programme within the available budget and for jointly monitoring and managing the budget with the Secretariat team.
- 5.3 The Chair will meet sponsor Ministers from the UK Government and Devolved Administrations as necessary at the sponsor Minister's request. The Chair may also be required to present the position of CoRWM to Parliamentary or Assembly committees and representatives as appropriate. The Chair may delegate this to another member of CoRWM if appropriate.
- 5.4 In addition, the Chair has the following leadership responsibilities:
- Formulating CoRWM's strategy.
 - Ensuring that CoRWM, in reaching decisions, takes proper account of guidance provided by the sponsor Ministers and the department.
 - Promoting the efficient and effective use of resources.
 - Delivering high standards of regularity and propriety.
 - Representing the views of CoRWM to the general public.
 - Ensuring that CoRWM's advice is of high quality, independent and evidence-based.
 - Ensuring the work of the committee is performed in an open and transparent manner.
- 5.5 The Chair also has an obligation to ensure that:
- The work of CoRWM and its members is of a high standard.
 - CoRWM has a balance of skills appropriate to carrying out its work.
 - Committee members are fully briefed on terms of appointment, duties, and responsibilities as supported by the Secretariat.
 - The relevant Minister is advised of CoRWM's needs when vacancies arise.
 - The performance of individual committee members is assessed annually or when being considered for re-appointment.

- There is a Framework Agreement in place setting out the role and responsibilities of the members consistent with the Government Code of Good Practice for Corporate Governance and BEIS policy.
- There is a code of practice for committee members in place, consistent with the Cabinet Office Code of Conduct for Board Members of Public Bodies. CoRWM must follow any relevant Code of Conduct that is applicable.

6 The Deputy Chair's Responsibilities

6.1 The Deputy Chair's responsibilities are to:

- Support the Chair in formulating CoRWM's Strategy, work programme and annual report;
- Conduct meetings/activities where the Chair is not available; and
- Support the Chair in the discharge of their leadership responsibilities and obligations.

7 Individual committee members' responsibilities

7.1 Individual committee members should:

- Always comply with the Code of Conduct for Board Members of Public Bodies and with the rules relating to the use of public funds and to conflicts of interest.
- Not misuse information gained in the course of their public service for personal gain or for political profit, nor seek to use the opportunity of public service to promote their private interests or those of connected persons or organisations.
- Comply with the BEIS rules on the acceptance of gifts and hospitality, expenses, and of business appointments.
- Act in good faith and in the best interests of the CoRWM.

8 Annual Report

- 8.1 CoRWM must publish an annual report of its activities after the end of each financial year. The report must outline main activities and performance during the previous financial year.
- 8.2 The annual report should be submitted to sponsor officials by 31st May each year. The report may contain both recommendations and opinions.

9 Corporate governance

- 9.1 CoRWM is a non-departmental public body. Appointments to CoRWM are made in accordance with the Code of Practice of the Commissioner for Public Appointments. All appointments are made on merit and political activity plays no part in the selection process. The appointment of the Chair and Committee members is recommended by the BEIS Minister and approved by the Secretary of State. Devolved Administrations are involved and consulted in the process and will jointly approve final appointments.
- 9.2 The Committee consists of a Chair and up to 11 members, one of whom will be appointed by the BEIS Minister as Deputy Chair on the recommendation of the Chair. Members are appointed in a personal capacity and must remain independent of organisational or sectoral interests.
- 9.3 The committee Chair and committee members are appointed for a period of up to four years. The BEIS Secretary of State, in consultation with Ministers from Devolved Administrations retain the right to terminate appointments at any time considering: individual members' performance, changes in CoRWM's work requirements, or completion of the work required of CoRWM.
- 9.4 The skills and expertise which will need to be available to the Committee will vary depending on the programme of work. Sponsor Ministers may at any time review the membership of the Committee, and the skills and expertise required.
- 9.5 CoRWM delivers its workplan through the work of subgroups of members. The Devolved Administrations and CoRWM are able to establish a subgroup(s) to specifically consider issues pertinent to their administration. The subgroups report back to the full committee at Plenary meetings which take place either 4 or 5 times a year. Decisions are reached through consensus and are taken by the whole committee in Plenary. Urgent decisions can be taken outside of Plenary meetings via correspondence.
- 9.6 Members of CoRWM may not have all the skills and expertise necessary to advise Government. The Committee will need to decide how best to secure access to other appropriate sources of expert input during the course of its work. It will have the option of setting up expert sub-groups containing both CoRWM members and other appropriate co-opted persons. The engagement of consultants will be dependent on sufficient funds being available to CoRWM and the necessary business cases being approved by sponsors as appropriate and, if required, Cabinet Office.
- 9.7 The engagement of consultants will be dependent on sufficient funds being available to CoRWM and the necessary business cases being approved by sponsors as appropriate.
- 9.8 The budget allocated to CoRWM is part of the BEIS budget and is accounted for within the BEIS Annual Report published on Gov.uk. As the CoRWM budget is consolidated with the BEIS budget it is equally open to be audited by the C&AG on economy, efficiency or effectiveness. The main spending areas are members' fees and expenses and general administration. As set out in para 5.2 of this document, 'the Chair is responsible for ensuring that CoRWM delivers its work within the available budget and for jointly monitoring and managing the budget, together with the secretariat team'.

- 9.9 The Chair's performance will be appraised annually by the BEIS policy Director-General, or a suitable delegated alternative.

10 Risk Management

- 10.1 CoRWM shall ensure that the any risks identified in undertaking its objectives are managed in an appropriate and proportionate manner through the maintenance of a risk register that is reviewed at each Plenary meeting. Risks will be determined during the preparation of the Work Plan.
- 10.2 The risk register will be shared and discussed with Sponsors at regular intervals.
- 10.3 All reasonable actions within the power of the committee shall be taken to manage and mitigate risks.

11 Workplan

- 11.1 CoRWM's deliverables will be set out each year in a proposed three-year rolling work programme. The work programme will be submitted to sponsor officials by 30th April each year for discussion and agreement. Any in-year changes will be the subject of agreement by CoRWM and sponsor Ministers.
- 11.2 The plan shall reflect CoRWM's overarching objectives, and the priorities set from time to time by the sponsor Ministers (including decisions taken on policy and resources in the light of wider public expenditure decisions). The plan shall demonstrate how CoRWM's advice contributes to the achievement of the UK Government's and Devolved Administrations' priorities.
- 11.3 The workplan will include details of specific areas of work, reports which the Committee intends to produce, the proposed role of sub-groups and any other activities or events, including proposals for stakeholder engagement. The workplan should be published on CoRWM's website.

12 Engagement & Transparency

- 12.1 CoRWM shall undertake its work in an open and consultative manner in order to secure the confidence of stakeholders in the advice it provides. It will engage with stakeholders and it will publish advice and the underpinning evidence, where appropriate, in a way that is meaningful to the intended audience. It will comply, as will sponsoring departments, with 'The Government Chief Scientific Advisor's guidelines on the Use of Scientific and Engineering Advice in Policy Making', as well as other relevant Government advice and guidelines. Government will respond to all substantive advice. Published advice and reports will be made available on the websites of the UK Government.
- 12.2 To secure stakeholder confidence in its activities and advice, CoRWM's work will be characterised by:
- A published reporting and transparency policy.
 - Relevant stakeholder engagement as required.
 - Clear communications including where appropriate the use of plain language.
 - Publishing its advice and the underpinning evidence where appropriate in a way that is meaningful to the intended audience.
 - Making information on its website accessible.
 - Encouraging people to ask questions or make their views known and considering 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.

13 Review of CoRWM's Status

- 13.1 The status of CoRWM will be reviewed periodically as per UK Government policies, with the next review taking place in 2021.
- 13.2 During the review of CoRWM's status, consideration will be given to the role and function of CoRWM. This will consider the demand by government and public for the services of the committee, available resources and the past performance of the committee.

14 Dispute Resolution

- 14.1 Any issues of dispute will be reviewed by BEIS and CoRWM (at working level) and all attempts will be made to resolve it.
- 14.2 If a resolution is not possible, the issue is escalated for review by the senior policy sponsor or Chair, with the Principal Accounting Officer (PAO) briefed on evolving developments, and with the option to directly engage with the Chair. If there is still no resolution, the PAO appoints a neutral third party to review the dispute act as mediator between the parties, and if necessary, seeks views from experts.
- 14.3 Any findings and recommendations will be referred to the PAO for approval. If there is still no resolution, the Minister will be invited to write to the Chair clarifying the policy priorities. Audit trails on decision-making will be kept and maintained for transparency.
- 14.4 The behaviours expected for the Committee Members are described in the Code of Conduct for Board Members of Public Bodies – June 2019. All the Committee members are expected to follow the guidance as confirmed in their appointment letters. Where CoRWM doesn't have their policies, it should follow BEIS policies where appropriate.

List of Annexes

The Authority shall comply with the following general guidance documents and instructions:

- **Annex 1 - Government Security Classifications**
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/715778/May-2018_Government-Security-Classifications-2.pdf
- **Annex 2 - Freedom of Information Code of Practice**
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/744071/CoP_FOI_Code_of_Practice_-_Minor_Amendments_20180926_.pdf
- **Annex 3- Code of practice for CoRWM**
<https://www.gov.uk/government/organisations/committee-on-radioactive-waste-management/about/recruitment>
- **Annex 4 - Compliance with government-wide corporate guidance and instructions**
- Corporate Governance in Central Government Departments
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/609668/PU2076_corporate_governance_guidance.pdf
- Governance Code on Public Appointments.
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/578498/governance_code_on_public_appointments_16_12_2016.pdf
- Code of Conduct for Board Members of Public Bodies
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/809093/Code-of-Conduct-for-Board-Members-of-Public-Bodies-2019-WEB.PDF
- Managing Public Money (MPM)
<https://www.gov.uk/government/publications/managing-public-money>
- Public Sector Internal Audit Standards
<https://www.gov.uk/government/publications/public-sector-internal-audit-standards>
- Management of Risk: Principles and Concepts
<https://www.gov.uk/government/publications/orange-book>

- Government Financial Reporting Manual (FReM)

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/831195/2020-21_Government_Financial_Reporting_Manual.pdf

- Relevant Dear Accounting Officer letters

<https://www.gov.uk/government/organisations/hm-treasury/series/dao-letters>

- The Parliamentary and Health Service Ombudsman's Principles of Good Administration

<https://www.ombudsman.org.uk/about-us/our-principles/principles-good-administration>

- **Annex 5- Processes on Whistleblowing**

<https://www.gov.uk/government/publications/whistleblowing-guidance-and-code-of-practice-for-employers>

- **Annex 6- Processes on complaints**

<https://www.gov.uk/government/organisations/department-for-business-energy-and-industrial-strategy/about/complaints-procedure>

Signed

Date 23.09.2019

(On behalf of BEIS)



Department for
Business, Energy
& Industrial Strategy

Signed



Date 23.09.2019

(On behalf of CoRWM)

Signed



Scottish Government
Riaghaltas na h-Alba
gov.scot

Date 4.11.2019

(On behalf of Scottish Government)

Signed



Date 5.11.2019

(On behalf of Welsh Government)

Llywodraeth Cymru
Welsh Government

Signed



Department of
**Agriculture, Environment
and Rural Affairs**

www.daera-ni.gov.uk

Date 6.11.2019

(On behalf of DAERA)

