

# Desktop Study on International Approaches to Engagement

## Challenge Report for the NDA

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## 1) Executive Summary

A desktop study of nine nuclear projects and research reports and one GM Nation evaluation was carried out in order to produce this Challenge Report. The aim of the report is **to capture relevant learning from international experience and to provide additional challenge to the review of the NDA's engagement process.**

The study shows that, despite having its own context, the NDA engagement process is grappling with a number of issues that other engagement processes have struggled with. In many cases it is progressing practical solutions to these challenges. The study has not revealed any 'silver bullet' being used elsewhere that the NDA could be using, neither does it appear that it is 'reinventing a wheel' which already exists. However, there is little room for complacency.

A total of seventy-one recommendations have been made in the Challenge Report.

The main areas of concern are:

- **Involvement of the general public:** Should a strand of public<sup>1</sup> engagement be built into the engagement process or should public involvement be incorporated through existing and new stakeholder groups acting as a conduit for wider community involvement, especially on the SSGs? Or should only stakeholder representatives be involved in the engagement process?
- **Organisational commitment:** The NDA must ensure a continuing commitment to engagement across the organisation and its contractors, or the engagement process will suffer, stakeholders may become disenchanted and much good will and trust could be lost.
- **Continual Improvement:** The NDA must constantly look for improvements and innovations to the process, especially in terms of utilizing new methods of engagement that are most appropriate to the different stakeholders involved and topics being covered.

Acting on the recommendations should improve on the existing process over time. Of course, resources are always limited and the NDA must make an assessment as to how these can be utilised, to bring about continual improvement, recognising that no engagement process will ever be perfect all of the time, for all of the stakeholders.

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<sup>1</sup> By 'public' here we mean open to anyone who wishes to engage, whether representing an organisation or not.

## 2) Desktop Study leading to Challenge Report

### 2.1) Background

The NDA is moving into the 'second stage' of its process of engaging with stakeholders. It is therefore an appropriate time to take stock by carrying out an internal review process and a review of experience gained in other countries.

The author of this report was selected on the basis of her experience as a practitioner in stakeholder engagement, particularly in the nuclear sector, and her familiarity with the NDA's stakeholder engagement process since its conception.

The full terms of reference for the desktop study are available in Appendix 1.

### 2.2) Literature Reviewed

#### *Nuclear Projects*

- COWAM (**C**ommunities in **W**aste **M**anagement) 1 (2000-2003)
- COWAM 2 (2003-2006)
- COWAM in Practice (CIP) (2007-2010)
- CARL (**C**itizen-stakeholders, **A**gencies Responsible for radioactive waste management, social science **R**esearch organisations and **L**icensing and regulatory authorities) (2004-2007)

#### *Nuclear Research reports*

- IAEA – An overview of stakeholder involvement in decommissioning (report currently being finalised)
- NEA, Stakeholder Issues and Involvement in Decommissioning Nuclear Facilities – Lessons Learned from Working Party on Decommissioning and Dismantling (WPDD) and Forum on Stakeholder Confidence (FSC) activities and documentation (Feb 2007).
- Review of best practice from public and stakeholder engagement in overseas countries – by Enviro for CoRWM/ Defra
- A Review of UK and International Experience of Stakeholder Engagement, for the DTI by CAG Consultants with Greenstreet Berman (May 2003)
- Aspects of 'Working Paper on Participatory Methods' prepared by Jason Chilvers, Jacque Burgess and John Murlis, of the Environment & Society Research Unit, Department of Geography, University College London. (2001)

#### *Non-nuclear Evaluation*

- On evaluating the GM Nation? Public Debate about the commercialisation of transgenic crops in Britain by Tom Horlick-Jones, John Walls, Gene Rowe, Nick Pidgeon, Wouter Poortinga & Tim O'Riordan. Published in 'New genetics & Society, Vol 25, No. 3, Dec 2006.

### 2.3) Purpose

The desktop study has resulted in the production of this Challenge Report. It is not intended to be a fully comprehensive review of stakeholder engagement in the nuclear sector. The aim was to extract from the literature any acknowledged learning relevant to the NDA engagement process and also to utilise this and the author's own knowledge to produce challenges to the NDA with the aim of improving the NDA's engagement process.

The purpose of this Challenge Report is to:

- Produce a useful summary of these pieces of work for the use of the NDA for now and in the future
- Identify key learning for the NDA to apply in the UK
- Ask questions of the NDA to challenge the current stakeholder and public engagement process
- Feed into the current process review.

### 2.4) The Challenge Report

To aid the NDA in responding to the recommendations made in this report they have been numbered and grouped as much as possible into 'areas' of the engagement process. The order in which the recommendations arise, therefore, gives no indication of the priority assigned to each recommendation. The tasks required to respond to the recommendations vary greatly and it is up to the NDA to decide which it is able to respond to most quickly. It is not anticipated that all of the recommendations will be responded to immediately, in fact, some call for annual reviews or actions.

Although all of the recommendations are directed towards the NDA it is expected that the NDA will work with its Convenor to implement many of them.

For ease of reference the following abbreviations have been used throughout the remainder of this report:

#### **Literature**

All of the documents and projects reviewed as part of the desktop study.

#### **COWAM Network Report**

COWAM Network: Nuclear Waste Management from a Local Perspective. Reflections for a Better Governance, Final Report, November 2003.

#### **COWAM 2**

Final report not available yet so website ([www.cowam.org](http://www.cowam.org)) and Work Package progress reports reviewed.

#### **CIP Report**

COWAM in Practice project, which has just commenced and is due for completion in 2010.

**CARL First Report**

CARL – First Comparative Report: Towards a Typology of ‘Stakeholders’ in RWM, April 2006. [www.carl-research.org](http://www.carl-research.org)

**IAEA Overview**

An Overview of Stakeholder Involvement in Decommissioning, International Atomic Energy Agency DRAFT November 2006.

**NEA Report**

Stakeholder Issues and Involvement in Decommissioning Nuclear Facilities – Lessons Learned from Working Party on Decommissioning and Dismantling (WPDD) and Forum on Stakeholder Confidence (FSC) activities and documentation. Nuclear Energy Agency, Feb 2007.

**CoRWM Review**

CoRWM—A Review of Best Practice from Public and Stakeholder Engagement in Overseas Countries. Enviros Consulting, March 2004

**DTI Review**

A Review of UK and International Experience of Stakeholder Engagement for the DTI, May 2003. CAG Consultants with Greenstreet Berman

**MRWS Paper**

Working Paper on Participatory Methods prepared by UCL (Environment and Society Research Unit) for DEFRA as part of Securing Public Confidence in Radioactive Waste Management: Developing a Vision for a Process of Public and Stakeholder Engagement. March 2003.

**GM Nation? Evaluation**

On evaluating the GM Nation? Public Debate about the commercialisation of transgenic crops in Britain by Tom Horlick-Jones, John Walls, Gene Rowe, Nick Pidgeon, Wouter Poortinga & Tim O’Riordan. Published in ‘New genetics & Society, Vol 25, No. 3, Dec 2006.

### 3) Learning and Challenges

#### 3.1) Introduction

The review of the literature reveals that there is a raised level of understanding as to the possible benefits of including stakeholders in decision-making processes. The IAEA Overview states, 'Both legal and moral imperatives encourage any decommissioning facility to begin stakeholder interactions as early as possible. And, when conducted well, the process normally yields indisputable benefits. Both completed and ongoing projects have demonstrated that a properly tailored process that promptly involves all stakeholders, is thorough in its communication, and includes meaningful interaction, should result in better long-term decisions and prevent unnecessary delays. The active involvement of stakeholders in nuclear issues can provide a substantial improvement in safety and can enhance the general acceptability of the ultimate decisions made'.

The consensus of opinion is that engaging with your stakeholders is no longer only the domain of leading organisations, but is normal practice, especially in the nuclear sector. The leading organisations are now seeking ways of improving the robustness and effectiveness of their engagement and introducing innovation.

The majority of the literature reviewed as part of this study gives recommendations and principles for best practice **theory** on how to engage in the nuclear sector. However, there is a lack of **practical** suggestions or examples of how that advice could be applied by those tasked with running a comparable engagement programme. **In fact, in many cases, the authors detail a number of challenges for which there is yet to be found a consistently successful practical solution.** The fact that many of these challenges are recognisable within the NDA's engagement programme is both reassuring and frustrating; it indicates that the NDA's engagement process is amongst the frontrunners in terms of best practice in international nuclear engagement but that challenges will continue to be faced.

There are, however, many areas in which the NDA's engagement practices can learn from the literature reviewed and the research and projects which are ongoing should certainly be reviewed on their completion.

- **Recommendation 1:** It is recommended that the CIP Report (project is due for completion in 2010) and the CARL Final Report (expected around October 2007) are considered by the NDA when they are completed/ released.

In order to be of maximum value and to make it easier to follow up and respond to this report most of the findings have been worded as recommendations or challenges. This may make the outcomes of this study appear quite negative when, in fact, the aim is to sharpen up and make more effective and efficient a process which appears to be

considered progressive in terms of its awareness of the need and value of engagement (as long as it practices what it preaches). Many of the questions and challenges raised will seem to be minor points because the engagement process is largely following what is considered to be good practice.

### 3.2) Learning Lessons from Other Countries

Although there are many studies looking at lessons learned in nuclear engagement processes from across the world, all of them carry a caveat that what works (or doesn't work) in one country may not work in another due to different national politics, customs etc.

The CARL Report arrives at three broad categories of contextual factors that they believe influence nuclear policy (Radioactive Waste Management Policy in the case of the CARL project) and therefore have an influence on why certain approaches work in some surroundings but are not easily (if ever) transferable to others:

- **Socio-political factors** including the extent and nature of national traditions of participatory decision-making; the amount of public confidence (or distrust) in authorities and science; and public perception vis-à-vis nuclear energy and the nuclear sector in general.
  - **Socio-technical factors** including factors such as the history and the size of the nuclear programme; dependence upon nuclear energy.
  - **Physical factors** such as geology and climate and more man made factors such as population density and the country's spatial structure.
- **Recommendation 2:** It is recommended that the NDA continues to contribute to and learn from international experience in nuclear engagement, especially from countries with comparable nuclear programmes in terms of number of sites and site dispersal.

Many of the examples discussed in the literature are engaging stakeholders in local policy or siting issues. However, it is noted in the CoRWM Review that Japan, as in the UK, is engaging stakeholders in a national strategy debate.

- **Recommendation 3:** It is recommended that the NDA Stakeholder Relations Team seeks to establish links with the engagement teams of the nuclear industry in Japan.

The CARL First Report also finds that 'in spite of the 'nuclear scene' being a very international one, countries don't truly learn from each other's waste management 'mistakes', unless they make those mistakes themselves.'

Therefore,

- **Recommendation 4:** It is recommended that although the NDA should continue to keep abreast of future developments in

international research and projects on stakeholder engagement in the nuclear sector, it should not delay any of its own processes in order to await those outcomes.

## 4) Initiating an Engagement Process

### 4.1) The role of the NDA

As has been previously stated, the NDA is often referenced in the literature as providing an example of good stakeholder engagement due to its observance, on paper, of good practice engagement principles and recommendations, such as using independent facilitation.

It is important that principles such as those set out in the Stakeholder Charter are adhered to and integrated across the organisation. It is also important that all stakeholders perceive the NDA as acting in this manner.

It is vital that it is understood and demonstrated throughout the NDA that 'The stakeholder involvement process should never be an end in itself. Rather, it should be an integral part of the decision-making and management processes. It only has meaning if all parties have this intent.' (DTI Review)

The IAEA Overview states that 'The Decommissioning organisation planning to engage with stakeholders needs to consider their own situation and their preparedness for the engagement process... Many contested issues can be resolved if decision-makers demonstrate that they functioned with a sincere consideration for the concerns of others. It is a maxim in public participation that if stakeholders perceive the process to be fair, they will be more likely to accept the results. Key areas for consideration are;

- Top Management sign up and involvement: This is seen as a key element in establishing the confidence of the stakeholders and commitment of the management staff.
- Development of operating policies around openness, transparency and stakeholder relations.
- The whole company has to be behind the engagement process so if and when stakeholders meet company employees they receive the same message and witness the same open and transparent behaviour
- Access to knowledge of stakeholder engagement theory and process either in-house or via contractual arrangements.
- Staff [involved in stakeholder engagement should have good] "people skills" with the ability to listen and communicate with stakeholders in non-technical language.
- Managers must make an honest attempt to engage participation at the beginning of the planning process.'

Other pieces of research or projects add the following:

- Seek to incorporate into the organisation expertise in law, economics, politics and communication as well as technical expertise through the recruitment of staff. This will help considerations other than technical factors to be taken into account in decision-making. (CARL First Report)

- Be prepared to give time to the process (staff resource and lengthen the time for decision-making)
  - Invest in capacity building within the organisation as well as for stakeholders, this may include culture change. (DTI Review)
- **Recommendation 5:** It is recommended that the NDA checks whether the capacity development plan encompasses these requirements. It is also recommended that they check whether there is sufficient communication to ensure that stakeholders perceive these requirements to be in place.
- **Recommendation 6:** It is recommended that the NDA reviews whether there is sufficient time resource available in the Stakeholder Relations Team and at the sites for the most effective use of stakeholder engagement.

#### 4.2) When should engagement start?

There is an on-going debate about the appropriate point to involve stakeholders. In most instances, people's time cannot be taken for granted, and has to be focused where it is most useful. The general rule is that stakeholders should be involved as early as possible but a balance must be struck between involving stakeholders when there is little information which can be shared with them and only involving stakeholders when the major decisions have already been made.

The DTI Review states, 'We would suggest that there is a clear link between the point at which engagements starts within a whole process and participants' perceived success of that process. Shared ownership of the process not only increases the likelihood of conclusions commanding a greater degree of consensus. It also considerably increases the likelihood that participants will share the responsibility for working through difficulties of mitigating the impact of the problems that inevitably crop up.' This applies to all the 'different stakeholder processes that are inevitably required where strategic decisions, perhaps at national level, are followed by a series of siting or detailed option selection decisions, each of which might have their own stakeholder mechanisms.'

Stakeholders have been involved in the NDA process from very early on, even before the NDA was formally set up and all stakeholders should be aware of this.

- **Recommendation 7:** It is recommended that stakeholder involvement early in the decision-making process is continued by the NDA through the forward planning of:
- Issues which NSG stakeholders can make a contribution to
  - SSG involvement as decommissioning progresses.
- NB. It must be clear to the stakeholders whether they are being asked to shape the questions around an issue, input on specific aspects of the issue or are seeking consensus.

- **Recommendation 8:** It is recommended that the NDA require each of its project managers to explicitly plan stakeholder engagement into all of their projects at the same time as other project parameters are mapped out.

#### 4.3) Integration of national & local engagement processes

Comprehensive programmes involving national stakeholders certainly do not guarantee local support for their conclusion. Great attention has to be paid to the interface between different levels of process and time has to be allowed for local communities – which may include fiercely held and divergent views – to develop processes that work for them, build trust and deliver sufficient consensus.

Past processes have found the integration of local and national stakeholders difficult. Learning from the Magnox Decommissioning Dialogue is quoted in the IAEA Overview, 'The process involved engagement with local organisations and the integration of their views and concerns about local issues was often problematic in what was a national, strategic process.'

- **Recommendation 9:** It is recommended that the NDA considers processes to help the SSGs and the NSG to develop a closer relationship and understanding of each other's work. One method of doing this could be to hold workshops at a regional level for SSG members. The purpose of the meetings would be to update all SSG members from the region on the work of the NSG and to allow the membership to network and share engagement experiences. Such meetings could be conducted in the style of the NSG workshops in order to demonstrate this method of working.

A key learning point gained from the COWAM project is not to assume that the SSGs will be able to move at the same speed as the NSG does. They may be able to organise engagement processes faster or slower than the NSG and there will be differences between the SSGs.

- **Recommendation 10:** It is recommended that the NDA flags up any potential requirements as soon as it is aware of them in order to give the SSGs sufficient time to build any engagement required into their usual processes.

#### 4.4) Openness and transparency in building trust

The excerpt below, taken from the IAEA Overview on why openness and transparency is so important to developing trust, is very familiar, especially to the NDA Convenor. However, it is so important to successful engagement that it shouldn't be taken for granted that everyone is aware of it.

'The development of trust between the Decommissioning organisation and the stakeholders and between the stakeholder groups themselves is the key raw material of an effective engagement process. Trust enables

difficult issues to be discussed in an open and proactive manner and for progress to be made on addressing key issues. Stakeholders need to believe what they are being told, they will only do this if they trust the messenger. An open and transparent approach to communication is essential as is the need to treat stakeholders with respect giving them the time and space to express their views and voice their concerns. Key elements for consideration:

The Decision making process:

- Do not give the impression that the decisions have all been made before the stakeholder engagement process started.
- If you are unsure whether to involve the public in a decision, ask them
- Where pre-conditions exist or change over time these need to be shared and discussed with the stakeholders so they understand the boundaries to their engagement.
- Stakeholders must be aware of the process by which their input is considered and how it may be scored, so that they have confidence in the process, even though it may not satisfy their entire individual needs i.e. their individual aspirations may not be fully met (or not at all). The decision process must be unbiased.
- Organised opposition is often encountered, and the public involvement process should include it but not surrender to it.'

- **Recommendation 11:** It is recommended that this learning be disseminated to the SSGs, possibly through inclusion in an engagement toolkit for SSGs.

#### ***4.4.1) Being clear about what is 'up for grabs'***

It is important that stakeholders are aware on a national and local level what and how they are being asked to contribute and what will be done with their input.

The COWAM Network Report notes that, 'A transparent and defined democratic process is required at national level, as a framework for local democracy...The process should give local actors guarantees that:

- Their comments and questions will be listened to
- The project is likely to be modified and influenced by them
- The decision will be eventually explained and justified'

It also adds that, 'It must be clear from the start who takes the decision and on what basis'.

- **Recommendation 12:** It is recommended that the NDA ensures that at every stage of the engagement process it is clarified and communicated what any boundaries to the content of the discussion are, what level of input is being sought to the decision-making process and who will make the final decision.

#### **4.4.2) Accessibility of information:**

'Excessive use of confidentiality and secrecy laws will undermine the development of trust. As nation states implement the Århus convention and develop legislative arrangements around Freedom of Information there should be a presumption that as much information as possible on the decommissioning process should be made publicly available. This should also be the case regarding the deliberations arising from the stakeholder engagement process.' (IAEA Overview)

It is useful to make a distinction (as in the DTI Review) between, '*open corporate governance*, which is sometimes characterized as the organisation determining what it will release – albeit with a commitment to releasing a great deal – and *freedom of information*, which is when those who want the information have primacy in deciding what will be released.'

- **Recommendation 13:** It is recommended that the NDA has a policy on the publication of written material frequently produced for or by the engagement process, e.g. ToR, meeting reports, presentations to stakeholders, group reports. The starting point for the policy should be that the information will be made publicly available on the NDA's website with criteria to be applied in order to identify exceptions. This policy should be communicated to the stakeholders.

The DTI Review finds that 'if separate groups are employed within a stakeholder engagement process it is important to incorporate feedback across groups to ensure transparency and trust is maintained, and to address problems reported with some dialogue programmes, that steering /'main' groups had too strong a gatekeeper role on the work of subgroups'

This is probably especially true between the SSGs and the NSG within the NDA engagement process and reinforces the recommendation for communication to stakeholders between meetings.

- **Recommendation 14:** It is recommended that the agenda for all stakeholder workshops is made available on the NDA website at least one week in advance of the meeting. This will enable stakeholders who are not part of the group to review the topics of discussion and contact either the Convenor or a group member if they have something they wish to ensure is raised as part of the discussions.

#### **4.4.3) Integrating transparency into an organisation.**

The literature reviewed gives a number of examples of how a policy for greater transparency has been implemented in different organisations. For example, The European Bank for Reconstruction and Development (EBRD): 'It was recognised that a move towards greater transparency would require a culture change and the development of new administrative and management systems.

The first issue of the Public Information Policy followed a period of consultation, but ... was reasonably cautious in its approach. The plan was to learn how to manage and deliver transparency and to gain a better understanding of the needs and concerns of a wider range of stakeholders

before moving forward again. A further reason for a staged approach was to allow staff to develop approaches to drafting documents that did not include commercially confidential material unnecessarily and separated it into annexes so that the main text could be released. Such consideration of the structure and content at the drafting stage over time made a significant improvement to the number of documents that could be put in the public domain.' (DTI Review)

- **Recommendation 15:** It is recommended that the NDA has a policy that staff develop documents bearing in mind their potential release into the public domain from the beginning of the drafting process rather than as an afterthought once a document is completed.

## 5) Stakeholders - Who are the stakeholders? How and when should they be engaged?

'To gain political and ethical legitimacy, an engagement process must be able to justify its selection of participants through their capacity to speak on behalf of others; and their contributions must be able to withstand a test of public accountability in some sense.' (MRWS Paper)

### 5.1) National Stakeholders

How a stakeholder is defined, when they should become involved in the engagement process, and utilising what methods, are key questions raised in much of the literature.

In order to answer these questions it is necessary to consider why each group has a stake in the topic of discussion.

The IAEA Overview lists the following stakeholder categories with a brief explanation of why they should be involved in a decommissioning process:

- Facility Owner
- Government
- Funding authority(s), shareholders, rate payers
- Regulators
- Waste Managers
- Real estate owners
- General Public
- Transboundary impacts, tribal nations
- Researchers and scientists
- Institutions
- Local authorities
- Teachers and students, universities
- Visitors
- Archaeology, history, museums, archives
- Media
- Elected officials - local, state, country, partnerships
- Trade unions
- International stakeholders
- Pressure groups and NGO's
- Anti- and pro-nuclear groups
- Operations staff
- Managers/ operating organisation
- Contractors
- Nuclear industry at large
- Non-nuclear industry
- Security organisation
- Emergency organisations
- Future generations
- Others

The CARL First Report lists the following additional stakeholder groups under the heading of 'others':

- Electricity companies and other radwaste producers
- Government departments and agencies other than the licensing and regulator authorities
- Cabinet ministers at national and (sub) regional level
- Municipal governments (in the sense that they sometimes have tasks and responsibilities that go beyond a role as local citizen stakeholder)
- A broad range of experts or 'nuclear professionals' (consultants, contractors, scientists at research institutions and universities): mainly to be situated in the technical field and to some extent law and economics, but more and more also in the field of social sciences and ethics
- Mediators: to some extent these correspond with the category of experts, but there could also be other types of stakeholders that at some point in a process play a mediating role. Moreover a distinction would need to be made between a formal and informal mediating role. In some cases mediators work for a government, or some other institutional actor. But next to this type of mediator, there are also people (maybe also organisations) that act as informal mediators, networking between involved organisations.

- **Recommendation 16:** It is recommended that the NDA addresses each of the stakeholder groups listed in the IAEA Overview and CARL First Report and the reasons they might be involved in a decommissioning engagement process and check whether they are:
  - a) Relevant in the UK
  - b) Whether the NDA engages with them/ should engage with them
  - c) Whether this is by the most appropriate method (should be decided after discussion with the stakeholders themselves) and a best use of their time
  - d) Are they engaged on all/ only the topics of relevance to them?
  - e) If/ how this engagement is communicated to other stakeholders
- **Recommendation 17:** It is recommended that such a review should not be completed in isolation. Stakeholders should be given the opportunity to input on what organisations are involved in the engagement process and how; As the DTI Review notes, 'best practice would suggest that no one organisation should control membership of a process'. The outputs of the review and rationale behind decisions made should then be communicated to the wider stakeholder group.
- **Recommendation 18:** It is recommended that such a review be repeated at regular intervals throughout the ongoing process, as there may be different stakeholders for different aspects of the decision-making process as the CARL First Report found there were for Radioactive Waste Management. For example, it is important to realise that decommissioning is a completely new phase in site life and therefore interested stakeholders may have changed and their areas of concern and influence may be different.

- **Recommendation 19:** It is recommended that any review of membership pays particular attention to the following questions (raised after reading the IAEA Overview, DTI Review, COWAM Network Report and CARL First Report):
  - Is Ireland represented on the stakeholder group?
  - Does the NDA engage with any young people specifically? How are the next generation's views incorporated?
  - As the process has now been running for two years should the role/ involvement of the media be reviewed? Are the media communicated with separately by the NDA? Is this the best route for their involvement? Can it be integrated with the stakeholder engagement process?
  - Is there any representation by non-nuclear Industry or Business Associations on the NSG? Especially any non-nuclear industry with experience in decommissioning methodologies and technologies?
  - Are the relevant emergency services included in the engagement process?
  - Are ethics-oriented stakeholders included in the engagement process?
  - Is it actually appropriate to speak of government as one single institution? Does it indeed speak with one voice on this issue, or are there different views within government and government departments? Do different departments actually attend the meetings and at the appropriate level?
  
- **Recommendation 20:** It is recommended that the NDA Convenor needs to be aware of **all** of the groups considered as stakeholders by the NDA and included in its wider engagement. Even if they are not involved in the NSG, they may be exerting pressures on the NDA due to their needs and concerns which are not seen and therefore not understood by the NSG members. Sharing of these communications (either the fact that they are happening or, even better, what they are about) will aid the understanding of the group of the enormity and complexity of the problems the NDA is dealing with.
  
- **Recommendation 21:** It is recommended that the NDA is more explicit in any invitation to participate in a part of the engagement process as to the aim of the group and asks stakeholders to express why their organisation should participate. This means it will be easier for stakeholders to realise that not all stakeholder groups are required in every discussion for it to be a valid discussion and involvement can vary appropriately. It will also help stakeholders to engage more effectively.
  
- **Recommendation 22:** It is recommended that the criteria for becoming a stakeholder in the NSG or an SSG are made more prominently public, and that who makes the decisions about membership and how the criteria were developed is communicated alongside them.

## 5.2) Engaging with the public or citizens

'Stakeholder engagement programmes do not make poor choices into good ones. Where nuclear power and radioactive waste is concerned, a large degree of consensus amongst stakeholders and opinion formers is required, and there must be confidence in the public reaction before policy is announced. As already noted however, even the best stakeholder engagement programme does not guarantee acceptance.' (DTI Review)

Whether to and how to engage with the general public seems to be one of the most difficult issues around engagement on nuclear issues.

However, most of the literature reviewed does consider how to get the viewpoint of the average citizen incorporated into their discussions, even if they struggle to find a practical method of doing this.

Nuclear and non nuclear examples of engaging the general public can be found through the use of a much wider range of engagement methods than the NDA engagement process employs (see the CoRWM Review for further examples). Although it was not specifically mentioned in any of the literature reviewed, the recent CoRWM process engaged with members of the public through specific meetings and discussion guides and then incorporated the results into the Committee's considerations. The *GM Nation?* Debate also ran public meetings, a questionnaire and a dedicated website particularly aimed at identifying questions which the public had about GM issues.

Evaluations of such processes are sometimes unclear as to the value the public consultation has added to policy making, especially when regarded in view of the costs of the engagement, but the potential value of engaging with citizens should not be underestimated; sometimes it is important at intervals within an engagement process to ensure that the stakeholder views being expressed are in line with those of the wider public; and sometimes it is important for political acceptance of the decision-making process.

Important learning from other engagement processes which have asked the public to input into national policy making include:

- Be clear about the aims and objectives of the engagement process
- Don't underestimate the time involved in creating agreed and interesting stimulus material and advertising the engagement process in advance
- Be realistic that if the method of engagement involves self-selection there will still be sections of the public which still will not have their views represented
- Be prepared to demonstrate how the findings from the engagement have contributed to the end policy. (*GM Nation? Debate*<sup>2</sup>)

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<sup>2</sup> On evaluating the *GM Nation?* Public Debate about the commercialisation of transgenic crops in Britain by Tom Horlick-Jones, John Walls, Gene Rowe, Nick Pidgeon, Wouter Poortinga & Tim O'Riordan. Published in 'New genetics & Society, Vol 25, No. 3, Dec 2006.

The NDA's engagement is conspicuous in its lack of attempt to integrate the general public into its engagement process.

- **Recommendation 23:** It is recommended that the NDA reviews and clarifies its policy on involvement or representation of the general public within the engagement process and allows stakeholders to input to this debate.

Engagement can range from education and information giving to open dialogue. As the energy debate continues it is anticipated that the general public will become increasingly interested in all aspects of nuclear power and associated media coverage will increase. Currently very few members of the general public will be aware of the NDA's role and the NDA's engagement processes. This will be an opportunity for the NDA to educate the wider public about its role and it will be important that misconceptions about decommissioning do not arise due to lack of readily available information. Any education now as to the facts of decommissioning will help with future engagement on decision-making.

- **Recommendation 24:** It is recommended that the NDA reviews its strategy for communication with the general public about the engagement process, in light of an anticipated increased level of public interest in nuclear power and increased coverage in the media.

### 5.3) Local Stakeholders

As well as participating in site-specific discussions, local stakeholders are often viewed as bridging the gap between national stakeholders and national discussions and the general public. Whereas most national stakeholders participate in an engagement process as part of their day-to-day job, many local stakeholders participate as a member of a group, which is used as a proxy for a section of society. This leads to many questions about representation (see later section on ensuring active representation).

The COWAM Network Report asks, "'local communities" was regularly used to identify the local representatives, but what does it stand for: is this the local government with its elected representatives, or more widely the active organisations and individuals, i.e. NGOs, trade unions, local industry? What about the citizens, and the so-called silent majority?'

How to define a 'local stakeholder' also leads to many further questions in the literature. Questions include;

- Should a geographical border be used?
- Could a local stakeholder be identified more broadly as someone (an individual person, an organisation, a group) that is – or could be – affected by the problem in his/ her own personal life, in his/her circle of personal relations; thus arriving at communities of interest that cannot necessarily be demarcated territorially? (CARL First Report)
- Who defines who is a (local) stakeholder or not? Is it the problem holder that picks the arena of its convenience and consequently

designates the players? Is it conversely the stakeholders coming forward (or not) that determine the arena?

- **Recommendation 25:** It is recommended that the NDA reviews any working definition of a 'local stakeholder', taking into consideration the above points and the NDA's policy on engaging with the general public, and issues the SSGs with guidance.

There is little disagreement with the fact that local stakeholders from areas with an existing nuclear facility should be involved in national policy debates in order 'to raise awareness among representatives of national authorities, and implementers about local concerns and projects' (COWAM Network Report), but should citizens from non-nuclear communities also be included as stakeholders? None of the literature reviewed has an answer to this question. How to define such representation and how to incentivise involvement are unsolved challenges.

- **Recommendation 26:** It is recommended that the NDA considers and develops a policy on whether or not representation from non-nuclear communities should be involved in the engagement process

#### 5.4) Site Stakeholder Groups

The COWAM projects look in particular at local involvement in nuclear decision-making. A number of points are raised around local committees that should be of interest to the SSGs. The description of local committees is often of a more proactive role rather than the monitoring role that the SSGs currently have. The local committees provide information to the local community rather than the NDA or site licensee companies providing it. This could add real energy and ownership to the process but would obviously have resource implications.

- 'There should be opportunity for all to take part and interest should be the only criterion for involvement.' (COWAM Network Report)
- There should be training available for local committees membership (COWAM Network Report)
- 'The process is not there to collect opinions but to allow people to discuss and establish their interest. Plurality of views, including opposition, should be regarded as an asset.' (COWAM Network Report)
- 'Local representatives should take responsibility in enhancing local dialogue, keeping in view also the silent majority. Given the complexity of nuclear waste management issues, before making any decision the elected representatives need to value the contribution concerned individuals and organisations can provide.'

The IAEA Overview states, 'An important component of stakeholder communication is to effectively manage the expectations of all parties. The benefits of decommissioning the plant in question should be clearly stated and as far as possible cover the likely stakeholder concerns. Stakeholders should be encouraged to understand that the site has priorities as well as their own. This is a central part of the process to

order priorities amongst the various groupings and apply a consistent process to their evaluation. At the same time organised opposition should be embraced but not surrendered to. Better to involve the pressure groups and recognise their issues, than exclude them when they will become more suspicious of your motives. The rules governing stakeholder participation must be clear and fair. They must be communicated to the stakeholders and must be applied fairly to everyone.'

The COWAM Network Report calls for increased input from the national level engagement process to the local committees. It states that, 'This national framework should work out:

- A set of principles and means throughout the different stages of policy implementation, notably regarding: procedures, ethics, protection of health and the environment, access right to information and participation of local actors
- A clear definition of the problem: what are the types of waste and volumes involved? What is the background energy policy?
- A stepwise process (including the site selection process)
- Identification of accountable key players (e.g. implementer, regulator, energy producer...) with a clear definition of roles and responsibilities in each relevant context (local and national) as regards policy regulation, implementation, funding and review
- Basic standards to be met for health and safety
- Concepts and technical options'

Many of the reports reviewed call for 'A communicated, clear structure of actors and their roles... to clarify national and local responsibilities.' (NEA Report)

- **Recommendation 27:** It is recommended that the NDA carries out a review of the SSG aims, purpose and arrangements and includes in that review consideration of the points listed above.
- **Recommendation 28:** It is recommended that the NDA provides a 'toolkit' of process guidance to the SSGs to aid their understanding and management of their engagement processes. Possible items for inclusion in the toolkit are highlighted throughout this report.
- **Recommendation 29:** It is recommended that the NDA, pending outcome of its review of the SSGs aims and purpose, provides guidance to the SSGs including principles of decommissioning and relevant data.
- **Recommendation 30:** It is recommended that the COWAM Network Final Report, pages 45 to 56, the outputs of each of the Recommendations Groups, should be fed into the local arrangements review.

#### 5.5) Ensuring active representation

'It is important to be clear whether stakeholders are 'being invited to 'represent' the views of their group or 'reflect' them. The difference is

crucial as the first suggests a wider forum for the engagement process, in that if one is to represent then there is an implied mandate. If receipt of mandate is considered important for the process then time for the exchange of information, digestion and comment must be built in. However, if stakeholders merely 'reflect' a view of their group or if their views are taken as being typical of those of group members, then this process is shortened but the validity of the process is harder to demonstrate.' (DTI Review)

- **Recommendation 31:** It is recommended that it be clarified with all existing and future stakeholders involved in the NDA engagement process whether they are representing or reflecting their stakeholder group. This needs to be reviewed at regular intervals as stakeholders' status could change.

The IAEA Overview document observes that, 'recognising that [local] representatives and/ or their constituents may not have access to communication mechanisms and facilities that national organisations have or may be less experienced at doing so - they may need communications support.

- **Recommendation 32:** It is recommended that the NDA discusses with stakeholders what the responsibilities of their role are and how the process can support them in feeding back to their constituency.

#### 5.6) Stakeholder Equality

Are or should all stakeholders be considered equal within the process of decision-making?

'An independent survey of Nirex's stakeholders in 2001 included the question: What do you think of the Nirex Transparency Policy? The second most common concern raised was that there was too strong an emphasis on listening to particular stakeholders, particularly politicians, activists and pressure groups. This was raised primarily by industry shareholders. Nirex's response was that it placed a particular emphasis on listening to those groups "that Nirex least understood" and therefore inevitably might appear to be favouring one constituency over another.' (DTI Review)

- **Recommendation 33:** It is recommended that the NDA consider the amount of time spent listening to and the weight given to the input of different stakeholder groups. If this is not balanced then they should be clear as to the rationale behind this and, if it is becoming an issue for other stakeholders, communicate the rationale.

One risk also highlighted in the DTI Review is that dialogue groups and high-level consultations involve 'the usual suspects' who are accepted as valid stakeholders, trusted to participate responsibly and have sufficient time and money to make an on-going contribution.

- **Recommendation 34:** It is recommended that the NDA engagement process should actively seek to include new stakeholders to bring

different perspectives and to ensure that all the engagement experience and trust that is built up is not isolated in a small number of individuals. An annual review of the membership of the NSG could be a method for achieving this.

- **Recommendation 35:** It is recommended that the NDA develops processes to help capture 'organisational' learning for the engagement process and ensures this is disseminated across the full membership of the process. This could be achieved through the annual production and publication of a lessons learned paper and through ensuring that the outputs of the ongoing evaluation are put in the public domain and the stakeholders are made aware of them.

## 6) Management of the stakeholder process

### 6.1) Stakeholder Management Plan

The review of the literature reveals that a number of nuclear stakeholder engagement processes have found having a stakeholder 'management plan' and or 'communications plan' extremely useful.

The IAEA Overview document states that, 'A costed stakeholder management plan should be developed which is integrated into a project management plan, with clearly identified responsible individuals for each aspect. In outline it should address the following;

- Objectives for stakeholder engagement
- Identify clear ownership by individuals for each part of the plan
- Define the individual means of communicating with stakeholders
- Define Critical success factors
- Develop a process route map that sets the key components of the engagement process'

- **Recommendation 36:** It is recommended that the NSG and each of the Issue Groups should have each of the above clearly defined and communicated as soon as possible in the process. Clarity over these issues will aid the stakeholders, the convenor, the NDA, the evaluators and any other organisations looking into the process.

The Winfrith Site Closure Programme (IAEA Overview) used a more detailed table for its stakeholder communications plan. This included listing all **internal** and **external** stakeholders, designating an owner for each stakeholder (person in the organisation who has responsibility for the interaction), and the frequency and method of communication with the stakeholder.

- **Recommendation 37:** It is recommended that the NDA ensures that every line in the engagement plan has a named owner.

### 6.2) Papers

The IAEA Overview lists important learning from the Magnox Decommissioning dialogue as being clear 'about the purpose and status of all paper work produced. It should be up to the group to decide which category the paper falls into.

Status: Papers should be labeled with one or more of the following:

- **Submitted** (as information for the group)
- **Contributed** (for further development)
- **Work in progress** (draft / in development)
- **Confidential to ["group name" members]** until complete'

- **Recommendation 38:** It is recommended that, if it is not already done, a log of all paperwork circulated within the NSG and issue groups be kept with relevant classifications such as above. The SSGs should be made aware of the value of such a system.

### 6.3) Demonstrating the impact of stakeholder engagement

The DTI Review notes that, 'Increased involvement brings with *it an* increased expectation of influence, and of greater transparency concerning the links between representations made and the end product.' The IAEA Overview states that, 'Dissemination of and more importantly embedding any work/outcomes from a process can be problematic for the participants who are also the Problem Holders. More discussion with them at the beginning of a process to encourage them to think early on about how practically they will be able to do this and what it will involve and what mechanisms will be needed would be beneficial.'

- **Recommendation 39:** It is recommended that the NDA ensures that feedback mechanisms and audit trails are built into the process as much as possible in order to help demonstrate the impact on decision-making of the stakeholder engagement processes. If possible, this should differentiate between stakeholder input made through the NSG, the issue groups and the SSGs.

### 6.4) Contingency Planning

The CARL First Report comments that the framing of aspects of nuclear waste are closely linked to the framing of nuclear energy in general. Accidents and events, whether they have an impact physically abroad or not, can have an effect on mindsets and framing, and eventually policy and legislation, at both the international and national level – and not just within the country where the incident occurs. The NDA cannot have any control over such an event but it could have a huge impact on the stakeholder engagement processes.

- **Recommendation 40:** It is recommended that the NDA operates a risk register and contingency planning for its stakeholder engagement processes. Included in this should be the occurrence of an event which would change international mindsets about nuclear energy.

### 6.5) Allowing Sufficient Time for Engagement

As well as involving stakeholders 'as early as possible in the decommissioning process' (NEA Report), a number of the papers comment on the flexibility in timing required for stakeholder engagement processes. 'Stakeholder engagement is a human process and human relations and trust require time to mature. Do not rush the process as Stakeholders will feel that they are being rushed into a decision and become suspicious of the companies motives. There needs to be recognition that things change along the way and ensure the ability for change is built into the process. It is therefore an encouragement to build in flexibility to adapt to changing circumstances.' (IAEA Overview)

- **Recommendation 41:** It is recommended that the NDA looks ahead sufficiently to identify topics for discussion so that they can be built into the programme in ample time to allow sufficient stakeholder discussion and input.

#### 6.6) Other possible methods for engaging with stakeholders/ the public

The following are examples of other methods for engaging which have been used in the nuclear sector and which could be applied within the NDA's engagement process.

'The Internet was used to facilitate expert communication within the Institute. People involved in so-called 'reflection groups' used Internet-based discussion technology to continue and develop more in-depth discussions started during reflection group meetings.' (CoRWM Review). This method could be used to progress discussion of more specialist issues outside of normal meetings amongst those who were interested.

'In Japan, the Nuclear Safety Commission has operated a 'People's Opinions/Questions Box' since May 2000 [NSC 2000]. The public is encouraged to send in any opinion and questions about the Commission's undertakings, and replies from the Commission will be displayed on its website for public inspection.' (CoRWM Review)

This may be a useful way of engaging with some stakeholders/ members of the public who don't qualify to be members of the NSG. There may be resource considerations attached to it but if individuals are asking questions of the NDA anyway why not share the information with the wider public?

- **Recommendation 42:** It is recommended that if the NDA decides to engage with the public that it uses a wider variety of methods of engagement such as those described above and others.

#### 6.7) Integrating technical and social aspects into engagement

It is agreed internationally that dialogue on nuclear issues should seek to integrate social and ethical aspects with technical aspects. The participants at the CARL workshop in Antwerp 'firmly agreed that participation in RWM should include both social/ ethical aspects and technical aspects.'

**This does not happen in all countries and the NDA should be congratulated for its efforts in this area.**

## 7) Stakeholder Communications

To be effective, communications must be: (source IAEA Overview)

- Open and Honest
- Clear and Concise
- Relevant
- Direct
- Truthful
- Sensitive
- Balanced
- Timely
- Informative

- **Recommendation 43:** It is recommended that the NDA considers this list when starting any new part of the engagement process, i.e. NSG meeting, issue groups starting. It would be useful to circulate this to all SSGs as part of the engagement 'toolkit'.

### 7.1) Reporting

Reports are usually produced after stakeholder meetings to help the participants feed back to their organisations. The Magnox Decommissioning Dialogue (as referred to in the IAEA Overview) introduced a summary report because 'Problems had arisen earlier in the dialogue because the wider group had not had enough information between Main Group meetings. The summary report was a tool for encouraging dissemination of progress among participants. Participants did not have to spend additional time preparing separate written communications. It was helpful too for Working Group members – because there was no doubt about what the group as a whole was happy to share more widely. A common update report is also something that can be included on websites more easily. Expectations must be managed though; such a summary tends to convey headlines rather than a high level of detail.'

- **Recommendation 44:** It is recommended that reporting mechanisms for each part of the engagement process be reviewed regularly. This could involve questions such as:
- Are the reports being used? For what purpose? Could they be made more fit for purpose?
  - Is this a cost effective way of capturing what happened in the meeting?
  - Is the format still the most useful?
  - What is their status?
  - Are they being made available as widely as they could/ should be?

Good communication is obviously an integral part of stakeholder engagement. Not only communication at and around meetings but also in-between meetings. As the following recommendation from the IAEA Overview demonstrates:

'Stakeholders need to be communicated with in a consistent and effective manner. Promote the flow of information between parties with an interest in the project. Keep up the flow throughout the process. Failure to achieve this may lead to the project moving from one that illustrates best practice, to one where some of the stakeholders appear to have been disenfranchised.'

- **Recommendation 45:** It is recommended that the NDA ensures that there is sufficient communication between NSG meetings with the stakeholders including updates on progress within the process, e.g. Issue Groups activities, and outside of the process, e.g. the NDA's latest thinking on key issues.

#### 7.2) Further information which could be communicated to stakeholders

The desktop study highlighted a number of issues which the NDA may be doing but not necessarily communicating to its stakeholders under the presumption that they would not be interested:

'Projects initiated by... international organizations tend to be considered more credible and therefore generate more financial support, joint projects create a support network and a system of formal and informal peer reviews. This external review process enhances and adds technical credibility and validity to national approaches and methodologies. And finally, co-operation and exchange of information are required and used by countries as a means of checking their own progress - a means of calibration.' (IAEA Overview)

- **Recommendation 46:** It is recommended that if any aspects of the NDA's work being discussed within the stakeholder engagement process is subject to external review by other countries, that it uses this opportunity to increase stakeholder confidence by communicating this to the stakeholders.

Non-departmental public bodies (NDPB) are required by the Office of Government Commerce (OGC), which has a responsibility in the UK to ensure that Treasury funded public works are run according to "Best Practice" in procurement and project management terms, to undertake a series of project reviews known as "The OGC Gateway Review Process". (IAEA Overview)

- **Recommendation 47:** It is recommended that if the NDA undertakes such project reviews on any aspects of work its relevant being discussed in the stakeholder engagement process, that it uses this opportunity for increasing stakeholder confidence by communicating this to the stakeholders.

## 8) (Removing) barriers to engagement

It is easy to decide to exclude people from stakeholder engagement processes, either structurally and consciously or sub-consciously through the use of inappropriate processes, restricting access to information, demanding too high a level of commitment in terms of time or negotiating flexibility etc. Some of these issues are dealt with elsewhere in this report.

The DTI Review observes that, 'it is worth noting that barriers to participation may on occasions be created, manipulated or misrepresented by the different parties, as a method for avoiding, devaluing or questioning the validity of engagement.' This is particularly relevant to the SSGs where more of the membership is attending outside of their normal working day.

Not all stakeholders are equal when it comes to an organisation's manpower, resources and access to technical expertise, all three of which are usually deemed required to participate fully in a nuclear stakeholder engagement process. The extent to which the NDA should assist stakeholder groups with these issues is a difficult decision; if the NDA is not considered to provide enough assistance then claims of inequality and deliberate exclusion may be made; if the NDA provides too much assistance the process will be in danger of being slowed to a standstill and the motivations of stakeholder groups may be called into question.

For example, the CARL First Report observes that financing mechanisms 'could influence how future policy is shaped and to what extent decision-making processes can be stretched and made more participatory. In some countries national waste management funds are set up that also allow for the funding of NGOs or local communities to enable them to participate in stakeholder involvement programmes... [*Other countries don't have this and*] it would be interesting to compare such differences in financing mechanisms and how they affect (stakeholder involvement in) the shaping of Radioactive Waste Management.'

- **Recommendation 48:** It is recommended that the NDA engagement process has clear policies on the different issues which could be seen as barriers to successful engagement and that these apply to the NSG and SSGs. It is suggested that this is created along the lines of an equal opportunities policy for all stakeholders involved in the NDA's engagement processes. This should avoid special treatment being given to any one stakeholder group.

Potential barriers include;

- Reliance on web pages and email which can disenfranchise those without easy Internet access.
- Reimbursing for time and expenses
- Time and location of meetings
- Use of acronyms and technical jargon

- Stakeholder fatigue (requested to participate in too many nuclear engagement processes)
- The use of particular style of social events and overnight stays being required for two days meetings

### 8.1) Funding of participation

Much of the literature reviewed raises the issue of reimbursing or paying stakeholders for their time. As long as other stakeholder engagement processes, especially within the nuclear sector continue to do this, funding will continue to be an issue for the NDA's engagement processes.

- **Recommendation 49:** It is recommended that the NDA liaise with other UK nuclear engagement processes on the subject of funding and seeks to create a sector wide policy or set of principles.

The NDA needs to be clear why it is engaging and whose needs are being met through the engagement process. Is it to meet the NDA's needs, to meet the stakeholders' needs or to meet everyone's needs? Once this is clarified it will be easier to assess whether an engagement process is still valid if a stakeholder group is unable to attend due to lack of funds. This should form the basis of any decisions on whether funding is available for stakeholder or representative participation.

- **Recommendation 50:** It is recommended that the NDA clarifies the rationale behind the funding of stakeholders policy within the NDA's engagement process.

The other aspect to the funding issue is whether, by holding meetings during the normal working day, some stakeholders could be viewed as being effectively excluded if funding is not available to compensate for lack of earnings from their normal job. If this is seen as a barrier funding is not necessarily the answer, in fact in some cases moving the time of the meeting or having a form of engagement which doesn't require attendance at meetings may be preferable.

- **Recommendation 51:** as previously stated, it is recommended that the NDA reviews whether stakeholders are being engaged with in the most appropriate way taking into account considerations such as ability to attend daytime meetings.

### 8.2) Technical Support

The experience of the Dams and Development project (as detailed in the DTI Review) suggests that access should be given to technical information in language appropriate to the stakeholders, however access to information is not enough. Some stakeholders may require assistance in its interpretation and use.

The DTI Review goes on to say that 'a good process will structure access to information and technical advice in to its process, however it does not need to be a structured contact all the time. In their extensive experience

Batelle have found that it is also important to just be available on the phone. This informality also helps to foster the good relationship building essential to the success of any engagement process.'

- **Recommendation 52:** It is recommended that all presentations and documentation be provided in language appropriate to the audience. It should be noted that this may be considerably different for SSGs than it is for the NSG
- **Recommendation 53:** It is recommended that additional technical assistance (such as technical briefings or a person that can be contacted outside of meetings for technical explanations) should be offered to all stakeholders rather than having to be requested, due to the stigma attached to this action.

In other countries the regulator or a local university is trusted as the 'people's expert' so there is no need for additional 'independent' expertise. The NEA Report states, 'Another possible mechanism... is for the regulator to play an active role in D&D activities not only by overseeing the process, but also by acting as the expert of the affected communities'.

An example of this working successfully comes from Sweden where the regulatory agencies, SKI and SSI, 'recognised a role for themselves in the process as what has become known as the 'people's expert'. Initially this involved attending EIA Forum meetings in Oskarshamn, but in 1999, when a new EIA Law was passed in Sweden, this became more formalised.' (CoRWM Review).

- **Recommendation 54:** It is recommended that the NDA considers with stakeholders, and perhaps trials, different methods of providing technical advice and support to stakeholders.

Despite these concerns about the use of technical information, much of the literature reviewed had found that 'citizens are highly capable of engaging with complex technical issues such as radioactive waste, and should not be excluded on this basis.'

### 8.3) Capacity building

Capacity building is required throughout a process but is related to the issue of technical support. The CARL First Report recommends that 'in order to participate competently and constructively lay people should be given the opportunity, the resources and particularly the time to gain insight into the technical aspects. Given these preconditions, most seemed convinced of the ability of lay people to master enough comprehension of technical matters to competently engage in a RWM policy process....'

- **Recommendation 55:** It is recommended that the NDA explicitly builds time and resources for capacity building and training into the process plan. This is especially relevant for the SSGs to help maximise the spectrum of views involved in the process, or when a new issue group is being set up

#### 8.4) Use of external experts

In principle the key to the success of the technical information provided, its use and application should be that it is independent of any and all stakeholders. However the literature recognizes (e.g. DTI Review) the practical difficulties associated with agreeing 'independence' and also the difficulty with finding, in this specialised field, experts that are not associated with one or other side of the argument. Sometimes stakeholders' expectations must be managed as the role of an expert may simply be to reduce uncertainties by clarifying what is known and what is unknown in a given context. (COWAM First Report)

- **Recommendation 56:** It is recommended that, if independent expertise is requested by the stakeholders, that related issues are discussed and agreed with the stakeholder group up front; a definition of independent, a brief for any work to be carried out and agreement on what will happen to the outputs of any work carried out by the expert(s) (learning from Magnox Decommissioning Dialogue listed in the IAEA Overview).

The COWAM First Report suggests that, 'In order to ensure an as broad as possible diversity of views, experts from abroad who have no link whatsoever with the local and national situations may also be called for.'

One possibility highlighted in the CARL project is to develop "lay experts" (people with enough time and interest in the matter to develop a basic technical understanding so they can make sense of technical discussions) ... suggesting these people could work as mediators between the industrial actors and the grassroots or general public.'

- **Recommendation 57:** It is recommended that, if the need for 'independent' experts arises, other alternatives that have been used in other projects be discussed. Such as the utilization of academic groups or 'neutral' charities such as UKCEED, the use of 'lay experts', the use of experts from abroad or the use of an oversight or steering group that represents as close to the full range of opinion on the issues as is practicable. These must be considered with the full stakeholder group and the time requirements and cost effectiveness of each option considered as part of the discussion.

#### 8.5) Dealing with complexity and uncertainty

'The Decommissioning process is inherently complex and the developing of plans is often surrounded by levels of uncertainty that are difficult for stakeholders to understand. Often in these situations the technical analysis is questioned by stakeholders who do not trust the data or analysis placed before them. Therefore processes need to be developed such as 'Joint Fact Finding' whereby stakeholders can collectively develop an analysis of the situation under concern.' (IAEA Overview)

- **Recommendation 58:** It is recommended that the NDA considers the use of tools such as Joint Fact Finding when there is mistrust of the data or analysis. However, the use of such tools needs to be

considered within the context of the whole process; not just which is the most useful but how they are introduced, how time consuming they are, how the outcomes of using them can be communicated to the wider group of stakeholders. It is suggested that it would be useful to circulate an explanation of how such tools can be used within and engagement process to the SSGs as part of the engagement 'toolkit'.

## 9) Evaluation

It is generally acknowledged that evaluation of an engagement process is essential. The IAEA Overview adds that 'Evaluation needs to be planned at the outset and where possible needs to be designed with active participation of the stakeholders. Effective evaluation allows for the development of good practice, which should then be shared, to a wider audience through reporting and publication. The 'art' of stakeholder engagement is a developing field and there are still many lessons to be learnt.'

**The NDA engagement process should be commended for commissioning an independent evaluation alongside its engagement process.**

The DTI Review document acknowledges that evaluating engagement processes is not an easy task: 'Increasingly, evaluations are becoming more concerned with looking at impact as well as, the process...However this is not always easy to do, because it may rely on people being able to objectively judge the difference between what they are others feel or do, compared to what would have happened if the initiative had not taken place.'

Therefore it is imperative that evaluation is considered from the beginning of the engagement process.

- **Recommendation 59:** It is recommended that evaluation is considered at the beginning of every part of the engagement process and the NDA considers how evaluation can be incorporated into the work of the SSGs.

The DTI Review recommends that evaluation seeks to 'review the *relevance* of the work, *efficiency* in terms of cost, how *effective* the process is being in meeting its objectives and the *impact* of the process. From these it is possible to develop indicators of success, against which activity can be plotted, success measured and areas for improvement and good practice lessons identified.'

- **Recommendation 60:** It is recommended that the NDA ensures that the objectives of the NDA's engagement process are well understood by the stakeholders. They should be emphasized in any introductory discussions with new stakeholders.
- **Recommendation 61:** It is recommended that the NDA clarifies with the evaluator what type of evaluation is appropriate for the NDA engagement process and what this means for the stakeholders involved. E.g. if the NDA is seeking organisational learning how much of the organisation is involved?
- **Recommendation 62:** It is recommended that the NDA draws the above section to the attention of the independent evaluator.

## 10) Reminders for long running processes

Many of the principles of good engagement are considered in great detail at the beginning of an engagement process. However, over time, especially in long, ongoing processes such as that of the NDA, any assumptions made at the beginning of a process can become invalid and it is necessary to proactively review those issues and assumptions.

- **Recommendation 63:** It is recommended that the NDA develops a review timetable that ensures that the following areas of concern are reviewed at suitable intervals.

### 10.1) Networking

- **Recommendation 64:** It is recommended that networking opportunities for stakeholders be actively considered within the planning of events and the entire engagement process.

### 10.2) Consensus

'The term "consensus" has two possible meanings, so it is essential to be clear on which meaning is being used whenever the term is used. One meaning of the word is "unanimity", that is, each party must positively support the decision. More frequently, the term is used to describe a circumstance in which a large percentage of the participants positively support the decision. Others simply consent to the decision - even though they may not prefer it personally - because they consider it tolerable or the best solution that can be achieved under the circumstances. (DTI Review)

- **Recommendation 65:** It is recommended that the NDA clarifies if and when consensus is being sought for each line of the NDA engagement plan.
- **Recommendation 66:** It is recommended that guidance be provided to the SSGs as to what consensus is, when it should be sought and possible methods for achieving it.

### 10.3) Stakeholder involvement

In thinking about the different parts of a stakeholder engagement programme, it is important to maintain the distinction between the extent to which participants are responsible for the decision-making and the level of interaction with stakeholders. (DTI Review)

It is possible for stakeholders to assume that, because extensive engagement is taking place on some issues, they have a 'right' to be involved in every decision.

- **Recommendation 67:** It is recommended that the NDA ensures that the boundaries of the engagement process are clear to all stakeholders.

#### 10.4) Communication takes time

When a new sub group is set up or the role of a group changes (e.g. An SSG's role when a site changes from operating to decommissioning) time needs to be built into the process to allow productive communication and trust between the new grouping of stakeholders to develop. (DTI Review)

- **Recommendation 68:** It is recommended that a time allowance for this process is built into the process design for any new sub groups and that the SSGs are given guidance as to how much time to allow for and activities which can help with developing communication and trust between stakeholders.

#### 10.5) Stakeholders who leave the process

Stakeholders sometimes leave an engagement process for a variety of reasons; they find it takes up too much time; they feel it is not meeting their needs; their organisational priorities have changed. These can then change again but they may remain outside the process.

- **Recommendation 69:** It is recommended that any groups or individuals who have left the engagement process or declined to become involved from the beginning be re-approached. The purpose of this would be to review with them the relevance of the engagement process to their organisation, what is being discussed within the process, if they would like to be involved and in what way (this could simply be receiving updates as to progress).

#### 10.6) Managing expectations

When a stakeholder engagement process involving workshops is initiated much effort is spent making sure all the stakeholders understand what the boundaries and principles of that engagement process are:

- What dialogue is and why it is different
  - How to work collaboratively
  - Roles, responsibilities of Convenor, facilitator, problem holder, stakeholder.
  - Groundrules, their purpose and implementation
  - Communications within the dialogue and with wider constituents
  - Openness, accountability and confidentiality
- **Recommendation 70:** It is recommended that the NDA ensures that time is taken to explain the above to all stakeholders who join the process part way through.

#### 10.7) Drafting of reports

In projects where the amount of time stakeholders have been able to commit to the process has had to be reduced from the optimum (e.g.

COWAM 2), reports have increasingly been drafted by experts. For example, the COWAM 2 Roadmap for Local Committee Construction is a 'collaborative and iterative writing effort with stakeholders defining important content and providing illustrations from their experience and expert resource persons taking responsibility for writing and layout.'

- **Recommendation 71:** It is recommended that as trust is developed within the process, the method of writing of reports e.g. from the Issue Groups and the NSG is reviewed with a view to removing a time consuming task from stakeholders.

## Appendix 1: Desktop Study on International approaches to Engagement - Detailed Proposal

### Background

The NDA is moving into the 'second stage' of its process of engaging with stakeholders. A suite of issues are likely to attract significant attention in the next year or so - ILW storage and repository implementation to name two obvious ones - and therefore will require some form of engagement structures to be established. There is experience of these issues in other countries, and we propose that we conduct some limited desk research to reassure ourselves that we are not missing valuable lessons that have been learned the hard way elsewhere.

Preliminary discussions have taken place with the following contacts whom have experience or knowledge of overseas nuclear engagement:

- Fred Barker - NuLeaf
- Mark Drulia – BNG Reactor Sites
- Richard Griffin - NDA
- Rupert Wilcox-Baker – BNG International Nuclear Subsidiaries
- Elizabeth Atherton – Nirex/ NDA
- Phil Richardson – ex Enviros now Galson Sciences

### Aims of Desktop Study

There are 3 levels of possible research:

- 1) Carry out an evaluation of individual nuclear engagement projects,
- 2) Read reports of individual nuclear engagement processes and their evaluations and draw conclusions from each directly,
- 3) Review reports of projects where others have already done a comparative analysis of nuclear engagement processes and draw out lessons applicable to the NDA.

Preliminary investigation has shown that a number of studies of stakeholder and public engagement on nuclear issues have already been carried out. Some as recently as 2006/ ongoing. It therefore seems most sensible for this piece of work to take the form of a **review** of the work that has been carried out to date, rather than carrying out any primary research. I.e. the third research option listed above.

The purpose of the review would be to:

- Produce a useful summary of these pieces of work for the use of the NDA and its Convenor for now and in the future
- Identify key learning for the NDA to apply in the UK
- Ask questions of the Convenor to challenge the current stakeholder and public engagement process
- Feed into the current process review.

N.B. It is important the review focuses on practical techniques rather than becomes an academic piece of work on stakeholder engagement methodology.

## **Methodology and Scope**

### ***Examples of Nuclear Engagement Processes***

It is proposed that a number of documents be reviewed and the following extracted from them:

- Short summary of contents of document
- For each of the case studies:
  - Characterisation of the problem – what the level of conflict was and what the process was seeking to achieve
  - Countries involved – national, local, European project?
  - Timescale of the process (start and finish)
  - Characterisation of the approach and methods that were applied
  - Budget/ scale
- Key learning applicable to the NDA (now and in the future)
- Key contacts/ groups that NDA convenor should keep in touch with
- Future dates of note, e.g. when further research due to be completed.

This information would then remain as a readily accessible record should the NDA Convenor Team wish to refer back to the reports for currently unforeseeable requirements.

It is intended that the review be a largely desk based project but judgement will be used as to whether it will be more useful to speak to relevant contacts if there are questions not answered by the written reports.

In order to try to draw out as much applicable learning as possible, the focus of the review would be on initiatives that:

- Addressed strategic issues
- Aimed to actively engage stakeholders and members of the public not just educate
- Operated at both the national and local site-specific level in an integrated manner.

Note that the study would not specifically investigate processes of siting a repository: this is a valuable topic of research but, in our view, a separate topic

A study of the following research projects and documents is proposed to make up 80% of the review:

- COWAM (**C**ommunities in **W**aste **M**anagement) 1 (2000-2003)
- COWAM 2 (2003-2006)
- COWAM in Practice (CIP) (2007-2010)

- CARL (**C**itizen-stakeholders, **A**gencies Responsible for radioactive waste management, social science **R**esearch organisations and **L**icensing and regulatory authorities) (2004-2007)
- IAEA – An overview of stakeholder involvement in decommissioning (report currently being finalised)
- NEA Radiation Protection Institutes & Stakeholder Involvement (RPISI group) case studies
- Review of best practice from public and stakeholder engagement in overseas countries – by Enviros for CoRWM/ Defra
- A Review of UK and International Experience of Stakeholder Engagement, for the DTI by CAG Consultants with Greenstreet Berman (May 2003)
- Aspects of 'Working Paper on Participatory Methods' prepared by Jason Chilvers, Jacque Burgess and John Murlis, of the Environment & Society Research Unit, Department of Geography, University College London. (2001)

### ***Examples of Non-Nuclear Engagement Processes***

The remaining 20% of the review would seek to find individual projects in non-nuclear areas of public and stakeholder engagement in the UK but where useful learning may be transferred across.

#### **e.g. Evaluation of GM Nation? Process (2004)**

'The core evaluation team comprised researchers from Cardiff University, the University of East Anglia and the Institute of Food Research. Tom Horlick-Jones of Cardiff University, team leader of the evaluation project said:

"We spent twelve months gathering data on virtually every aspect of the debate. Our report tells a story of successes and failures. We recognise that the debate was an enormously important experiment, from the point of view of extending and enriching the democratic process, but this is just the start. Now is the time to start to learn the lessons on how to do this sort of thing more effectively."

## Glossary

### Stakeholder engagement

*The process of relating to and working with a range of people who have an interest or 'stake' in a project, issue or organisation. It is a generic term that comes a wide range of approaches and activity.*

### Stakeholder Management

*An organisational function/ activity involved in managing the relationship between an organisation and its stakeholders.*

### Stakeholder Dialogue

*Face to face engagement with stakeholders usually through some form of managed deliberative process and focussed on informing decision-making.*

## List of Acronyms

BNG	British Nuclear Group (UK)
CARL	Citizen-stakeholders, Agencies Responsible for radioactive waste management, social science Research organisations and Licensing and regulatory authorities
CIP	COWAM in Practice
CoRWM	Committee on Radioactive Waste Management
COWAM	Communities in Waste Management
D&D	Decontamination and Dismantling (or Decontamination and Decommissioning)
DTI	Department of Trade and Industry (UK)
EBRD	European Bank for Reconstruction and Development
EIA	Environmental Impact Assessment
FSC	Forum on Stakeholder Confidence
GM	Genetically Modified
IAEA	International Atomic Energy Agency
JFF	Joint Fact Finding
MRWS	Managing Radioactive Waste Safely
NDA	Nuclear Decommissioning Authority (UK)
NDPB	Non-departmental Public Bodies
NEA	Nuclear Energy Agency
NGO	Non Governmental Organisation
NSC	Nuclear Safety Commission
NSG	National Stakeholder Group
NuLeaf	Nuclear Legacy Advisory Forum
OGC	Office of Government Commerce
RWM	Radioactive Waste Management
SKI	Swedish Nuclear Inspectorate
SSG	Site Stakeholder Group
SSI	Swedish Radiation Protection Authority
ToR	Terms of Reference
UKCEED	UK Centre for Economic and Environmental Development
WPDD	Working Party on Decommissioning and Dismantling