



Department for
Business, Energy
& Industrial Strategy

Civil Nuclear Constabulary: Service Expansion and Diversification

Government Response

Consultation closed 5 August 2021

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Introduction

Background

The UK's civil nuclear infrastructure is evolving, with the retirement of much of the existing nuclear generating fleet forecast over the next ten years, and the development of new and innovative nuclear technology and infrastructure to consolidate and replace it. Maintaining the security of the civil nuclear sector will be essential in ensuring energy system resilience on the path to Net Zero, as set out in the Government's Energy White Paper¹.

Whilst the security of the UK's nuclear infrastructure will remain paramount, the means by which we protect our critical sites and technology will need to adapt to meet this changing environment. Similarly, the evolving and increasingly complex threats that face our critical infrastructure mean that our security posture must remain robust, forward-looking and proportionate to the threat from those who might seek to exploit it.

Civil Nuclear Constabulary: Service Expansion and Diversification Consultation

The Civil Nuclear Constabulary (CNC) are the specialist armed police force charged with protecting civil nuclear sites and nuclear materials in England, Scotland and Wales, and civil nuclear material in transit both in the UK and internationally. The CNC are governed by the Civil Nuclear Police Authority (CNPA), an executive Non-Departmental Public Body sponsored by the Department for Business Energy and Industrial Strategy (BEIS). The CNPA is responsible for the maintenance of an efficient and effective CNC, the employment of police officers and staff, and for the force's strategic planning.

The CNC works in partnership with nuclear site licence companies to protect ten nuclear sites across the country, employing over 1,500 police officers and police support staff. In addition, the CNC plays an important role in supporting the UK's wider response to national emergencies. Its headquarters are based in Culham, Oxfordshire.

The CNC is a crucial component of our civil nuclear security system. As a national infrastructure police force with counter terrorism at the heart of everything it does, the CNC carry out a nationally important and unique task, which becomes ever more challenging as global terrorism threats change and new ones emerge.

The "Civil Nuclear Constabulary: Service Expansion and Diversification" Consultation ran for six weeks from 24 June 2021 to 5 August 2021. It set out legislative proposals to amend the remit and powers of the CNC, to seek views on the plans and input on how this could be most effectively achieved. The proposals focused on two outcomes: (a) enabling the CNC to provide

¹ <https://www.gov.uk/government/publications/energy-white-paper-powering-our-net-zero-future>

a wider range of policing services beyond the civil nuclear sector; and (b) enabling the Civil Nuclear Constabulary to provide support more easily to other police forces. More details on the proposals can be viewed in the original consultation document.²

This document provides a summary of the responses received throughout the consultation as well as rationale behind the decisions subsequently made by government in relation to the consultation content.

Conducting the consultation exercise

The consultation set out 13 questions. Formal responses on these questions were received from 51 respondents, either via email or the online portal (Citizen Space). Responses were received from stakeholders including nuclear sector companies, policing bodies, trade bodies, non-government organisations and independent individuals. Views from participants in engagement discussions with BEIS are also reflected in this government response.

Respondent Type	Count
Individual	30
Industry - Large business	6
Industry - Trade body	1
NGO	2
Policing organisation	9
Regulator	1
Trade union	2
Total	51

BEIS is grateful to all those who took the time to respond to the consultation. The responses received, as well as other engagement activities with stakeholders, have informed the Government's decisions on finalising the proposals.

² <https://www.gov.uk/government/consultations/civil-nuclear-constabulary-service-expansion-and-diversification>

Many responses wrote in support of the Government's ambitions. However, a number of contributors opposed or expressed concerns with all of or some aspects of the proposals. All responses represented valuable insights from stakeholders that have enabled BEIS to further develop the legislative proposals.

Respondents addressed some, or all, of the questions set out in the consultation document and offered commentary on specific elements of the measures, as well as the Outline Impact Assessment. Each question received at least 26 responses, and the highest number of responses to an individual question was 48 responses.

Summary of responses

Part (a) Expanding Civil Nuclear Constabulary services beyond the civil nuclear sector

Questions 1 to 5 of the consultation asked respondents to provide views on proposals to enable the CNC to provide services beyond the civil nuclear sector.

Summary of Responses

Question 1 - Do you agree with the proposal to allow the CNC to carry out a wider range of activities to protect critical national infrastructure sites? Please explain your views.

The majority of stakeholder responses to the proposals were supportive, with suggestions that expansion of the CNC's remit could result in positive impacts including:

- **Capability:** Enhanced CNC officer capability and operational experience, resulting from a larger portfolio of opportunity across an increased number of sites. Improved integration with Home Office policing, leading to increased learning and best practice sharing.
- **Charging arrangements:** A broader cost distribution over a wider number of CNC customers in relation to CNC overheads such as central HQ and non-front line staff costs. This could result in better value to the taxpayer and electricity bill payers.
- **Retention:** Potential to improve CNC officer retention rates through provision of greater career and development enrichment, which may alleviate recent concerns around meeting minimum shift levels.
- **Diversity and inclusion:** A wider range of unarmed roles for CNC officers, the current lack of which presents issues for diversity, equality and inclusion, and has financial consequences when officers do not meet the minimum authorised firearms officer requirements.

Respondents noted a number of considerations and operational changes required in order to deliver these benefits. These included safeguards that additional services would not adversely impact security of civil nuclear sites.

A number of responses opposed the proposals, raising concern that expanding CNC's role risked diluting their focus, or reducing public accountability. Some respondents suggested that critical national infrastructure sites could be more effectively protected by territorial police forces or Police Scotland. Respondents also raised concerns about other issues, notably: training and capability of CNC Staff, impact on delivery of core nuclear security mission, and judicial or independent oversight of CNC activities if conducted away from licensed sites.

Question 2 - Do you think there is scope for the CNC to support different types of policing functions in addition to armed policing? Please explain your views.

The majority of carefully considered responses to this question were positive, including a number highlighting the unarmed functions that the CNC already currently conduct. These include deployments alongside territorial police forces and paramedics, protection duties for large diplomatic events such as G7 meetings, and specialist search or marine escort teams.

Respondents requested that consideration should be given to whether diverting the force from its core mission may dilute its strength, resulting in a diminishing of officers' specialist skills over time which will demand extra training to remedy. In addition, non-armed policing functions could distract from core nuclear industry requirements.

Some respondents highlighted that the CNC, as a specialist force trained in armed response, could be considered over-qualified to perform more general functions in the public domain. These responses suggested that CNC should only be deployed in the case of a national emergency, and not deployed for less critical policing functions.

Question 3 - Are there any other sites or services that you feel the CNC should be empowered to support? If so, please give details and any supporting evidence.

Respondents outlined a range of options where the CNC could offer its support. Two of these related directly to the civil nuclear sector and comprised of:

- Retaining a standby response capability to sites undergoing decommissioning. Respondents thought this would ease the burden on local constabularies by providing a continued deterrent, and protect reputational integrity until decommissioning sites are declared non-nuclear.
- Transit capability - Extension of the CNC's escort capability to protect material in transit, where such material falls below the current threshold for requiring CNC escort. This was thought beneficial in helping maintain public confidence in nuclear security.
- Assumption of additional policing functions on Civil Nuclear sites, such as unarmed security guard roles e.g. access control, bag searches.

Non-civil nuclear services suggested by respondents as possible options for CNC support included:

- Protection of sites with a higher risk of terrorism or organised crime (infrastructure, landmarks or crowded places).
- VIP close protection services.
- Support at large scale events where territorial police forces may be stretched.
- Protection of other policed current or future critical infrastructure such as the national power grid, hydrogen production sites, major train stations and airports.
- Secondments to other armed policing roles to improve live experience of officers. An example was given of the policing model offered by the Australian Federal Police Protective Services.
- A role in supporting or leading counter-terrorism testing and exercising of other forces.

Some respondents expressed views that the CNC should not be deployed to guard train stations, airports or crowded places unless in situations of heightened security concerns.

Question 4 - Do you agree that the proposal will adequately ensure that protection of civil nuclear sites and materials remains the primary function of the CNC? If not, what additional provisions would be needed?

Respondents generally agreed that protection of nuclear sites will not be compromised with diversification plans. Evidence provided to support these views included the CNC's established and well-managed track record of taking on new sites and uplifting capabilities to support this, without increasing risk to existing protection services – for example, when they expanded to take on protective security of EDF sites in 2006-7.

Representatives of the civil nuclear industry felt that existing governance arrangements were adequate to prevent dilution of core mission. Respondents noted the presence of both civil nuclear industry and independent representation on the Civil Nuclear Police Authority Board (the CNC's governing body), and the strong role played by the independent Office for Nuclear Regulation (ONR), which actively inspects and assures the adequacy of security arrangements at civil nuclear sites and material in transit.

Respondents also suggested that, should further safeguards be required, a more comprehensive and independent assurance regime could be created to ensure new contracts do not impact the existing civil nuclear sector.

Question 5 - Are there any other risks you believe we should be aware of should the CNC pursue service expansion?

Representatives from non-nuclear energy organisations expressed concerns that prioritisation of the CNC core mission could result in non-nuclear sites being de-prioritised at an organisational level, e.g. allocation of lower-performing CNC officers to these sites.

Other risks raised in response to this question included:

- Apportionment of cost – the need for increased understanding on how costs for extended services would impact the charges for the Civil Nuclear Sector, in particular (i)

whether revenue from commercial contracts would offset existing costs; and (ii) whether the nuclear industry be asked to pay for associated business development costs.

- Organisational capacity – the risk of over-stretching management chain with additional scope would need to be managed.
- Public perception – an increasing number of infrastructure sites protected by armed police may be unwelcome or create concern amongst the public.
- Officer transfer – increased working with territorial police forces may attract CNC officers to transfer to those forces, leaving certain CNC sites with greater overtime burden.
- Governance and accountability – some respondents expressed concern about CNC accountability given that its governing body, the Civil Nuclear Police Authority, is unelected and does not hold open annual general meetings.
- Replication and duplication – the risk that CNC services would duplicate existing capabilities and infrastructure within territorial police forces.

Government Response – questions 1-5

Potential Roles

We welcome the suggestions of the range of services that CNC officers could provide and the potential benefits articulated. We agree with the advantages outlined, including:

- Supporting the CNC in managing fluctuating demand from civil nuclear sites without undue force reduction and consequent loss of knowledge and skills;
- Supporting wider national security objectives, operations and priorities;
- Improving interoperability with other police forces;
- Providing value for money for the civil nuclear sector and other critical national infrastructure operators, with knock-on benefits for the taxpayer and utility customers;
- Providing greater job enrichment for CNC officers and promoting greater diversity and inclusion through more unarmed roles.

A number of near-term and longer-term opportunities have been identified for CNC service diversification in addition to the proposals made by respondents, and we have concluded that there are sufficient roles and sites available to justify facilitating an ability for the CNC to operate outside of their core nuclear remit.

It is not the Government's intention to specify or mandate services that the CNC should provide in addition to their core civil nuclear duties, although as part of the CNC's place within the UK strategic armed policing capability, requests for aid in support of national operations such as Operation Temperer may be made from time to time, as is currently the case. For any commercial services provided to industry outside civil nuclear, or the private sector, the CNC would need to bid as part of a competitive tendering process. This should support increased competition and value for money for critical infrastructure owners and operators, with indirect

benefits for utility customers, and address concerns about inappropriate deployments. As outlined in the initial consultation document, any work outside of the CNC's core function would require prior approval by the BEIS Secretary of State to ensure that the core mission of protection of civil nuclear sites is maintained. It will only be permitted if the proposed deployment meets certain criteria, such as in the interests of national security, or protection of critical national infrastructure. We are considering how these criteria will be implemented.

Charging Implications

We acknowledge the potential benefit of service diversification in widening the cost distribution of the CNC overheads across a greater number of customers. The CNPA Strategy 2020 – 2023 outlines the ambition to source other sources of revenue to facilitate cost burden-sharing. We support CNC pursuit of alternative revenue streams and the value-for-money this could bring to the civil nuclear sector. We also note that the increased competition that the CNC could bring to commercial tenders for guarding services at other critical national infrastructure sites could lower costs and increase value for money across other sectors as well.

Core Mission

The government recognises that it is important that any work the CNC conduct outside the civil nuclear sector will not detract from protection of civil nuclear sites. Therefore, the Civil Nuclear Police Authority, supported by BEIS, plan to introduce governance processes and task prioritisation exercises to ensure the security of civil nuclear sites remains effective. This will ensure that proposals to support other sectors will be used as a means to retain officer skills and enhance capability within the organisation, ultimately strengthening the organisation's capability to deliver its core mission.

This process will be in line with existing duties set out in UK legislation. Under the Nuclear Industry Security Regulations 2003 (NISR) Regulation 4(3)(c), civil nuclear sites must produce and comply with a site security plan, which is assessed and approved by the independent Office for Nuclear Regulation. This plan, amongst other things, requires the minimum number of constables on civil nuclear sites, both on shift and total complement, to be specified as well as operational contingency plans should that minimum staffing level be breached. The CNC and nuclear site licence companies closely monitor CNC resource available to ensure security is never put at risk, and the effectiveness of these procedures has been widely demonstrated throughout the period of COVID-19 restrictions.

Although wider policing experience may improve wider officer skills, particular attention must be paid to ensure that officers retain their specialist armed policing skills. CNC officers are highly trained in both armed and unarmed policing and are held to stringent College of Policing standards, such as the Authorised Professional Practice Armed Policing guidance. The CNC is also licenced by the College of Policing to deliver firearms training. This is consistent across the organisation regardless of which site an officer is deployed to, and this would remain the case if there were any expansion of services. Nevertheless, the CNC recognise that, before deployment to any new roles, they will need to ensure that sufficient and appropriate levels of

training are provided to CNC officers. This commitment is outlined in the Civil Nuclear Police Authority's 2020-2023 strategy³.

CNC officers are trained on much of the same aspects of criminal law as police officers are in Home Office forces. But in addition to this, and firearms training, they are also trained on the Energy Act 2004, and in particular Section 59 of the Energy Act – which outlines their powers and responsibilities, as well as the extent of their jurisdiction (including in relation to the transportation of civil nuclear material).

We also acknowledge concerns that in protection of the core mission, other sectors could be deprioritised. The Civil Nuclear Police Authority will ensure that before the CNC bid for and take up any additional functions, the requirements of that contract can be met in terms of staff numbers and training standards and that it will not be at a detriment to the CNC's core mission. Consent from the BEIS Secretary of State will be required before the CNC enters into any tendering process for a contract to pursue additional activity.

Part (b) Enabling the Civil Nuclear Constabulary to provide support more easily to other police forces

Questions 6 to 8 of the consultation asked respondents to provide views on proposals to enable the CNC to provide support more easily to other police forces.

Summary of Responses

Question 6 - Do you agree with the proposed approach to enable the CNC to provide 'special demand' assistance to territorial forces, in line with British Transport Police and Ministry of Defence Police powers?

Respondents were generally supportive of the proposals on the basis that it could provide operational benefit for wider UK policing when increased armed capability is required. Additionally, respondents were supportive of the organisational benefit to the CNC and the professional development for CNC officers that would come from deployment to other force areas and operating environments i.e. enrichment, interest and motivation as well as development of broader policing skills.

Representatives of the policing sector noted the specialist and armed policing skills that CNC could offer territorial police forces and the UK Government in times of stretched demand. One indicative example given was during COVID-19 restrictions, during which the CNC could have backfilled specialist policing roles, freeing up territorial police officers to support enforcement of health protection regulations. Since the forces with current section 22A collaboration arrangements in place with CNC are limited, many forces cannot currently call upon CNC support expeditiously when/if required.

3

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/975460/Three_year_strategic_plan_2020-23.pdf

Nuclear industry representatives cautioned, however, that support of this nature must not be used as a capability driver and force a different CNC role profile and training regime that exceeds the needs of the civil nuclear industry. Representatives also expressed interest in the means that Government and the CNC would identify the appropriate scenarios and circumstances that would trigger support, for example when the risk of not providing support outweighs the potential risk of removing officers from Civil Nuclear sites, which reduces that site's response capabilities.

Respondents also noted that any deployment should feature rigorous due diligence in terms of lessons identified, risks, pitfall and benefits from the experiences of the other reserved forces, Ministry of Defence Police and British Transport Police.

Some respondents opposed the proposals, on the basis that they would question the capability of the CNC to provide such assistance, and concerns that the defence of Civil nuclear sites and materials may be weakened during the provision of such assistance.

One respondent noted that they believed there is already sufficient powers in legislation for the CNC to provide this form of assistance, under the Police Act 1996 section 24.

Question 7 - Do you foresee any non-legislative means to effectively achieve the policy outcome? What other options could be pursued?

No proposals for non-legislative means to achieve the policy outcome were proposed. Respondents suggested that proceeding with current arrangements, which utilise agreements made under section 22A of the Police Act 1996, would require accepting potential delays in critical officer deployment.

Question 8 - What impacts, if any, do you believe these proposals would have on local police forces in England and Wales, Scotland and Northern Ireland?

Respondents noted that alignment across the United Kingdom could support CNC and police interoperability, for example, by removing bureaucratic obstacles to cooperation, sharing training and resources, and establishing new or consolidating existing working relationships. Proposed opportunities for collaboration included joint crime prevention, and deployment of, and countering threats from, unmanned aerial vehicles (UAVs). Such partnerships could improve value for money and sustainability.

The Independent Office for Police Conduct (IOPC) noted that the expansion of the CNC could lead to an increase of CNC officers operating in Scotland and Northern Ireland, and raised the issue that there is not currently a responsible authority appointed in Scotland for determining whether it is reasonable and proportionate to bring disciplinary proceedings for former officers. They argued that, should the CNC gain service expansion powers, legislation to rectify this should be expedited.

Government Response – questions 6-8

In the responses received there was wide support amongst both the civil nuclear industry and policing organisations for amending legislation to allow the CNC to provide support more easily to other police forces where there is a special demand on their resources.

We agree that, as set out in the Civil Nuclear Police Authority's 2020-23 Strategy, this would provide a range of benefits including:

- Operational benefit of immediate assistance being available to territorial forces in national emergencies.
- Further utilisation of CNC specialist armed policing skills to support wider UK security objectives.
- Enrichment for CNC officers including development of broader skills and experience of broader operating environments.

However, as with the service expansion proposals discussed above, any wider deployments would need to be considered in conjunction with the force's core mission. Any support would be co-ordinated by the established National Police Coordination Centre processes and would only be provided in circumstances where it would not be detrimental to the CNC's core operational delivery.

The CNC have previous experience in supporting CT policing, and have deployed effectively on a number of national operations. In addition, the CNC Armed Officer training provision meets the same standards required from all Home Office forces. Therefore, there is strong support to remove bureaucratic barriers to deployments, as recently demonstrated during the Covid-19 emergency. BEIS will work with the sponsoring departments for Ministry of Defence Police and British Transport Police to understand how existing powers support the armed policing surge capacity.

We note the IOPC concerns on a potential increase in decisions for police disciplinary proceedings, particularly with respect to Scotland and Northern Ireland. We will work with Scottish Government and Department of Justice, Northern Ireland to ensure all necessary consequential amendments are made.

We welcome the positive views from the policing sector on collaboration and consideration of national strategic objectives.

As part of this proposal, we also intend to review legislation to ensure appropriate cross-border enforcement powers for the CNC, namely in the Energy Act 2004 (section 56) and the Criminal Justice and Public Order Act 1994 (part X).

One respondent mentioned that CNC could rely on section 24 of the Police Act 1996, however this legislation in its current form does not give powers to the CNC to give special demand assistance, since it applies only to local police forces in England and Wales and the British Transport Police (see s24(4A)). Therefore, amendment would be required to the legislation to achieve this policy outcome.

Part (c) General Questions

Consultation questions 9 to 13 asked respondents for views on both the service expansion and assisting other forces proposals and how these could best be implemented.

Summary of Responses

Question 9 - Do you believe that there are financial considerations we should explore as part of the proposals? If so, please give details.

Respondents noted that the proposals have the potential to lower costs for CNC provision to the civil nuclear industry. This could reduce financial burden on both existing civil nuclear operators and potentially make nuclear new build a more attractive option for investors. There could also be a positive financial benefit for the taxpayer, as there is a large CNC armed policing presence at publicly owned sites such as Sellafield, which is run by the Nuclear Decommissioning Authority, an arms-length body of BEIS.

However, some respondents identified additional costs associated with the proposals, which included:

- i. The cost to the CNC of training and equipment for new services provided, and the potential increase in CNC overheads.
- ii. Costs to territorial police forces from CNC charges for services. It was felt that this could deter collaborative working, given the financial pressures on police forces.
- iii. Potential costs to the Independent Office for Police Conduct (IOPC) from increased referrals of CNC officer incidents, resulting from increased interaction from CNC officers with the public.
- iv. Possible reduction in income to publicly owned commercial enterprises such as Nuclear Transport Solutions, if CNC redeployments impact on the CNC's ability to support nuclear material transports.

Respondents suggested that consideration would need to be given to how these additional costs should be funded across CNC customers. In addition, respondents proposed that, where the civil nuclear industry has funded CNC training facilities which may then benefit other sectors, future charging arrangements should reflect this. Some policing organisations suggested that consideration should also be given to the charges territorial police forces may face for CNC services, and expressed concerns that such charges are could likely deter collaborative working, given the financial pressures the forces currently face.

Some respondents proposed a more fundamental review of the CNC's charging structure, for example by:

- i. Providing the CNC with an annual budget rather than the current system of billing for services provided on a monthly basis;

- ii. Creating a more joined up approach to armed policing and territorial forces would assist with maintaining budgets;
- iii. Making the cost to the receiving police force for the use of the CNC personnel prohibitively expensive so that such a request for the use of CNC officers to augment another police force should only be considered as a last resort.

Question 10 - Do you think that the proposals to expand the CNC's powers will result in additional regulatory burden? Please explain your response.

In response to this question, some views were given that regulatory burden could be increased due to increased number of stakeholders. However, they felt that any increased regulatory burden will be outweighed by the benefits outlined in earlier responses.

Others noted that the current arrangements require regulatory oversight on a case-by-case basis and suggested that a more formal arrangement with legislative underpinning could subsequently need less regulatory attention than the status quo.

Question 11 - Do you see other opportunities for the CNC to diversify, making best use of their existing specialist knowledge and training facilities? If so, please give details.

Respondents noted that the CNC training facility at Griffin Park could be used to train those outside the Civil Nuclear sector. They suggested that the facility is currently under-used, and could be utilised by other police forces, counter terrorist policing and the Armed Forces on a commercial or subsidised basis. One respondent also suggested that the CNC could market their expertise overseas, including in support of protective security consultancy services provided internationally by the NDA estate (Nuclear Transport Solutions).

Question 12 - If the CNC expand to other areas, how may its existing governance framework need to be reformed?

Respondents to this question suggested that the CNC's governing body and Board – the Civil Nuclear Police Authority - would need to be expanded in response to CNC service expansion. Suggestions included additional representation from:

- New CNC customers,
- Local territorial policing units,
- Local and regional authorities,
- Additional independent Board members,
- An elected Board member.

However, stakeholders also highlighted that greater representation on the Civil Nuclear Police Authority Board could impact the overall current CNC mission as conflicting interests compete for CNC services. They asserted that CNC governance would need to be strictly managed to avoid risking a loss of capability in the civil nuclear sector. To mitigate this risk, some respondents suggested that the Board should retain a large presence from the civil nuclear industry to ensure continued focus on the primary function of the CNC. Others suggested that

a representative from the Department for Business, Energy and Industrial Strategy, or from the Office for Nuclear Regulation could become standing member of the Board. Indeed, one respondent suggested adopting a model similar to the governance structure of the Office for Nuclear Regulation, which has a CEO and Chief Inspector and thus splits commercial from operational leadership, creating internal walls of independence.

To support constabulary interoperability with territorial police forces, suggestions were made for a Home Office mandate or guidance on best practice. In addition, respondents noted that with a shorter construction period for nuclear sites, the CNC must be able to adapt to increase in responsibilities at a quicker pace.

Question 13 - Are there any other aspects of these proposals on which you would like to comment?

One respondent noted that the national pension age for CNC officers is expected to rise from 60 to 65 in 2023. The respondent felt this may influence experienced officers to leave early to join the wider police service, which benefits from earlier retirement and increased opportunity for unarmed roles.

A number of respondents took the opportunity to express views on nuclear power and its contribution to the UK energy mix. They noted the potential safety and security risks created by nuclear generation and emphasised that thorough impact assessments be conducted on the development of nuclear clusters and advanced nuclear technologies, as outlined in the Prime Minister's Ten Point Plan and the Energy White Paper.

Government Response – questions 9 to 13

We thank respondents for their comments on the potential costs and benefits of the proposals, and the implications for CNC charging and governance structures. We will incorporate the identified costs and benefits when updating our impact assessment of these proposals.

We will also continue to work with the CNC to develop appropriate and equitable governance and charging frameworks to take account of future service expansion and support to territorial police forces, noting the suggestions and considerations outlined by respondents to this consultation. In addition to its own governing body, the Civil Nuclear Police Authority, the CNC is subject to UK Government oversight and controls on accounting, expenditure and business planning, enabling effective oversight.

We acknowledge the issues raised surrounding the changes to the CNC pension provisions, and continue to work towards an agreeable way forward.

Overall Conclusion

We welcome all responses to the consultation, which has given valuable input into the potential benefits, drawbacks and considerations for the proposals. These will be taken into account in future development of the policies.

The responses to this consultation provided strong support overall for the proposals to amend legislation to allow the CNC to provide services beyond the Civil Nuclear sector. We therefore intend to further develop the proposals, addressing the considerations and concerns raised, and introduce legislation to Parliament using an appropriate legislative vehicle.

Amendments to the Energy Act 2004 will broaden the range of activities and functions that the Constabulary can carry out, whilst retaining the protection of civil nuclear sites and nuclear material as its core function. This will provide the CNC with the option to expand its support beyond the civil nuclear estate to other parts of critical national infrastructure, which will support its efforts to retain staff and remain efficient in the face of fluctuations in demand from UK nuclear sites in the coming years. The CNC would require Ministerial approval on a case-by-case basis to pursue individual service expansion opportunities.

We will take into account concerns raised in the consultation responses in our development of both legislation and accompanying governance processes and guidance. In particular, we will establish the process by which the CNC will bid for contracts to ensure no detriment to either their core mission or the security provided to other sectors.

The consultation responses also provided strong support for measures to enable the CNC to assist other police forces where there is a special demand on their resources, particularly from UK policing organisations. We therefore also intend to develop legislation on these measures, and develop with the CNC appropriate protocols as to when these powers will be used. We intend that any legislation will ensure that the CNC's core mission is not jeopardised, and that CNC can charge requesting forces appropriately for their services.

The preferred option being taken forward is therefore Option 4 as outlined in the impact assessment i.e. pursue primary legislation to both enable the CNC to offer services beyond the civil nuclear sector and more easily provide support to other police forces.

Next Steps

The legislative measures will be introduced to Parliament when Parliamentary time allows.

This publication is available from: <https://www.gov.uk/government/consultations/civil-nuclear-constabulary-service-expansion-and-diversification>

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