

Defence Nuclear  
Safety Expert Committee

# Framework Document

# Introduction and Background

## Purpose of Document

1. This framework document (the “framework document”) has been agreed between the Ministry of Defence (MOD) and the Defence Nuclear Safety Expert Committee (DNSEC).
2. The framework document sets out the broad governance framework within which the DNSEC and the MOD (“the department”) operate. It sets out the DNSEC’s core responsibilities and describes the governance and accountability framework that applies across the roles of the MOD and DNSEC.
3. The framework document does not convey any legal powers or responsibilities, but both parties agree to operate within its terms.
4. Copies of the framework document and any subsequent amendments have been made available to members of the public on gov.uk.
5. This framework document should be reviewed and updated at least every three years unless there are exceptional reasons that render this inappropriate.

## Classification

6. The DNSEC is classified as an ‘Expert Committee’ in accordance with Cabinet Office guidance for classifying public bodies.<sup>1</sup> Its classification is non-administrative.

## Background

7. Transition to the DNSEC construct from the Defence Nuclear Safety Committee (DNSC) construct commenced on 1<sup>st</sup> April 2023. The DNSC was established in 1999 as an advisory Non-Departmental Public Body. In December 2022, following an independent public body review completed in Spring 2022, Secretary of State for Defence agreed it was appropriate for the Committee to continue to fulfil its mandate to him and the Department, but with changes applied to the Committee’s structure and ways of working to reflect the changed context of the Defence Nuclear Enterprise and to provide improved efficiency and effectiveness. He also agreed to rename the Committee to the Defence Nuclear Safety Expert Committee (DNSEC). The Minister for the Cabinet Office agreed for the DNSEC’s classification to be updated to ‘Expert Committee.’

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[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/519571/Classification-of-Public\\_Bodies-Guidance-for-Departments.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/519571/Classification-of-Public_Bodies-Guidance-for-Departments.pdf)

# Purpose, Aims and Duties

## Purpose

8. The DNSEC's purpose is to provide independent advice to the department, based on scrutiny of the available evidence of safety arrangements across the Defence Nuclear Enterprise.<sup>2</sup>

9. This purpose includes occasions where the department requests independent advice on emerging critical issues requiring timely response from the DNSEC.

## Aim

10. The aim is for the DNSEC to provide independent expert advice on the department's key nuclear safety themes, issues, and risks, based on evidence, as agreed in the DNSEC's work programme. The DNSEC's advice shall provide assurance of nuclear safety, based on the areas it covers within each work programme.

## Objective

11. The DNSEC shall complete an agreed programme of work and in association deliver appropriate documented outputs which present its key observations and recommendations as advice for the department's consideration.

## Remit

12. The remit for the DNSEC is to give independent scrutiny and evidence-based advice focused on the chronic and strategic themes, risks and issues that concern safety arrangements, principally pertaining to the following areas:

- The safety of workers and the public.
- Materials, equipment, and facility:
  - design
  - development
  - manufacture
  - storage
  - in-service support
  - handling
  - transport
  - operational training
  - operations
  - decommissioning and disposal
- Support facilities and capabilities
- Environmental protection
- MOD's statutory legislation and regulation arrangements

13. The above areas will also apply when the department requests the DNSEC to provide advice in relation to acute and tactical themes, risks, and issues.

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<sup>2</sup> MOD and its industry partners contributing to the Defence Nuclear Programme.

## **Governance and Accountability**

### **Governance**

14. The precise focus of the DNSEC's work is agreed through discussion with the DNE's key stakeholders (co-ordinated by the sponsorship team – see Paragraph 25) and is set out in a work programme, informed by safety leaders from across the Defence Nuclear Enterprise. The DNSEC will, as appropriate, undertake additional work as discussed and agreed with its sponsor. In all its work, the DNSEC will use both the range of its member expertise and other inputs as appropriate. Other input will be principally specialist expertise drawn from the Defence Nuclear Organisation's Nuclear Register to support tasks where necessary.

15. The current arrangement is that each programme of work formed and agreed for the DNSEC will be formally communicated by the Responsible Minister, the Minister for Defence Procurement, in a letter to the Chairperson. Any in-period changes will be the subject of agreement by the Sponsor.

16. The DNSEC's formal advice, formed of observations and recommendations in its Annual Report, will be sentenced using an appropriate enterprise safety forum in the DNE. This is to ensure full, proper co-ordinated response, on behalf of the department, to the DNSEC's advice.

### **Accountability**

17. The DNSEC is accountable to the department for fulfilling the agreed programme of work to provide an advisory output and keeping the sponsorship team apprised of its performance in doing so.

### **Performance**

18. Each year, the sponsorship team will request and collate feedback from stakeholders on the DNSEC's performance as an entity. Although this will be on an annual basis it does not prevent provision of feedback at other times, for example in response to a visit or completion of an ad-hoc task or on issues arising requiring attention sooner. The sponsor will discuss the feedback with the DNSEC Chairperson.

## Role of the Department

### Responsible Minister

19. The Minister for Defence Procurement will be responsible minister for the DNSEC. Their primary activities will be to formally communicate the department's direction for the DNSEC's Work Programme, receive the DNSEC's substantive advice, and make membership appointments to the DNSEC.

### Appointments

20. The sponsorship team will arrange the recruitment of new and additional members of the DNSEC, as necessary. It will do so in line with Cabinet Office and Office of the Commissioner for Public Appointments (OCPA) regulatory requirements for public appointments. It will also strive to improve the DNSEC's diversity through the recruitment campaigns. The sponsorship team may, if deemed necessary, recommend renewal of the tenure of existing members in consultation with the responsible minister. The responsible minister decides and makes the appointment.

21. Terms of office will usually be for periods of five years and members may be reappointed for a second term. In accordance with the public appointments governance code, the total length of service on the DNSEC should not exceed ten years.

22. Members are appointed for the personal expertise they can bring as a lay member and for the relevance of their expertise to the DNSEC's remit and work programme.

23. Appointments may be terminated at a member's request (with notice periods of not less than three months), or by the sponsorship team or responsible minister if the DNSEC undergoes structural changes or if members fail to perform as expected of them. Three months' notice will be given, though termination may be immediate, if necessary.

24. Members shall not exceed their appointed time commitments, without agreement from the sponsor.

### Sponsorship Team

25. **Sponsorship Team.** The sponsorship team is situated within the Defence Nuclear Organisation. The Chief of Defence Nuclear will nominate a Director (SCS2/2\*) to be Senior Sponsor, and a Deputy Director (SCS1/1\*) to be Sponsor for day-to-day oversight of the DNSEC. The Director of Security and Safety is currently nominated as the Senior Sponsor, with the Deputy Director Safety nominated as Sponsor. The sponsor will also be responsible for overseeing the management of a secretariat, considered part of the sponsorship team.

26. **Sponsor.** The Sponsor is responsible for advising the Minister for Defence Procurement of the DNSEC's work and performance as they deem appropriate. This may include:

- a. The DNSEC's performance in terms of remit, value for money, and risks relating to DNSEC's activities.
- b. Any behaviour or performance concerns regarding the DNSEC members.

27. The Sponsor will meet regularly with the DNSEC chairperson. These meetings will:

- a. Discuss with the DNSEC chairperson, as appropriate, progress on the agreed work programme and advice being provided.
- b. Discuss ongoing risks and issues of the DNSEC with a view to resolve in a manner that is compliant with MOD policy and requirements.

28. **Secretariat.** The secretariat will support the work of the DNSEC, representing the needs of both the DNSEC and the sponsor and department. It does so with robust management and close planning of the DNSEC's timetable of work and working closely with MOD and stakeholders within the Defence Nuclear Enterprise to provide information to the DNSEC, and the DNSEC's advice in return. It is responsible for delivering standard secretariat services, including - arranging and recording meetings, circulating papers, maintaining the DNSEC website and Register of Members' interests, and handling claims for fees and travel and subsistence from members.

29. The secretariat shall also liaise with the Defence Sponsorship and Organisational Policy team, and where necessary the equivalent officials within the Cabinet Office, to ensure the DNSEC remains compliant with public body sponsorship and public appointment policy and process requirements.

30. The secretariat shall manage (members') personal information in accordance with the department's requirements for GDPR compliance. Members' names and other personal details shall not be publicly published due to the security implications associated with their access to sensitive information across the DNE. This is commensurate with the MOD's policy of appropriately protecting the identities of employees working within the DNE. The members are required to sign the Official Secrets Act, and hold 'Developed Vetting' security clearance

### **Dispute Resolution**

31. MOD champions the value of diversity of thought, so it welcomes a wide range of perspectives to inform its decision making. All of the DNSEC's substantive advice will be provided to the relevant decision makers in MOD; however, MOD, through advice from the Defence Nuclear Enterprise's safety leaders and associated governance forum, may choose to reject or not act on the advice provided to it by the DNSEC.

32. Where dispute arises, in the first instance this will be discussed between the DNSEC chairperson and the sponsor to reconcile the differences or to aid understanding and the documenting of each other's stances. If required, they will discuss and agree appropriate escalation.

### **Freedom of Information and Communications**

33. Due to the sensitive status of information handled by the DNSEC, responses to Freedom of Information requests addressed to the DNSEC will be co-ordinated by the DNO Secretariat with support from the DNSEC secretariat; this is to ensure appropriate and consistent disclosure of information.

34. If the chairperson or any member receives enquiries from an external individual or organisation, they must first liaise with the DNO's secretariat via the DNSEC secretariat to receive communications advice, before acting in accordance with the advice provided.

# Governance Structure

## Composition of the DNSEC

35. The DNSEC consists of a chairperson and up to four members, who possess relevant expertise and strategy-related skills. The four member roles nominally each cover: 1) nuclear propulsion; 2) nuclear weapons; 3) nuclear governance, assurance, and regulation; and 4) organisational capability.

36. **Supporting Expertise.** The DNSEC members will not have the full range of specialist skills and expertise necessary to form advice due to the variation in topics that may arise within each agreed programme of work. The DNSEC will therefore need to collaborate with specialist expertise from the Nuclear Register, both for the Annual Work Programme and for any commissions for ad hoc advice.

37. The Nuclear Register is a DNO-managed resource comprising a list of Developed Vetting-cleared independent experts across a range of specialist areas of relevance to the DNE who can be readily called upon to provide independent advice on an ad hoc basis.

38. The DNSEC will form temporary task groups containing at least one DNSEC member to lead the task group (and decide the advice formed), and other appropriate experts from the Nuclear Register. The engagement of additional expertise will be dependent on sufficient approved funds being available to DNSEC or from the task's commissioner.

## DNSEC Duties

39. The DNSEC's scrutiny and advice formed will be independent. Its substantive views shall routinely be included within the DNSEC's Annual Reports for each agreed work programme, unless there is an exceptional case to bring an issue to the responsible minister's attention sooner.

40. In its substantive advice, the DNSEC should bring to the attention of the Minister for Defence Procurement any matters or issues that it considers to be either:

- a. Positive and worthy of note.
- b. Concerns that, in the DNSEC's opinion, need to be addressed.

41. **Critical Issues.** The chairperson may decide to raise the critical issues directly with the Secretary of State for Defence. In doing so, they must ensure the sponsorship team, Director General Nuclear, Permanent Secretary and the Minister for Defence Procurement are also included in the associated correspondence.

42. The DNSEC has responsibility for:

- a. Understanding the context within which it will operate, including the roles and responsibilities of organisations within the Defence Nuclear Enterprise, including the various statutory independent regulators, and how these relate to the DNSEC's own advisory role.
- b. Delivering its evidence-based substantive advice to the Minister for Defence Procurement, and MOD's principals and senior officials in accordance with agreed work programmes.
- c. Completing its activities in accordance with HMT guidance 'Managing Public Money.'
- d. Be receptive, and constructively respond, to annual feedback provided by the sponsor, informed by stakeholders, on the DNSEC's performance as an entity.

43. To maintain stakeholder confidence in its activities and advice, the DNSEC's work will be characterised by:

- a. Relevant stakeholder engagement as required.
- b. Clear communications including, where appropriate, the use of plain language.
- c. Issuing its advice and the underpinning evidence, where appropriate, in a way that is accessible and meaningful to the intended audience, including application of appropriate protective markings.
- d. Encouraging stakeholders to ask questions or make their views known and considering their concerns.
- e. Providing opportunities for stakeholders to challenge its advice; for example, by making clear the sources of information and points of view on which the DNSEC's advice is based.

44. When the ministers may request independent advice on a critical issue, the sponsor and secretariat shall work with the DNSEC to make all necessary arrangements for the chairperson and any nominated deputies from the DNSEC to be available and able to provide advice, as required.

45. **Collaborations.** The DNSEC should avoid jointly forming and submitting amalgamated advice with other advisors and advisory groups who have been assigned different remits. This is to preserve each respective advisor's/group's appointed remit, ensuring integrity and clarity of advice. It also avoids advisors/groups making undue trade-off decisions between conflicting perspectives of advice on behalf of the MOD or consequently limiting MOD's latitude to trade-off in making decisions later.

46. The DNSEC is encouraged to jointly receive briefs alongside other advisors/groups where there is a mutual topic of interest, to reduce resource burden on the DNE in providing the briefs. However, afterwards, it must then form and submit its own advice within its agreed remit of nuclear safety. Sharing of status updates between advisors/groups is also appropriate.

### **Chairperson's Role and Responsibilities**

47. The chairperson is accountable to the department in providing the DNSEC's substantive advice, and accountable to the sponsor for routine matters. Correspondence and communication between the DNSEC and the department and other stakeholders should ordinarily be through the chairperson-secretariat interface.

48. The chairperson is responsible for ensuring that the DNSEC's affairs are conducted with probity, and it delivers value for money. This should be clearly communicated to all members. The chairperson is responsible for ensuring that the DNSEC delivers its work programme within the available budget.

49. The chairperson will meet with the responsible minister and MOD's principals as necessary at ministerial request. The chairperson may also be required to present the perspectives of the DNSEC to other organisations as appropriate.



50. The chairperson shall request to meet with responsible minister to brief them on the findings of the DNSEC's latest Annual Report and to discuss and agree the work programme for the agreed upcoming period.

51. In addition, the chairperson has the following leadership responsibilities:

- a. Ensuring that the DNSEC, in reaching decisions, takes proper account of information and guidance provided by the Ministry of Defence.
- b. Promoting the efficient and effective use of resources in gathering evidence and forming its advice, including both those of the DNSEC and its stakeholders.
- c. Delivering high standards of regularity, propriety, and quality to the DNSEC's work and advice.
- d. Ensuring the work of the DNSEC is performed in an open and transparent manner, as far as is reasonably practicable within information handling requirements.
- e. To not make decisions on behalf of MOD, or knowingly reduce MOD's latitude for making decisions.

52. The chairperson also has an obligation to ensure that:

- a. The DNSEC has a balance of skills appropriate to carrying out its work.
- b. DNSEC members are fully briefed on terms of appointment, duties, and responsibilities.

53. And to encourage that:

- a. DNSEC members are compliant with MOD's conduct requirements and the Seven Principles of Public Life,<sup>3</sup> and that the members' behaviour and performance is assessed by them annually and when a member is being considered for re-appointment.

54. The chairperson's performance will be appraised annually by the senior sponsor, or a suitable departmental delegate, such as the sponsor.

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<sup>3</sup> The Seven Principles of Public Life outline the ethical standards those working in the public sector are expected to adhere to

## Members' Responsibilities

55. Individual DNSEC members should:

- a. Ensure their own behaviour and performance is compliant with MOD's conduct requirements and the Seven Principles of Public Life and the requirements of their security clearance, and willingly subject themselves to be assessed annually and if being considered for re-appointment. They should also be compliant with the rules relating to the use of public funds 'Managing Public Money' and to conflicts of interest, both actual and perceived.
- b. Not misuse information gained in the course of their public service for personal gain or for political profit, nor seek to use the opportunity of public service to promote their private interests or those of connected persons or organisations.
- c. Handle all information (including evidence and its own advice) in accordance with MOD's information handling and data protection requirements.
- d. Comply with the MOD's rules on the acceptance of gifts and hospitality, expenses, and of business appointments. Any qualifying instances shall be recorded in the DNO gifts and hospitality register by the secretariat on behalf of the DNSEC members.
- e. Provide the sponsorship team with their relevant personal and professional details to ensure appropriate support to the DNSEC's activities.
- f. Act in good faith and in the best interests of the DNSEC and the MOD.
- g. Not make decisions on behalf of MOD, or knowingly reduce MOD's latitude for making decisions.

56. **Other Tasks.** There is agreement for members to support other commissioned tasks calling on their personal expertise outside of their DNSEC appointment, but this will require separate funding and time spent will not be deducted from their DNSEC time commitment. Agreement will be subject to there being no, or manageable, conflicts of interest with their DNSEC appointment, and no impact to their availability in continuing to fulfil their DNSEC commitment. Any conflicts of interest must be declared for recording in the DNSEC's conflict of interest register.

## Responsibilities of Supporting Experts

57. Specialist experts from the Nuclear Register who are collaborating with the DNSEC to support its tasks shall also comply with the member responsibilities outlined above, alongside any responsibilities defined by the Nuclear Register's sponsor, DNO.

## Finance and Staff

58. **Finance.** The DNSEC has funding approved and provided by the Defence Nuclear Organisation for payment of fees (in accordance with the rates communicated to the members) and reimbursement of reasonable actual costs of travel and subsistence expenditure, in accordance with MOD's policy. The secretariat will monitor expenditure against the available funds and seek approval for future funding.

59. **Staff.** By the nature of its independent status, the DNSEC does not employ staff, so the chairperson and members are not considered to be staff or employees.

## Information Sharing

60. **Framework document.** The Framework (this document) shall be published on gov.uk.

61. **Outputs.** The DNSEC's formal deliverables will be provided as such:

a. **Annual Report.** Addressed to the Chief of Defence Nuclear, with copies provided to: Minister for Defence Procurement, Secretary of State for Defence, MOD Permanent Secretary, Vice Chief of the Defence Staff, and the DNSEC's sponsorship team.

b. **Meeting/Visit Response Letters.** Addressed to the senior meeting/visit host, with a copy provided to the DNSEC's sponsorship team.

c. **Deliverables for one-off tasks.** Addressed to the task's commissioner, with a copy provided to the DNSEC's sponsorship team.

62. None of the above outputs will be routinely publicly published due to the sensitivity of the information the outputs will contain. Where there is an agreed intent to publish a DNSEC output, it shall be done so according to DNO and MOD's requirements. The secretariat will liaise with DNO secretariat and Corporate Communications colleagues to make the appropriate arrangements.

## Reviews and Winding Up Arrangements

63. **Reviews.** As the DNSEC is classified as an Expert Committee, there is no formal Cabinet Office requirement to independently review the DNSEC periodically

64. However, the DNSEC's Sponsor will periodically review the DNSEC's status and function. When deemed appropriate, for example if there have been significant changes to the contextual landscape in which the DNSEC operates, an independent individual will be commissioned to review the DNSEC.

65. **Winding Up.** In the event that the DNSEC is wound up, the DNO shall put in place arrangements to ensure the orderly cessation of the DNSEC. In particular, it should ensure that the information documentation of DNSEC is passed to any successor organisation and accounted for properly. (In the event that there is no successor organisation, this information and documentation should revert to the DNO). To this end, the department shall have regard to Cabinet Office guidance on winding up of ALBs.<sup>4</sup>

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<sup>4</sup>[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/690952/Public\\_Bodies\\_-\\_a\\_guide\\_for\\_departments\\_-\\_chapter\\_10.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/690952/Public_Bodies_-_a_guide_for_departments_-_chapter_10.pdf)

## Acronyms, Initialisms, and Abbreviations

ALB	Arm's Length Body
DNE	Defence Nuclear Enterprise
DNO	Defence Nuclear Organisation
DNSC	Defence Nuclear Safety Committee (former name)
DNSEC	Defence Nuclear Safety Expert Committee (current name)
GDPR	General Data Protection Regulation
HMT	His Majesty's Treasury
MOD	Ministry of Defence
OCPA	Office of the Commissioner for Public Appointments
SCS	Senior Civil Service

## Annex - Guidance

The DNSEC shall comply with the following guidance, documents, and instructions. The sponsorship team shall support the DNSEC's compliance:

### Corporate Governance

- This framework document.
- [Corporate Governance Code for Central Government Departments \(relevant to Arm's Length Bodies\) and supporting guidance](#)
- [Code of conduct for Board members of Public Bodies](#)
- [Code of practice for partnerships between Departments and Arm's Length Bodies](#)

### Public Appointments

The following are relevant where public bodies participate in public appointments processes.

- [Guidance from the Commissioner for Public Appointments:](#)
- [Governance Code on Public Appointments](#)
- [Procurement Policy Note 08/15 – Tax Arrangements of Public Appointees](#)
- [Seven Principles of Public Life](#)

### General

- Freedom of Information Act guidance and instructions: [www.legislation.gov.uk/ukpga/2000/36/contents](http://www.legislation.gov.uk/ukpga/2000/36/contents) and <https://ico.org.uk/for-organisations/guide-to-freedom-of-information/>
- [The Parliamentary and Health Service Ombudsman's Principles of Good Administration](#)
- Other relevant instructions and guidance issued by the central Departments (Cabinet Office and HM Treasury)
- Recommendations made by the Public Accounts Committee, or by other Parliamentary authority, which have been accepted by the Government and are relevant to DNSEC.
- [Guidance from the Public Bodies team in Cabinet Office](#)
- [The Civil Service diversity and inclusion strategy \(outlines the ambition, to which Arm's Length Bodies can contribute\)](#)
- [Guidance produced by the Infrastructure and Projects Authority \(IPA\) on management of major projects](#)
- [The Government Digital Service](#)