

**Basic Safety Standards (BSS) Directive
Project**

External Highlight Report

September 2016

Introduction

This Highlight Report is the first in a series of updates that Radiation Team will issue to industry stakeholders and is intended to provide a brief overview of the current progress of implementing the Basic Safety Standards Directive.

Basic Safety Standards (BSS) Directive

The BSS Directive lays down minimum requirements for the protection of workers from risks to their health and safety arising, or likely to arise, from exposure to ionising radiation. The Directive requires there is no gold-plating of the requirements and that burdens on business are minimised. HSE is working closely with the Department of Business, Energy and Industrial Strategy – BEIS (formerly DECC) Public Exposure Working Group in order to ensure consistency in all the cross-government work.

Stakeholder Engagement:

Following the first transposition Occupational Exposure Working Group (OEWG) stakeholder meeting in November 2014, discussions with stakeholders have continued and remain a high priority for HSE. The OEWG is comprised of representatives from sectors likely to be affected by BSSD, their professional associations and trade unions.

HSE has successfully established a number of OEWG sub groups focusing on addressing gaps in particular areas such as dosimetry, outside workers, eye dose and emergencies. A number of meetings with these sub groups have been held; proving to be extremely valuable in helping us to understand some of the practical issues linked with proposed changes. A great deal of work with UK industries has also taken place to gather evidence as to how they will be impacted by the requirements of the final BSS Directive and all associated costs. This assessment will help Government Ministers decide how the BSS Directive should be implemented in the UK.

Both Industry and HSE will continue to gather details and costs of the impact of the changes throughout the transposition process.

Emergencies Steering/Sub Group

To manage and determine changes required to REPPiR, HSE established an Emergencies Steering Group and Emergencies subgroup. The first steering group meeting took place in March 15 and have met on a further two occasions since. Its membership includes several Government Departments and agencies, and its aim is to ensure agreement is reached on the government's overall position. Emergencies sub-group membership consists of key stakeholders impacted and their role is to help HSE develop policy proposals and assist in the development of the economic impact assessment. The impact on both nuclear and non-nuclear sites will be fully assessed.

The Emergencies sub-group first met on 24th September 2015. HSE and Office for Nuclear Regulation (ONR) presented a number of proposals to implement BSSD into REPPiR. Whilst the gap analysis highlighted no major changes, some have required more scrutiny and consideration with stakeholders. Throughout the process stakeholders are invited to consider and offer any additional ideas and improvements for REPPiR and wider stakeholders will be provided with this further opportunity through the public consultation. Any proposed policy changes however, do have to be providing a clear financial saving or health and safety benefit.

Outside Worker (OW) Sub Group

An Outside Worker Sub Group has been convened to discuss a number of HSE proposals including the difference in definitions of outside worker in the Ionising Radiations Regulations 1999 (IRR) and BSSD. Members discussed definitions of classified outside worker (CLOW) and non-classified worker (NLOW). Members also highlighted that they think there is a difference between the wording of IRR "carries out services" and the BSSD wording "performs activities", HSE will consider this further when looking at the definition of OW. Discussions also took place on IRR

Article 51 on ensuring that OWs are afforded consistent protection with employees of those undertaking the work.

Dosimetry Sub Group

HSE has held two meetings of the Dosimetry Sub Group. One of the main issues reported back from this group was that the BSSD implementation date of February 2018 would cause issues for the introduction of new eye dose limits, as it was not aligned with the “dosimetry year” which runs from January, this will produce some costs which could be avoided. Other issues discussed included the updating of databases to take account of the new radiation and tissue weighting factors and that HSE does not propose to require nationality to be included in a dose record.

Eye dose subgroup:

HSE has held one meeting of the subgroup to discuss research commissioned with PHE to monitor eye dose in the medical sector in light of the new lower eye dose that BSSD brings in. HSE will also be engaging with both the medical and nuclear sectors to reinvestigate costings from the initial ‘negotiation’ impact assessment and see if the costs are correct.

Other key issues:

Graded approach – HSE will be introducing new regulations to meet the requirements of notification, registration and licensing which is known as the ‘Graded Approach’, HSE will be developing a new digital system to support duty holder applications for the ‘Graded approach’.

Reference Levels – The levels specified in the directive for emergency occupational exposure are in-line with guidance provided by HSE/ONR (<http://www.hse.gov.uk/radiation/ionising/doses/dose-pr.htm>). The need for public reference levels in emergencies to be considering in planning will be captured in REPPIR with guidance provided by PHE.

Impact Assessment (IA)

HSE Economists have explained to all stakeholders that the IA is a requirement forming part of the process for considering a regulatory change. The IA is used for the public consultation and provides a full cost/benefit analysis of the proposed changes. It is essential HSE gathers quantitative and qualitative evidence that demonstrates the impact of regulatory change on UK businesses.

Want to know more or keep updated with how the Directive is being implemented in the UK?

As a means of ensuring all stakeholders who are interested in the BSSD to remain updated with progress on the work in relation to the Directive, HSE continues to provide a Radiation Community of Interest (COI). Please encourage those interested to join the COI by emailing: radiationcom-manager@webcommunities.hse.gov.uk