

ANNEX D

SPECIAL ARRANGEMENTS FOR PARTICULARLY SENSITIVE ACTIVITIES

GENERAL

1. Some activities carried out by MOD are particularly sensitive and need to be protected by a very tightly controlled number of people which 'need to know' about the activities. Frequently a high level of security classification is also attributed to the activities. Access to information relating to such activities is highly restricted and will only be made available to nominated persons who have the clearance necessary to be briefed on or access the information. Clearance can be obtained through the relevant TLB's Principal Security Adviser.
2. This annex details procedures to be followed by MOD and HSE where access to certain sensitive areas and activities should, for good reason, be subject to control. Specific guidance on areas subject to controlled access is issued to MOD Units and Establishments by individual services through the chain of command. Copies of this guidance will be furnished by individual services to DIR DSEA.
3. It is not intended that this annex should be used to unnecessarily restrict the access of HSE inspectors to MOD sites. Where these arrangements are invoked, Commanding Officers and Heads of Establishment must notify details to the relevant TLB's Principal Security Adviser and its CESO so that details can be furnished to DIR DSEA.

INSPECTION ARRANGEMENTS

4. If some time has passed since the last HSE contact with the establishment or if HSE proposes a substantial inspection initiative, inspectors will write to the Commanding Officer or Head of Establishment in order to make an appointment to visit to the establishment, and to obtain the name of an individual nominated to deal with the visit. At this stage, the existence of any areas or activities subject to the provisions of this annex should be brought to the attention of the inspector and Dir DSEA should be informed through normal command chains.
5. In most cases, it is likely that the inspector will be able to proceed without access to the activities in question. Inspection places emphasis on management systems with sampling to verify findings from interviews and the examination of documents. Physical and detailed investigation of every activity is therefore not essential. Commanding Officers and Heads of Establishment should co-operate with the inspector to facilitate the inspection by providing access to documents and to work areas so far as is possible within the bounds of the special security requirements.
6. The Commanding Officer or Head of Establishment should ensure that the escort accompanying the inspector is properly briefed and competent to ensure that security requirements are met.
7. Any difficulties arising in making arrangements for or carrying out the inspection should be referred through normal management and command chains for resolution.

8. DIR DSEA will maintain records of when these arrangements are invoked and will discuss them at the routine liaison meetings with HSE's Public Services Sector.

SPECIAL ARRANGEMENTS

9. There may be occasions where an inspection cannot proceed without access to particularly sensitive information. This might be the case, for example, when a reactive inspection is required following an accident, particularly where members of the public or civilian staff are involved. There may also be cases where MOD would wish to seek HSE advice on compliance with specific statutory requirements in such areas. All such cases except those covered by paragraphs 22-29 of Annex B will be referred through normal channels to DIR DSEA and the HSE Public Services Sector for discussion. That discussion will also involve the appropriate MOD branches and the relevant TLB's Principal Security Adviser.

10. The aim of any such discussion will be to seek ways in which HSE can fulfil their mandate without access to particularly sensitive information. However, should that prove impossible and it is agreed that a need to know exists, a member of either the Public Services Sector or another HSE inspector(s), cleared to the required national security vetting status, will be briefed and cleared to have access to the necessary information. Where required, documents will be redacted before being handed over to the HSE. On the understanding that the HSE will comply with the procedures required by the relevant TLB's Principal Security Adviser regarding the collection, use, storage, communication, return and/or destruction of that information discovered, inspectors with commensurate security clearance will be allowed access to the original documents or data.

11. To facilitate this process members of the Public Services Sector will need to be cleared to a minimum of Security Cleared (SC) and in some circumstances, individuals may need to be cleared to Developed Vetting (DV) level. Information on the national security vetting status of Public Services staff can be checked with appropriate Departmental Security Officer or through the Principal Security Advisor's Office.

12. The Joint Liaison Committee will be asked to seek to resolve any difficulties that cannot be resolved between DIR DSEA and the Public Services Sector or failing this, more formally, PUS and Chief Executive HSE will be approached.