

LEAFLET 38**CLASSIFIED PERSONS AND OUTSIDE WORKERS****CONTENTS**

Para

1	Scope
3	Statutory requirements and parallel arrangements Duties
4	Commanding Officers and Head of Establishment (CO/HoE)
5	Radiation Safety Officer (RSO)
7	Radiation Protection Supervisor (RPS)
9	Headquarters Departments and units without an RSO or RPS
10	Classified Persons
12	Outside Workers
15	Arrangements for MOD classified persons
17	Actions to be taken for MOD classified persons working in a controlled area away from the parent unit
18	Actions to be taken by units for incoming outside workers and MOD classified persons from another unit
20	Radiation Passbooks
22	National Registry for Radiation Workers
23	Application of this leaflet to work in controlled areas outside the UK
24	Exemptions
25	Records
27	Related leaflets

Table

Page

1	Related Leaflets.....	7
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SCOPE

1 There is a statutory requirement to designate persons as classified persons in circumstances where individual doses are likely to exceed specified thresholds as detailed in paragraph 10 of this leaflet. A classified person who carries out services in the controlled area of any employer, other than the controlled area of their own employer, is termed an outside worker and is subject to specific requirements in addition to those prescribed generally for classified persons.

2 This Leaflet covers the requirements for designation of classified persons and the arrangements required at units for the management of classified persons including outside workers who carry out work at other units or outside MOD. This Leaflet also addresses the requirements for management of outside workers of a non-MOD employer working at an MOD unit. This leaflet does not cover the detailed requirements for dosimetry and medical surveillance of classified persons which is covered in Leaflet 6.

STATUTORY REQUIREMENTS AND PARALLEL ARRANGEMENTS

3 In addition to the general requirements of the Health and Safety at Work etc Act 1974 and the Management of Health and Safety at Work Regulations 1999, the following specific legislation applies directly or is applied indirectly through parallel arrangements designed to achieve equivalent standards:

- Ionising Radiations Regulations 1999 (IRR99) (apply directly).

DUTIES

Commanding Officers and Heads of Establishment (CO/HoE)

4 The CO/HoE has a duty to the Secretary of State, and a personal responsibility, to protect the environment and secure the health, safety and welfare of their staff at work. The CO/HoE is also required to protect persons not in MOD employment (e.g. members of the public) against risks to their health and safety arising from the MOD work activities. This includes radiation safety. The CO/HoE 'sauthority (but not responsibility) for radiation safety management arrangements may be delegated to appropriate personnel, such as a Radiation Safety Officer (RSO).

Radiation Safety Officer (RSO)

5 The Radiation Safety Officer (RSO) is to ensure that:

- The measures detailed in this leaflet relating to the designation of classified persons and the management of classified persons and outside workers are carried out - this includes liaison with the employers of outside workers.
- The measures required by this leaflet are documented and promulgated, usually in local orders (see Leaflet 16).
- Classified persons and outside workers are provided with appropriate training and information relating to this leaflet (see Leaflet 15).
- Compliance audits are carried out.

6 Further details of RSO duties are given at Annex B of Leaflet 39.

Radiation Protection Supervisor (RPS)

7 The appointment of a Radiation Protection Supervisor (RPS) is a statutory requirement at units where it is necessary to designate work areas as *controlled* or *supervised* (see Leaflet 4). Where such units also designate classified persons, day to day administration and supervision of such persons carrying out radiation work is the responsibility of the RPS in accordance with the local orders (see Leaflet 16). The RPS is to administer and supervise outside workers carrying out radiation work in the area for which the RPS is responsible. Duties delegated to an RPS will normally include the following:

- Issue of dosimetry (see Leaflet 6);
- Management of radiation passbooks (see Annex C to Leaflet 6);
- Provision of information and training relating to radiation work in the area for which the RPS is responsible (see also Leaflet 15).

8 Further details of RPS duties are given at Annex C to Leaflet 39.

Headquarters Departments and units without an RSO or RPS

9 Headquarters departments and certain other units within MOD, although having no controlled areas, may have classified persons who visit other establishments. In such cases, the Head of Department or CO/HoE (or a suitable person with authority delegated by the CO/HoE), is to arrange medical surveillance, the issue of personal dosimetry and maintenance of records and passbooks, as appropriate, in accordance with Leaflet 6.

CLASSIFIED PERSONS

10 A person is to be designated a classified person if that person:

- 10.1 Receives a radiation dose (whether from external radiation or internal radiation or a combination of both) in any calendar year in excess of 6 mSv whole body dose or an equivalent dose which exceeds three tenths of any relevant dose limit (i.e. the limits for an employee aged 18 years or over specified in Annex E to Leaflet 4). In deciding whether a person should be classified, account is to be taken of the potential for exposure to ionising radiation from accidents which may occur;
- 10.2 Works in a controlled area unless working under written arrangements (see Leaflet 5);
- 10.3 Works with large sources of ionising radiation capable of exposing a person to a dose limit within a few minutes.
- 11 Workers are only to be designated classified persons if they:
- 11.1 Are aged 18 years or over;
- 11.2 Have been instructed in the hazards and risks involved in the work they are to undertake and the environment they are to work in and the necessary precautions to be taken;
- 11.3 Have been certified fit by signed entry of an Appointed Doctor in the health record (see Annex E to Leaflet 6).

OUTSIDE WORKERS

- 12 MOD classified persons required to carry out services in a controlled area designated by another, non-MOD, employer are referred to as outside workers. Similarly, when classified persons who are not employed by the MOD are required to enter a MOD designated controlled area, the non-MOD classified person would be the outside worker.
- 13 The responsibilities and duties of the outside worker, their employer and the operator of the controlled area must be formally agreed before any work is undertaken. The responsibilities of these individuals are detailed later.
- 14 When an MOD classified person is required to carry out work in the controlled area of an MOD unit different to their own, strictly, they are not an outside worker since their employer is unchanged. However, in order to ensure effective dose control of the individual, the procedures to be followed closely mirror those followed for an outside worker.

ARRANGEMENTS FOR MOD CLASSIFIED PERSONS

- 15 The CO/HoE in respect of each classified person they have designated is to arrange:
- 15.1 At commencement of work with radiation:
- 15.1.1 To notify them in writing that they have been designated a classified person;
- 15.1.2 To provide specific training and information in respect of the work with ionising radiation that they have to carry out (see Leaflet 15);
- 15.1.3 To provide the classified person with details of the National Registry of Radiation Workers and information on opting out of the national registry (see Annex D to Leaflet 6);
- 15.2 During classification:

15.2.1 For provision of individual dose assessment, this normally includes the issue of dosimetry – for details of dose assessment and dosimetry see Leaflet 6;

15.2.2 For maintenance of personal dose records as detailed at Leaflet 6;

15.2.3 For measurements of biological samples and external monitoring as recommended by Appointed Doctor or employment medical adviser, Approved Dosimetry Service or advised by the RPA (see Leaflet 6);

15.2.4 For provision of adequate medical surveillance by an Appointed Doctor or employment medical adviser for each classified person – detailed guidance on medical surveillance is provided at Annex E to Leaflet 6.

15.3 When ceasing radiation work:

15.3.1 To inform them in writing when they cease to be a classified person;

15.3.2 For the provision of a termination record (see Leaflet 6) when the classified person leaves MOD employment – note that the onus is on the CO to take all reasonable steps to provide this to the former employee and not on the employee to have to request such a termination record.

16 Individuals are not to be declassified until the end of the calendar year unless:

16.1 The CO has been advised to do so by the Appointed Doctor or by an employment medical adviser;

16.2 An employee leaves MOD;

16.3 An employee is transferred to a new post which does not involve any significant exposure to ionising radiation. Exposure is deemed to be significant if the employee is likely to receive an effective dose at a rate exceeding 1 mSv per year as a result of work in the new post.

ACTIONS TO BE TAKEN FOR MOD CLASSIFIED PERSONS WORKING IN A CONTROLLED AREA AWAY FROM THE PARENT UNIT

17 Where the classified person is working outside MOD, they are considered to be an *outside worker*. When working in another MOD unit, although not strictly an *outside worker*, the procedures to be followed are the same:

17.1 The worker must be provided with a radiation passbook, issued and maintained by a person authorised by the CO or the Approved Dosimetry Service in accordance with Annex C of Leaflet 6;

17.2 Arrangements must be in place for an individual assessment of the dose of ionising radiation received by the worker. Usually this will include the provision of dosimetry, issued by the home unit in accordance with Leaflet 6;

17.3 The CO must ensure adequate cooperation with the receiving unit or operator so that they can assess that the radiological risks are acceptable and provide information to the worker regarding the work to be carried out;

17.4 The CO must ensure that the worker receives (or will receive at the recipient unit or site) adequate training on personal protective equipment and specific training on the task(s) to be carried out;

17.5 The CO must ensure adequate cooperation with the receiving unit or operator to ensure that the worker's certificate of fitness remains valid to carry out the type of radiation work intended (see details on medical surveillance in Annex E to Leaflet 6).

ACTIONS TO BE TAKEN BY UNITS FOR INCOMING OUTSIDE WORKERS AND MOD CLASSIFIED PERSONS FROM ANOTHER UNIT

18 A CO is not to permit outside workers and classified persons from another MOD unit to work in controlled areas for which they are responsible unless:

18.1 The CO has provided the relevant information (outlined in paragraph 17) to the worker's CO or employer;

18.2 The worker has been provided with a radiation passbook, completed up to date, giving the information detailed at Annex C to Leaflet 6 and signed by a responsible officer at the home site or unit;

18.3 The CO has ensured that the worker is subject to individual dose assessment (normally dosimetry issued by their own unit/employer);

18.4 The CO has ensured that the worker has been certified fit for the type of work which they are required to carry out. Medical examinations are usually carried out at the home unit or site;

18.5 The CO has ensured that the worker will be subject to arrangements for estimating the dose of ionising radiation they receive whilst in the controlled area and has ensured that arrangements are in place for entering such estimates in the radiation passbook (see Annex C to Leaflet 6);

18.6 The CO has ensured that any planned exposure is such that the worker does not exceed any dose limit (see Annex E to Leaflet 4);

18.7 The CO has ensured that arrangements are in place to make available the radiation passbook to the worker upon request;

18.8 The CO has ensured that the worker has been provided with and trained to use any personal protective equipment required for work in the controlled area;

18.9 The CO has ensured that the worker has received any specific information and training relating to the work and radiation safety procedures to be followed in the controlled area.

19 Day to day administration and supervision of outside workers and classified persons from other MOD units, in accordance with the previous paragraph, is to be undertaken by the RPS, including:

19.1 Initial examination of the radiation passbook to ensure that it is up to date and so that the RPS has knowledge of the dose already accrued by the worker in the calendar year;

19.2 Checking that the worker is subject to individual dose assessment and has been issued with the relevant dosimetry (see also Leaflet 6);

19.3 Provision of arrangements for estimating the workers dose whilst in the controlled area;

19.4 Arranging for the analysis of any biological samples required for dose assessment;

19.5 Making an entry of radiation exposure in the passbook, providing that the RPS has been appropriately authorised by the CO or the Approved Dosimetry Service in accordance with Annex C of Leaflet 6.

RADIATION PASSBOOKS

20 Guidance on the issue, completion and administration of radiation passbooks is given at Annex C to Leaflet 6.

21 The duties of every outside worker in relation to their radiation passbook are as follows:

21.1 To take reasonable care of the radiation passbook issued to them, to report any loss of the passbook forthwith to their CO or employer and to co-operate in any investigation. To notify their employer if they subsequently find the lost passbook and to return it as soon as possible;

21.2 Not to misuse the passbook or falsify any information contained in it;

21.3 To return the passbook to the employer on leaving or ceasing MOD employment as a classified person or when the passbook is full and requires renewal;

21.4 To make the passbook available to the operator of the controlled area and take away the passbook on completion of the work;

21.5 To ensure that an estimate of the dose they receive is entered into their passbook or notified to their employer.

NATIONAL REGISTRY FOR RADIATION WORKERS

22 The Health Protection Agency (HPA) run the National Registry for Radiation Workers (NRRW). Personal information and radiation exposure details of MOD classified persons is routinely forwarded to the NRRW unless the employee opts out of these arrangements. Guidance for line managers and employees on the NRRW is given at Annex D to Leaflet 6.

APPLICATION OF THIS LEAFLET TO WORK IN AREAS OUTSIDE THE UK

23 The requirements for outside workers apply to MOD-employed outside workers undertaking work in the controlled area of another employer in any Member State of the European Union and to outside workers from Member States working in a MOD designated controlled area. However, for MOD employees visiting states outside the EU, or for workers outside the EU working in MOD controlled areas, the intent of these instructions is to be met as far as reasonably practicable.

EXEMPTIONS

24 In certain circumstances the HSE may authorise exemption from compliance – for example, the need for a radiation passbook before work is permitted in another employer's controlled area. An exemption is likely to be appropriate in circumstances where MOD and MOD's contractors work side by side and cooperate closely, for example in some dockyards. Applications for exemptions are to be addressed to the Directorate of Safety and Claims (DS&C) Occupational Health & Safety & Radiation Protection team (OHS & RP) through the CO/HoE.

RECORDS

25 Dosimetry records are to be retained as detailed at Leaflet 6. Records of appointments and training are to be retained for a minimum of 2 years. At the end of this period, an assessment is to be made of the relevance of retaining the records in accordance with MOD policy at Volume 1 Chapter 11.

26 Personnel files are to be annotated with the dates of designation, dedesignation and the issue of the termination record for a classified person.

RELATED LEAFLETS

27 Leaflets referred to within this leaflet are shown in Table 1.

Table 1 Related leaflets

Leaflet Number	Leaflet Title
4	Restriction of exposure to radiation
5	Written arrangements for unclassified persons entering controlled areas
6	Dosimetry and personal dose records including medical surveillance of classified persons
15	Training requirements and courses
16	Local orders for radiation safety
39	Radiation safety duties of MOD employees

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