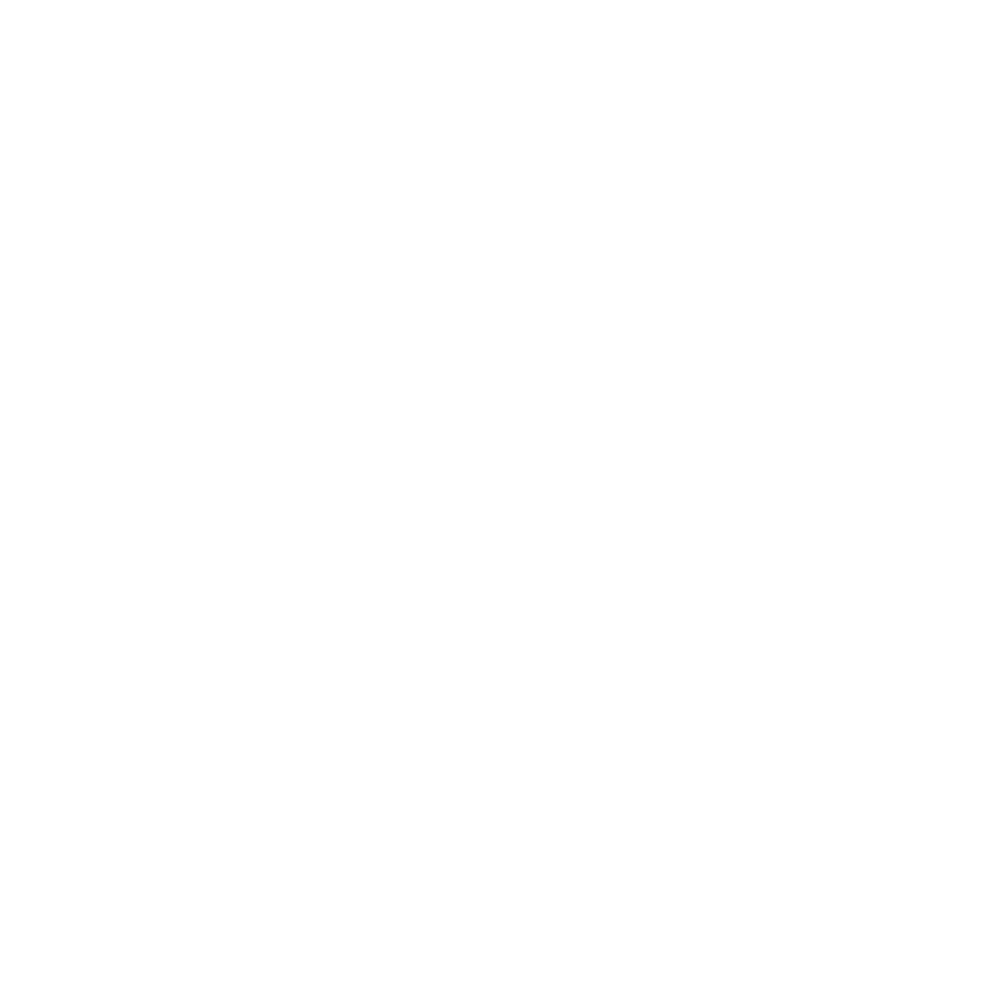


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| ONR Policy  Risk-informed and targeted engagements (RITE) |



ONR Policy

Risk-informed and targeted engagements (RITE)

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# Foreword



We are Great Britain’s independent nuclear regulator, and our mission is to protect society by securing safe nuclear operations. As a regulatory body, we are required to be targeted and proportionate in how we regulate, in relation to the industry’s hazards and risks, consistent with the Regulators’ Code. Like all regulatory authorities, we also have statutory duties to enable those organisations that we regulate, both to comply with the law and to be able to grow and thrive in their business.

The scale of the civil and defence nuclear sectors requires us to deploy our highly skilled and experienced but finite regulatory resource in a targeted manner, to ensure that we can regulate the nuclear industry efficiently and effectively. We do this by focusing on those activities giving rise to the most serious risks, or where the related hazards or vulnerabilities are least well controlled, or where we decide that ongoing compliance with relevant legislation needs to be established.

This policy sets out the key principles associated with a risk-informed approach that I expect ONR’s regulatory staff to adopt and to be evident in their behaviours, culture and decision-making, such that regulation across all our purposes is efficient and yields effective outcomes for safe and secure nuclear operations. It is supported by more detailed guidance to help and empower them to target their work and interventions in a risk-informed way.

Central to the approach set out in this document is a refreshed over-arching philosophy on how risk informs our priorities across safety, security, safeguards and radioactive materials transport, complementing our long-established view of risk tolerability described in our Framework for Risk-Informed Regulatory Decision-Making. This policy emphasises the importance of intelligence-led regulation and clear alignment between our regulatory strategies, supporting plans and the individual engagements that our regulatory staff undertake with dutyholders.

The wide-range of activities across the nuclear estate often introduce complex challenges to dutyholders and regulators in balancing safety, security, transport and safeguards-related risks. Our risk-informed approach will increasingly influence development of risk profiles that consider each of these risks, enabling us to make true cumulative risk-informed decisions across our purposes for the first time.

This policy and its supporting guidance emphasise the importance of all regulatory staff ensuring their efforts are appropriately targeted, responsive and agile in the face of an increasingly challenging environment. Our approach will also support dutyholders to comply with the law, particularly where dutyholders need to manage different risks.

An ongoing programme of coaching for our regulatory staff will complement the RITE policy and guidance, to ensure a sustained culture of effective risk-informed targeting of our regulatory attention.

# Introduction

## Context

1. This policy sets out how ONR expects inspectors to target regulatory engagements in a risk-informed manner. It supports inspectors in deciding what to engage dutyholders on, based on their judgement of risk prior to and during regulatory engagements.
2. The [Regulators’ Code](https://www.gov.uk/government/publications/regulators-code) [1] is explicit in the expectation that regulatory activities[[1]](#footnote-2) should be informed by risk. It states:

“Regulators should consider risk at every stage of their decision-making processes, including choosing the most appropriate type of intervention or way of engaging with those regulated; targeting checks on compliance; and when taking enforcement action.”

1. Similarly, the [Growth Duty Statutory Guidance](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/603743/growth-duty-statutory-guidance.pdf) [2] expects the regulator to draw on available information to improve targeting and focus of interventions, so dutyholders are not unnecessarily burdened. This means taking an evidence-based approach to determining priorities based on risk and allocating resources where they would be most effective in addressing those priorities. ONR’s [Enforcement Policy Statement (EPS)](https://www.onr.org.uk/documents/enforcement-policy-statement.pdf) [3] captures the concept of targeting as one of ONR’s five principles of enforcement:

“Targeting means making sure that actions are targeted primarily on those activities that give rise to the most serious risks, where the hazards or vulnerabilities are least well controlled, or where ongoing compliance with the law needs to be established; and that action is focused on the dutyholders who are responsible for the risk and who are best placed to control it.”

1. ONR expects all inspectors to be systematic and transparent when determining where they exert their effort. This expectation applies to everyone, from senior leaders with delegated authority to make formal regulatory decisions, to inspectors in their day-to-day activities.
2. As ONR regulates across [five purposes](https://www.onr.org.uk/aims-and-objectives.htm), the framework presented here takes a broad view of risk. It focuses on taking a risk-informed and intelligence-led approach to targeting resources and activities across all relevant purposes.
3. The RITE policy complements ONR’s Risk-Informed Regulatory Decision-Making (RIRDM) framework, which describes ONR’s approach to proportionate decision-making. RIRDM primarily focuses on health and safety risks as derived from the [Health and Safety at Work etc Act 1974](https://www.legislation.gov.uk/ukpga/1974/37/contents) [4], relating to ONR’s nuclear safety and site health and safety purposes under [The Energy Act 2013](https://www.legislation.gov.uk/ukpga/2013/32/contents/enacted/data.htm) [5]. It is also informed by the tolerability of risk framework.

## Purpose and objectives

1. This policy supports ONR inspectors in developing and implementing strategies and plans to target their engagements, enabling them to deliver balanced, proportionate and consistent regulatory outcomes in a risk-informed and intelligence-led manner.
2. It supports a culture in which inspectors are empowered to take personal responsibility, working collaboratively and proactively across divisions, purposes and specialisms. This will ensure regulatory outcomes are delivered effectively and the regulatory burden on dutyholders is proportionate to the risk and consistent with other ONR purposes and other regulators, as appropriate.
3. This document does not present guidance on a new approach to regulation. Rather, it underpins the principles of good regulation for all ONR purposes and activities. It builds upon the expectations of the Regulators’ Code [1], associated government guidance and our EPS [3] to:

* Clarify what we mean by risk, so far as it relates to our regulation of dutyholder activities, and how we balance risk types and sources;
* Support leaders to efficiently and effectively deploy regulatory resources across our divisions and purposes;
* Support individual inspectors to prioritise and target regulatory engagements in a collaborative and risk-informed manner enabling the effective delivery of regulatory outcomes; and
* Articulate how we expect our inspectors to operate and how we empower them to use their judgement in focusing their engagements with dutyholders.

1. More detailed guidance on the application of RITE across our regulatory activities is provided in four supporting annexes. These annexes explore the principles described in this document further in the context of how we expect inspectors across our organisation to operate.
2. This policy uses terminology that is weighted towards our engagements with dutyholders, but it also applies to engagements with other entities, including:

* Requesting parties for Generic Design Assessment (GDA);
* Budget holders for critical national infrastructure, such as the Nuclear Decommissioning Authority (NDA) and Ministry of Defence (MoD);
* Industry bodies such as the Safety Directors’ Forum, engineering institutions and standards bodies; and
* International agencies such as the International Atomic Energy Agency (IAEA) and the Nuclear Energy Agency (NEA).

The RITE principles can also be applied to other facets of ONR’s regulatory work, such as assurance activities and targeting of regulatory intelligence and oversight.

# Our interpretation of risk in RITE

## How do we define ‘risk’ in RITE?

1. Risk is often considered as the possibility of something bad happening. It can be defined using different terms within different contexts, such as in ONR’s Nuclear Material Accountancy, Control and Safeguards Assessment Principles (ONMACs) [6], Safety Assessment Principles (SAPs) [7] and Security Assessment Principles (SyAPs) [8]. RIRDM explicitly defines risk as ‘the chance or likelihood of harm arising’, with a predominant health and safety focus. For business-related risks, ONR’s Risk Management Framework [9] adopts the UK Government’s risk management terminology and defines risk as the *‘*effect of uncertainty on objectives’.
2. This policy sets risk in the wider context to support inspectors in making informed decisions about how and where to target regulatory engagements across all our regulatory purposes. Being risk-informed includes having an awareness of the different way risks can manifest across the industry we regulate. However, to provide some consistency for discussion purposes, RITE uses the broad definition of risk being the ‘chance or likelihood of harm or loss arising’. Examples of how this definition could be applied across different purposes include:

* A challenge or danger to the safety and wellbeing of workers and broader society, arising from hazards associated with the nuclear industry or transport of radioactive material;
* Deliberate and planned action from an adversary, exposing workers and broader society to hazards;
* Actions that may give rise to loss of control of nuclear material or deliberate proliferation for non-peaceful purposes; and
* Harm arising from a failure to effectively support growth plans for the UK civil and defence nuclear sector in accordance with the [Regulators’ Code](https://www.gov.uk/government/publications/regulators-code) [1] and the [Growth Duty Statutory Guidance](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/603743/growth-duty-statutory-guidance.pdf) [2].

## Dutyholder and operations risks

1. Risk is an inherent and key feature of dutyholder operations across all our regulatory purposes and all levels of hazard management. In GB health and safety law, dutyholders have specific legal duties to reduce risks so far as is reasonably practicable, providing a basis for regulatory focus. Risk does not explicitly feature in the same way in legislation governing nuclear security, safeguards and transport of radioactive materials, but other goal-setting duties provide a basis for prioritising regulatory focus.
2. Our consideration of risk is informed by a range of complementary factors, including:

* The suitability and sufficiency of safety-, security- and safeguards-related controls, measured against relevant good practice;
* The significance of any shortfalls in those controls or in any assumptions underpinning their performance requirements;
* The maturity of arrangements by which the dutyholder implements, manages and maintains those controls; and
* The culture within the dutyholder organisation.

All these factors can inform our decisions and where we target our attention, in accordance with the [Regulators’ Code](https://www.gov.uk/government/publications/regulators-code) [1].

## How do we base our activities on risk?

1. We expect our inspectors to prioritise their attention so they address the activities:

* That give rise to the most serious risks;
* Where hazards or vulnerabilities are least well controlled; or
* Where ongoing compliance with the law needs to be established.

1. Risks associated with activities are often defined in simple terms as a combination of harm potential and likelihood. We need to be confident in the systems that evaluate the harm (i.e. how bad can it be) and the systems to manage or control the hazard (i.e. reduce the likelihood of harm). There can be weaknesses in either of these elements, which we express as different components contributing to where inspectors focus their priorities.
2. These are represented in Figure 1.

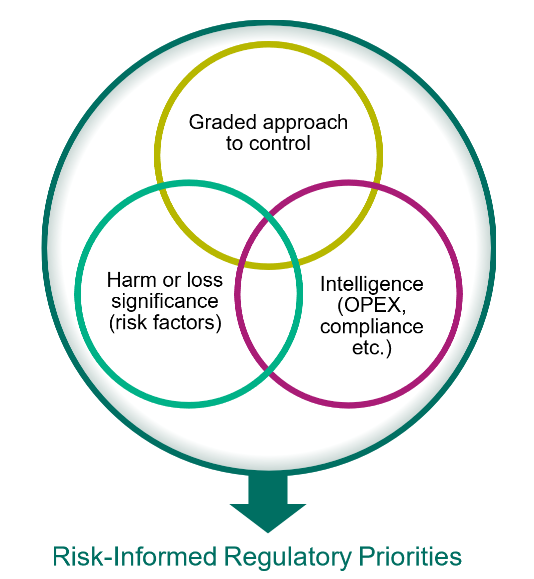


Figure 1: Risk factors that inform regulatory priorities.

## Harm or loss significance

1. Examples of scenarios with high harm or loss potential across our purposes include:

* Consequences arising from a design basis (security) threat;
* Control of mobile fissile material, especially those with proliferation potential;
* An ageing facility bearing heat-generating highly active and mobile radioactive liquor, exposure to which would deliver a fatal dose in a short period of time, and which could lead to significant offsite exposure to the public; or
* Intensive construction activity occurring on a new build site, with hazards arising from complex working at height, lifting operations and movement of heavy goods vehicles.

1. We typically form our own opinion on the potential for harm, informed by knowledge of the dutyholder’s activities and our level of confidence in their evaluation of harm potential. For example, a dutyholder may assert a particular operation poses a low harm potential for workers or the public. If the analysis supporting the dutyholder’s assertion is novel or complex or there are significant uncertainties in the analysis, it may be appropriate to use ONR’s resources to explore underlying sensitivities and assumptions.
2. ONR receives requests to undertake GDA of new reactors from the UK Secretary of State. GDA allows ONR to assess the safety, security and safeguards implications of new reactor designs before any commitment is made to commence construction. This approach reduces risks associated with future activities and operations. When making strategic decisions on prioritising GDA relative to regulating the existing sector, ONR’s senior leadership must consider the [Regulators’ Code](https://www.gov.uk/government/publications/regulators-code) [1] and [Growth Duty Statutory Guidance](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/603743/growth-duty-statutory-guidance.pdf) [2].

## Graded approach to control

1. Our targeting is typically informed by safety-, security- and safeguards-related controls that dutyholders claim to reduce harm potential as part of overall defence-in-depth. Defence-in-depth is realised primarily through combining independent levels of protection that would have to fail consecutively before harm arises.
2. In targeting their priorities, we expect our inspectors to have due regard for the relative importance of controls that reduce the likelihood of harm arising.   
   Considerations might include:

* The contribution of a particular control to prevent harm actually being realised. For example, a reactor pressure vessel may have a low likelihood of failure; nevertheless, ONR would seek a commensurate level of confidence in the demonstration of ongoing vessel and pipe integrity, given the importance to containment.
* Any dependencies challenging multiple control measures at the same time. For example, the nuclear impact of a dropped load on a site might be limited, but consequential damage to a nearby chemical storage compound could lead to release of noxious gas.
* Any situation where there is a high harm potential and a dutyholder claims significant reliance on administrative control measures.
* Level of regulatory confidence in how the dutyholder manages the risks within its undertakings. Related controls might include the maturity of its management systems, how it uses operating experience and learns from experience, and leadership and management.

1. Where intelligence indicates such controls fall short against relevant good practice, the significance of such a gap will often inform our ongoing priorities in a graded manner. Inspectors may consider the significance of such shortfalls using both qualitative factors (for example, a judgement on the overall effectiveness of controls, or novelty and uncertainty in those controls) and quantitative factors (for example, numerical analysis of risk or consequence from a safety, security or safeguards perspective).

## Intelligence (OPEX, compliance, etc.)

1. Regulatory intelligence refers to information arising from a range of sources that can help our inspectors make balanced and informed decisions.
2. Regulatory intelligence may be dutyholder specific, discipline or topic specific, industry wide or from outside the GB nuclear industry. It can inform confidence in a dutyholder’s performance and highlight areas of potential weakness worthy of targeting future regulatory engagement.
3. Our [regulatory guidance](https://www.onr.org.uk/media/t2kp4fpv/onr-gen-gd-013.docx) [10] on the assignment of dutyholder attention levels provides a systematic framework for intelligence relating to dutyholder safety, safeguards or security performance, including history of non-compliance. This framework is an important tool to help us profile risk, and should be used to support strategic and local decisions regarding how we prioritise deploying our regulatory resources.
4. There is a well-established baseline understanding of nuclear site licensees' performance from compliance inspections, incident reporting (for example, reporting under Licence Condition 7 or RIDDOR), permissioning work and wider engagements. Insights from these will also inform the level of routine regulatory engagement required for ongoing understanding. For other dutyholders such as transport dutyholders, knowledge of current performance may be more limited.
5. Regulatory intelligence may also be provided by wider industry groups and forums, including HSE, the Safety or Nuclear Engineering Director Forums, the Nuclear Security Special Interest Group and the Institute of Mechanical Engineers. Examples might include industry-wide operational experience (OPEX) concerning performance issues with radiometric instruments, or notification of errors in software underpinning nuclear safety claims.

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# Terminology

1. This guide aims to be purpose-agnostic in its terminology where practical. Terminology may therefore not fully align with that already in use within specific ONR purposes.

## Strategies, plans and engagements

1. **Strategy:** high-level, risk-informed regulatory priorities and goals, guided by those set out within our corporate, divisional and specialism strategies.
2. **Plan:** the schedule of engagements supporting our strategy. It is normally defined by an inspector and evolves throughout the year or project to define the detailed scope, resources, scheduling, etc. for engagements. Examples include inspection plans, and permissioning record and assessment scopes.
3. **Engagement:** the detail of the regulatory activity, for example, an inspection, assessment or enforcement. It is typically dutyholder-facing and considers evidence to inform a regulatory judgement or decision, e.g., an approval, a licence instrument, a regulatory issue, or the conclusions of an inspection.

## Scope of engagements

1. We expect our inspectors to define the scope of their engagements to support both the regulatory plan and the overall strategy. This could include an assessment strategy, a permissioning strategy or an intervention agenda.

## Targeting and sampling

1. Targeting is used to focus regulatory attention on areas of interest. Sampling is used to gain confidence in dutyholder compliance in those areas.
2. We target so we can use our finite resources appropriately, making timely judgements and decisions without placing an unnecessary burden on dutyholders, in accordance with our [EPS](https://www.onr.org.uk/documents/enforcement-policy-statement.pdf) [3].
3. It is impractical and disproportionate for ONR to examine all aspects of a dutyholder’s undertakings. Instead we sample evidence within the areas being targeted and compare this to applicable standards and guidance. Through this we judge whether a dutyholder is complying with its legal duties more broadly. The sample size and the approach to sampling should be proportionate to the risks, based on the regulatory intelligence available, and should consider how the chosen sample informs conclusions on the broader scope. The rationale behind the sampling choice should be recorded.
4. Sample-based regulation does leave potential for shortfalls in the dutyholder’s activities being left unrevealed. However, if the recorded rationale for the sample choice is justified and reasonable and good compliance is evident, there should be no need to extend the scope solely to continue a search for shortfalls. This is the nature of regulation, with the ultimate legal duties being upon the dutyholders.
5. It is important that targeting and sampling strategies are kept under review to confirm whether they remain appropriate, especially as new intelligence or evidence emerges.

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# Principles for risk-informed targeting of regulatory engagements

1. We expect our inspectors at all levels to be situationally aware regarding how risk and intelligence appropriately informs where they target their attention. That situational awareness should permeate through ONR’s regulatory strategies, plans and delivery scope. The following principles should be applied to risk-informed targeting of strategies, plans and engagements:
2. Inspectors should have a broad awareness of the types and **balance of risks** across all relevant purposes, to ensure regulatory effort is targeted and proportionate;
3. **Regulatory strategies** should set out clearly how outcomes are risk-informed and intelligence-led and provide a baseline for schedule and resource planning;
4. **Regulatory plans** defining the schedule and resource demand for engagements should adopt a graded and intelligence-led approach to target and sample matters of ongoing regulatory priority;
5. **Regulatory engagement scopes** should capture the purpose of specific engagements and use a graded approach to risk-informed targeting and sampling;
6. **Responsibilities and accountabilities for targeting** regulatory effort should be clear and inspectors should collaborate to secure balanced outcomes; and
7. Inspectors should work in a way that **supports those they regulate to comply and grow**.
8. Each of the principles is described in more detail below.

## RITE Principle 1: Balance of risks

**Inspectors should have a broad awareness of the types and balance of risks across all relevant purposes, to ensure regulatory effort is targeted and proportionate.**

1. In delivering our mission, we seek to determine risk-informed priorities and allocate resources in the most effective way to address those priorities. Inspectors should have a broad awareness of the interacting risks across all relevant purposes to inform these priorities and allow balanced and proportionate targeting decisions to be made[[2]](#footnote-3). This may include:

* **Risks within purposes:** for example, the balance of different security risks and control measures within an operation;
* **Risks across our purposes:** for example, understanding how nuclear security, safeguards and safety requirements influence each other;
* **Risks across the GB industry:** for example, balancing where operations to reduce risk at one dutyholder site may increase risks for another;
* **Risks to delivery of a risk reduction mission:** for example, a particular facility may itself represent a low risk in isolation, but its role supporting hazard management or risk reduction in other facilities on the site may mean there are significant consequences if the facility is unavailable; and
* **Long-term versus short-term risk:** for example, the measures taken to reduce a high risk in the short term may result in generation of additional legacy risks that become a future burden. Conversely, measures may need to be taken that present a higher short-term risk but prevent a longer-term risk.

1. Individual inspectors cannot be expected to have detailed awareness of all risks across all our purposes or specialist areas, but they should have an appropriate awareness of risks beyond their own discipline or sphere of responsibility.
2. Inspectors should collaborate across disciplines and purposes to assist in risk identification so appropriate advice or support can be secured and targeted. Collaboration is also key to maintaining situational awareness of risks over time.
3. Examples of risk balance scenarios are presented below.

Engagement on optimising the design for a facility handling special nuclear material may introduce security drivers to minimise building access points, as well as nuclear and fire safety drivers to provide adequate building evacuation points.

Balancing risks on a legacy high hazard facility where modern standards for legionella control may challenge the ability to provide the continuous cooling function required for nuclear safety.

A strategic decision to consolidate nuclear material onto one GB licensed site from other sites requires this material to be accessed, re-conditioned and transported. This might increase risks across all purposes in the short term to achieve a longer-term benefit.

De-fuelling activities for a shutdown nuclear power station may change the risk type across our purposes.

## RITE Principle 2: Regulatory strategies

**Regulatory strategies should set out clearly how outcomes are risk-informed and intelligence-led and provide a baseline for schedule and resource planning.**

1. We develop regulatory strategies to identify the regulatory outcomes that we are aiming to achieve. These strategies should be transparent on how they are risk-informed and intelligence-led, so regulatory engagements can be appropriately targeted to achieve those outcomes.
2. In developing our strategies, we explicitly consider risk and relevant dutyholder and strategic factors. Our strategies should be intelligence-led by being both forward looking and cognisant of historical dutyholder compliance. Our [Guidance on the Assignment of Dutyholder Attention Levels](https://www.onr.org.uk/media/t2kp4fpv/onr-gen-gd-013.docx) [10] provides a framework for inspectors to do this.
3. Risk-informed regulatory strategies are partly based on dutyholders’ plans.   
   If these plans change in scope or schedule, the risks may change and the strategy may need to change accordingly. Our strategies should also be informed by future changes to the wider industry landscape, such as the impact of new technologies and innovation.
4. In developing regulatory strategies, we should be suitably transparent as to how we have balanced competing risks associated with dutyholders’ activities. Such strategies should recognise how potential conflicts arising from different regulatory requirements across ONR’s purposes, as well as those of external regulators, will be actively managed.
5. When developing our strategies, we will maintain a line of sight between ONR’s corporate, divisional and specialism strategies.
6. ONR’s senior regulatory leadership is accountable for ensuring that strategies are based on an up-to-date understanding of risks, and encourages agile refocusing of resources where appropriate. New intelligence or changing circumstances may inform a change to prioritisation, which in turn informs delivery and resource planning.
7. Suitable and sufficient governance should be employed to monitor whether strategies remain appropriately risk-informed across ONR’s purposes. ONR’s internal assurance function may periodically sample strategies and their implementation and provide advice, guidance and assurance on whether strategies are risk-informed in design and implementation.

## RITE Principle 3: Regulatory engagement plans

**Regulatory plans defining the schedule and resource demand for engagements should adopt a graded and intelligence-led approach to target and sample matters of ongoing regulatory priority.**

1. Regulatory engagement plans cascade from the outcomes targeted in regulatory strategies. These targeted plans use a graded approach, shaped by the relevant risks and intelligence, to sample dutyholder evidence.
2. Examples of plans include:

* Task plans and permissioning records for permissioning dutyholder projects, periodic safety reviews or outages;
* Inspection plans;
* GDA plans;
* Assessment and testing of emergency plans and arrangements; and
* Planning for transport package approvals.

1. Some duties are absolute and we must ensure sufficient planned resources to deliver these. Examples include safeguards obligations for monthly nuclear material accountancy submissions, and submission of safeguards-relevant design information to the IAEA where designs change through a facility’s lifecycle.
2. In many cases, engagement plans deploy resources over a long period of time (for example, design and build of new facilities). The engagement of certain specialisms may be better timed to sample certain phases of a dutyholder’s project. For example, an engineering specialism may focus on the ability to deliver a design, while the human factors specialism may focus on commissioning and operations.
3. If new information, intelligence or events emerge, we should amend our plans to ensure they remain targeted.
4. Plans should respond to change, for example, if we discover risks are more or less controlled than previously understood. We should adopt a questioning attitude to avoid unnecessary engagements on the basis that “they are on the plan”.
5. Directors and delivery leads should apply appropriate governance to ensure plans reflect strategic outcomes, are risk-informed and are suitably resourced.

## RITE Principle 4: Scope of regulatory engagements

**Regulatory engagement scopes should capture the purpose of specific engagements and use a graded approach to risk-informed targeting and sampling.**

1. We consider all ONR’s interactions with dutyholders as engagements that should have a clear purpose and scope and be linked to achieving outcomes identified within our regulatory strategies.
2. Inspectors should be able to clearly and succinctly summarise the scope of their engagement and how it is risk-informed, in line with the philosophy set out in Section ‎2.
3. Early engagements can support inspectors to understand any risks to and shape subsequent engagement plans and scopes.
4. Scopes of regulatory engagements should consider and record why the approach taken is targeted and graded in line with the risks and how this is used to define samples. The level of detail in the scope will depend on the objective of the engagement. More significant engagements require formal capture of scope, such as inspections and permissions recorded on WIReD.
5. Where appropriate, scopes should consider any efficiencies where collaborative working, either within ONR or with other regulators, could minimise duplication and promote a consistent approach.
6. Inspectors should note ONR’s policy of applying consistent regulation to similar circumstances, for example, the regulation of radiography on a nuclear site under the Ionising Radiation Regulations 2017 where ONR and HSE have regulatory responsibility for different parts of the site.
7. Explicit consideration of risk, that is intelligence-led and considers relevant dutyholder and strategic factors, is necessary to support the planning and execution of ONR’s regulatory activities:

* **Early engagements:** for example, transport dutyholder pre-inspection questionnaires to shape onward engagements;
* **Interventions:** for example, dutyholder compliance inspections against prescribed legislation; and
* **Permissioning and other approvals/assessments:** for example, permissioning for proposed dutyholder activities, nuclear site licensing, approval of security plans, GDAs, approval of emergency arrangements and assessment of transport packages.

## RITE Principle 5: Responsibilities and accountabilities for targeting of resource

**Responsibilities and accountabilities for targeting regulatory effort should be clear and inspectors should collaborate to secure balanced outcomes.**

1. Responsibilities and accountabilities for targeting and use of resources should be clearly identified within directorate arrangements. Certain inspectors such as delivery leads, professional leads, site inspectors and project inspectors have responsibilities to identify demand and target resources systematically and transparently. They should be collaborative and balanced across divisions when securing and using resources.
2. Inspectors should take personal responsibility to collaborate with each other in gaining an understanding of the risk related to proposed engagement scopes, while being mindful of the demands being placed on other inspectors.
3. If additional information or evidence is required from dutyholders to support a judgement, they should articulate why, and should also consider the time, cost and resource burdens placed on the dutyholder.
4. Inspectors are individually empowered to make risk-informed judgements to refocus their regulatory input or propose changes to engagement scopes where appropriate. For more significant changes, for example, where there is an impact on wider engagement plans or strategies, inspectors should collaborate with those responsible for targeting resource to support a risk-informed and intelligence-led approach for deployment.
5. Regulatory directorates should have suitable governance arrangements to facilitate effective communication of changes to scope, plans or strategy, including the basis for the changes and resource targeting.

## RITE Principle 6: Supporting dutyholder compliance and growth

**Inspectors should work in a way that supports those they regulate to comply and grow.**

1. The [Regulators’ Code](https://www.gov.uk/government/publications/regulators-code) [1] outlines the “Growth Duty for non-economic regulators and the Accountabilityfor Regulator Impact measure,” and places an expectation that “regulators should carry out their activities in a way that supports those they regulate to comply and grow”.
2. The UK Government’s [Growth Duty Statutory Guidance](https://www.gov.uk/government/publications/growth-duty) [2] focuses on the requirement for regulators to support the growth of those they regulate. The guidance expects that a regulator “may, if appropriate, minimise costs by recognising where a business has established its own compliance system or participates in a wider compliance scheme and has regard to this in conducting its interventions”.
3. While ONR must be mindful of the growth duty in how we carry out our statutory functions, the duty does not supersede our role as an enforcing authority in holding non-compliant dutyholders to account.
4. ONR’s enabling regulatory approach accords with our growth duty as follows.

**We communicate clearly with dutyholders** to explain the scope of our regulatory strategies, plans and engagements, and to understand dutyholders’ strategic and business drivers. This enables us to engage constructively and effectively, while avoiding undue distractions.

**We encourage dutyholders to develop internal audit and regulatory functions** and participate in industry-wide schemes where appropriately mature, both nationally and internationally. We take due account of such compliance systems when developing our regulatory strategies.

**We explicitly consider the economic impact of our actions** on dutyholders, where it does not conflict with the requirement to comply.

**We are proactive in sharing knowledge of relevant good practice** that might assist dutyholders operate in a compliant manner that is less costly or burdensome. Inspectors should support dutyholders by sharing knowledge, observing commercial confidentiality as appropriate.

**We work collaboratively with other regulatory bodies** to ensure an appropriate level of collective engagement with our dutyholders.

**We consider how our policies, operational procedures and practices might enable growth** for compliant dutyholders.

# Glossary of abbreviations

|  |  |
| --- | --- |
| **EPS** | Enforcement Policy Statement |
| **GB** | Great Britain |
| **GDA** | Generic Design Assessment(s) |
| **HSE** | Health and Safety Executive |
| **IAEA** | International Atomic Energy Agency |
| **ONMAC** | ONR’s Nuclear Material Accountancy, Control and Safeguards Assessment Principle(s) |
| **OPEX** | Operational experience |
| **RIDDOR** | Reporting of Diseases and Dangerous Occurrences Regulations |
| **RIRDM** | Risk-Informed Regulatory Decision-Making |
| **RITE** | Risk-Informed and Targeted Engagements |
| **WIReD** | Well-Informed Regulatory Decisions |

# References

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| [1] | Department for Business, Innovation and Skills, “Regulators' Code,” 2014. |
| [2] | Department for Business, Energy and Industrial Strategy, “Growth Duty: Statutory Guidance,” 2017. |
| [3] | ONR, “Enforcement Policy Statement (EPS),” 2020. |
| [4] | HM Government, “Health and Safety at Work etc Act 1974”. |
| [5] | HM Government, “Energy Act 2013”. |
| [6] | ONR, “ONR-CNSS-MAN-001 - ONR Nuclear Material Accountancy Control and Safeguards Assessment Principles (ONMACs),” 2022. |
| [7] | ONR, “Safety Assessment Principles for Nuclear Facilities,” 2014. |
| [8] | ONR, “Security Assessment Principles (SyAPs) for the Civil Nuclear Industry,” 2017. |
| [9] | ONR, “ONR-FIN-FW-002 - Risk Management Framework,” 2023. |
| [10] | ONR, “ONR-GEN-GD-013 - Guidance on the Assignment of Dutyholder Attention Levels,” 2023. |

1. The term ‘regulatory activities’ refers to the whole range of regulatory options and interventions

   available to regulators. [↑](#footnote-ref-2)
2. Consideration of risk balance in the context of these examples relates only to ONR’s decision on where to target its efforts to secure compliance with the law. Legal duties for the dutyholder are unchanged irrespective of where ONR chooses to target its efforts (e.g., the legal requirement remains for individual dutyholders to reduce health and safety risks so far as is reasonably practicable). [↑](#footnote-ref-3)