



ONR GUIDE			
<b>GUIDANCE ON PRODUCTION OF REPORTS</b>			
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## 1. INTRODUCTION

1.1 The following process describes the way to report permissioning work and other regulatory work of a similar nature (e.g. reports justifying decisions on whether or not to issue an Enforcement Notice). It is for:

- 1) Ensuring consistent, quality, proportionate reporting to meet the regulatory need;
- 2) Ensuring all regulatory decisions based on such reports are supported by an auditable trail of evidence and substantiated professional opinion;
- 3) Ensuring that decisions and positions can be justified on a firm legal and technical basis;
- 4) Ensuring that the background to Regulatory Issues is recorded in a retrievable linked way;

The process may also be used for other (i.e. non-permissioning) reports; e.g. reporting on technical matters within Specialisms, by applying suitable contextual modification.

## 2. SCOPE

2.1 Permissioning of safety significant licensee activities is a routine but important part of ONR's regulatory business. Accordingly, each regulatory permissioning decision must be directly supported by a 'Major' or 'Routine' report (see Section 5.1) i.e. a Project Assessment Report – PAR; or Decision Record - DR. Other reports produced in support of permissioning decisions will also normally be 'Major' or 'Routine' Reports (see detailed guidance below).

2.2 Inspectors have discretion on the type of report they select for non-permissioning work. The choice should be proportionate, meet the Delivery Lead's needs and align with the guidance in Section 5.

## 3. RESPONSIBILITIES

3.1 Professional Leads are responsible for accepting reports (e.g. Assessment Reports – ARs – but not Project Assessment Reports – PARs or Decision Records - DRs, see below) from staff within their Sub-Specialism, although Professional Leads may formally nominate a suitably qualified individual within a relevant Sub-Specialism to act on their behalf in this regard.

3.2 The Author is responsible for;

- a) Agreeing the scope, report type and requirement for Peer Review with the Delivery Lead for PARs/DRs and the Professional Lead for ARs.
- b) Performing the work and/or monitoring appropriate work by consultants.
- c) Generating an auditable trail in line with the agreement reached with the Delivery Lead/Professional Lead and accepted good practice to underpin the report outcomes (see for example "The Mechanics of Assessment" and Step 3 of "Deliver Permissioning Project" in HOW2).

3.3 Delivery Leads are appointed within the Operating Programmes and are responsible for planning and assigning work, in line with the Operating Programme's agreed resourcing allocations. These will include Sub-Programme Delivery Leads (usually a

Superintending Inspector), who are responsible for leading and managing the overall Sub-Programme.

Sub-Programme Delivery Leads (or Programme Directors) are responsible for the acceptance of PARs and DRs, generated by Authors. They may, however, formally nominate a suitably qualified individual with appropriate delegated authority (see NS-PER-GD-013 Annex 2 in HOW2) from within their Sub-Programme to act on their behalf in this regard.

#### **4. DEFINITIONS**

- 4.1 Report – A document showing the auditable trail, and the logic and judgments supporting the outcome(s) and carrying a unique designation. There are 3 types as defined in paragraph 5.1. All reports are retained on TRIM i.e. ONR’s document management system.

Assessment Reports (AR) will make judgments about licensee/duty-holder submissions and if relevant, judgments about compliance with legal requirements.

Project Assessment Reports (PAR) will set out the basis for justifying regulatory action – usually issuing a Licence Instrument (LI). (See NS-PER-IN-001).

Decision Records (DR) will record the permissioning strategy to be used for licensee/duty holder submissions. Where flexible permissioning (enhanced implementation monitoring and control) is deemed to be a proportionate approach to permissioning, the DR is used to record the basis for the permissioning decision. (See NS-PER-GD-001).

ONR also produces other types of report e.g. the reports ONR produced on the Fukushima disaster, the Chief Nuclear Inspector’s Assurance reports etc. These reports will also be subjected to a degree of quality assurance commensurate with the classification of the report (see paragraph 5.1).

- 4.2 Acceptance Reviewer – a senior ONR staff member (usually a Superintending Inspector - SI or Deputy Chief Inspector - DCI), who signs a report to formally accept the opinions/judgments recorded within the report on behalf of ONR.
- 4.3 Acceptance Review – the review process, conducted as per the check sheet at Annex 1, whereby a Professional Lead (for an AR), or Sub-Programme Delivery Lead (or Programme Director) in the case of a PAR or DR, takes a more strategic rather than technical view of the work undertaken and formally accepts the judgments/opinions contained within the report on behalf of ONR.
- 4.4 Accepted Report – a report which has been signed in the relevant QA box to signify that it has undergone Acceptance Review by an ONR senior manager (i.e. SI or DCI) who has accepted the judgments/opinions within the report on behalf of ONR.
- 4.5 Regulatory Issues – These are conditions or events which challenge ONR’s reputation or ability to do its work, or are matters requiring regulatory attention.
- 4.6 Author – The Inspector carrying out the work and authoring the report on the work findings.
- 4.7 Professional Lead (usually an SI) – provides technical and resourcing leadership to a Sub-Specialism (see “Programme Scoping and Resourcing” section on HOW2).

- 4.8 Excepted Work – work or tasks that require no more than a small effort, typically 1 day in total, or very small work/tasks lying outside the formal planning process (see “Programme Scoping and Resourcing” section on HOW2).
- 4.9 Auditable Trail – The collection of records held on TRIM or referenced from TRIM that underpin how the report outcome, conclusions and recommendations have been derived. IAEA document GS-G 1-4 gives guidance.
- 4.10 Recycle – where a report is rewritten, in whole or in part, to address any shortcomings.
- 4.11 Formal enforcement – In the context of this procedure enforcement is taken to mean prosecution of a duty-holder, or the issue of enforcement Notices or letters to duty-holders.

## 5. GUIDANCE

### Report Types

- 5.1 Any one of three types of reports may be agreed:

- **A Major Report** – a report which addresses regulatory matters where there is a corporate need for high confidence. For example, regulatory matters which are potentially contentious, novel, setting a precedent, technically challenging, complex or finely balanced. Major Reports must conform to the full process and structure set out below and so must be Peer Reviewed and Acceptance Reviewed (see paragraphs 5.16 to 5.18). Major Reports must be used for all PARs.

All Assessment Reports on significant assessment topics underpinning a PAR should be Major Reports. However, there is a recognition that some assessment, underpinning a PAR, may be conducted on less safety significant topics and in such cases a Routine Report might be appropriate. The final decision on the type of report to be produced for a given assessment topic will be made by the relevant Professional Lead.

- **A Routine Report** – a report which provides key support to a regulatory decision but does not meet the criteria for a Major Report, for example for the release of an Enhanced Implementation Monitoring and Control hold point established under flexible permissioning.

Routine Reports should follow the prescribed formats in HOW2 (e.g. for ARs, Contact Records, Decision Records etc.) but should be written to provide a suitable, sufficient and proportionate account of the output (i.e. not all headings on the report proformas may be relevant). An Acceptance Review is required for these reports (with the exception of Contact Records). The decision on whether a Peer Review is required should be reached in consultation with the relevant Delivery or Professional Lead.

- **Other Reports** – documents which may support a regulatory decision but are not key to the justification and so do not require such high corporate confidence in their quality. Under flexible permissioning, this is typically the specialist output following a review of a licensee’s proposal advising that an assessment is not required/proportionate. If the information is important to the permissioning decision, the report must be upgraded to a Major or Routine Report. Other Reports are not necessarily of a prescribed format and should be written to provide a suitable, sufficient and proportionate account of the

output. They may include Briefings, Notes for the Record, E-mails, etc. They are mainly used for recording, giving internal advice and as part of the auditable trail. They should be copied to the Author's Professional Lead when they are complete and filed in TRIM.

Major and Routine reports are referred to collectively as Accepted Reports (see paragraph 5.16).

Report Type	Acceptance Review?	Peer Review?	Prescribed Format?
Major Report	Yes	Yes	Yes
Routine Report	Yes	Discretionary	Yes
Other Reports	No	No	No

5.2 As each of these reports has a different rigour applied in their production and acceptance, then in deciding which report type to use the following factors should also be taken into account:

- The level of the hazard(s)/risks being addressed;
- The significance of the potential outcome and the extent to which this relies on the underpinning arguments;
- The background and experience of the Author;
- The perceived risks and vulnerabilities of the matters being considered;
- The depth, extent, novelty and complexity of the work and/or strategic or historical reasons (e.g. past audit findings, known or perceived weaknesses in a licensee's organisation etc.);
- The time available to carry out the work and report, given ONR's proportionality policy and the effect the choice of report type may have on the timing of regulatory decisions;
- The likely audience for the report.

### Report Content

5.3 The report content should be sufficient to allow the reader to understand what has been done and the basis for any conclusions and recommendations using the auditable trail to substantiate them. For a Major Report all relevant aspects of the following should be included:

- A summary of the important hazards being addressed (or reference to where the detail may be found);
- The technical and/or regulatory background to the work;
- The objectives of the work;

- The work scope to meet these objectives;
- Work not undertaken that could reasonably have had a bearing on the outcome, with a justification for why this work was not carried out, e.g. sampling constraints;
- Relevant background material, including the legal position if appropriate;
- An overview of relevant portions of the arguments being considered;
- References to legislation, standards and criteria used;
- Where arguments presented are judged to be adequate, the basis and reasoning for the regulatory judgements being made (including reference to applicable guidance and relevant good practice) should be recorded in the report. Where the inspector is of the opinion, or judges that, the arguments presented are either non-compliant or there is a need for ALARP improvements, then the report should record the basis and reasoning for that decision (in such instances a Regulatory Issue should be raised – see following section).
- Any issues identified during the course of work and how these were resolved. Unresolved issues must be clearly set out in the conclusions and recommendations, along with an identified route for their resolution. These are then classed as Regulatory Issues and must be recorded on the Regulatory Issues Database (where necessary in a manner that takes account of security classification). (See the procedures on “Regulatory Issues Management” in HOW2;
- Conclusions and Recommendations and their bases. These should include a clear statement about the adequacy of any proposal and whether or not it is judged acceptable if there are outstanding Regulatory Issues. Recommendations should provide unambiguous advice for future action, with an identified route for closure;
- Any consultation considered necessary e.g. with other government departments or agencies as appropriate;

Major Reports should be self-standing. A reader should be able to follow, but not necessarily substantiate, the key arguments without the need to refer elsewhere. Routine and Other Reports may also form part of the auditable trail.

- 5.4 All reports should be balanced, including both positive and negative aspects. Where an opinion or claim is set out, it should be made clear whether or not this is the Author’s claim or opinion, or that of the duty holder. The Author’s professional opinions should be clearly stated, together with their rationale and should not stray beyond the Author’s area of competence without good reason. Arguments used to support professional opinions must be substantiated.
- 5.5 PARs also need to collate the information from the technical contributions and justify the issue (or otherwise) of the associated Licence Instrument. In doing this the PAR Author (i.e. the Inspector appointed by the Delivery Lead) needs to understand and judge the relative significance of the technical information to make a balanced and well underpinned argument (in other words act as an “intelligent customer” on behalf of the Operating Programme). Where there is an unresolved difference of opinion the process in NS-TAST-GD-085 must be followed.

5.6 Authors should take account of the likely audience. In addition to the Delivery Lead, the Professional Lead, the Peer Reviewer etc this may include:

- Other ONR Management;
- Other Inspectors (both current and future);
- Specialism members;
- The general public;
- Courts of law;
- Government ministers;
- Other government bodies; and
- Licensee(s) and other duty-holders.

These needs may conflict. The report must, however, address its primary aim – usually to inform a regulatory decision. Including further information should maximise the utility of the report to other potential users. Where the balance is unclear, Authors should consult their Delivery Lead and/or Professional Lead.

5.7 Authors should assume that anything written in a report may be read by anyone, even if protectively marked. Reports should be written to minimise the need for potential future redactions. In addition to the presumption towards openness under FoI, ONR may choose to publish reports, or parts of reports and reports may also be used as evidence in legal proceedings.

5.8 The report's objectives must be clearly stated and the content of the report focused on them and the conclusions and recommendations flowing from them.

5.9 Where there is a change of Author in the course of a block of work, then the departing Author, the new Author and the Delivery Lead must agree how the current situation will be recorded/reported, consulting managers (e.g. Professional Leads) as necessary.

### **Report Format**

5.10 All reports must be assigned a Security Classification. Authors are responsible for classifying their reports in line with ONR procedures. Where possible, reports containing classified information should be structured so that the main body of the report is releasable with the classified information in security marked appendices.

5.11 Authors must draft Major and Routine reports using the most recent and appropriate template from HOW2 and, once accepted, send them electronically to their administrative support staff, who will complete the report number (allocated on a Programme basis) and put it on TRIM completing the appropriate TRIM reference(s) unless the security classification prevents this. Once the report has been accepted and given a unique number, the record should be finalised to prevent further changes. When security classified OFFICIAL SENSITIVE (or CONFIDENTIAL in ONR's Defence Programme) or above, the record must identify the means by which the report may be accessed. The report is then distributed.

- 5.12 For Accepted Reports the names of the Author, Peer Reviewer (if any) and accepting Delivery Lead or Programme Director (i.e. for PARs) or Professional Lead (for Assessment Reports) must be printed clearly near their signatures.

### **Peer Review**

- 5.13 Any checking should be completed before Peer Review. Peer Review is carried out in accordance with NS-TAST-GD-085. It does not include informal activities such as seeking second opinions during the course of the work, or obtaining advice from Professional Leads or Delivery Managers.
- 5.14 Should the Professional Lead or Sub-Programme Delivery Lead consider it necessary as part of the Acceptance Review (see later), they may initiate a further Peer Review. This may be driven by one or more of the following:
- There are matters which the original report and Peer Review did not reasonably consider that might have a significant bearing on the report outcome;
  - A lack of relevant knowledge on their part, which might compromise the Acceptance Review;
  - Strategic or policy matters raised by the report warrant a second opinion before acceptance;
  - Further review adding proportionate value.

Where these types of review are undertaken, a favourable outcome will be shown by the further signature on the report. Peer Reviews are normally carried out as Excepted Work.

- 5.15 Technical Peer Reviews may also be initiated by Professional Leads to fulfil their terms of reference (see HOW2 Role Descriptions). Copies of the review documentation should be identified on TRIM to provide an auditable trail pointing to the review scope and outcome(s).

### **Acceptance Review**

- 5.16 Acceptance Reviews are carried out on reports which the Author considers to be otherwise ready for issue. They are intended to take a strategic, rather than a technical view of the work. The Acceptance Reviewer ensures that reports:
- Are consistent with relevant law;
  - Are consistent with corporate lines to take and/or corporate strategy;
  - Are to a consistent standard to meet the regulatory need;
  - Are consistent with Operating Programme plans;
  - Have a security classification that reflects the report content;
  - Are suitable for publication or it is obvious why publication is inappropriate;
  - Are written so that as far as is reasonable, an informed member of the public should be able to understand the content;
  - Have a clear context, appropriately described;



- Have been reviewed/checked as appropriate for the report content;
  - Employ approaches to sampling that have been adequately described and justified;
  - Are clearly set out and logical, the conclusions and recommendations are reasonable, flow from the text and are unambiguous;
  - Identify a route for closing out each recommendation;
  - Identify any unresolved Regulatory Issues and progress these according to the procedures on “Regulatory Issues Management” in HOW2;
  - Have been subject to appropriate consultation e.g. with other regulators;
  - Cite only reference material that is auditable.
- 5.17 In carrying out Acceptance Reviews, Acceptance Reviewers decide whether or not to accept the report formally on behalf of ONR. In doing so they should avoid performing a verification exercise that repeats the activities of the Author or any Peer Reviewer(s). Those undertaking Acceptance Reviews must use the Acceptance Check-sheet in Annex 1 and ensure it is filed in TRIM in the same folder as the report.
- 5.18 Should a decision be taken contrary to the advice provided within a PAR or DR, then this decision must be made by a Programme Director and the rationale for the decision must be recorded on TRIM.
- 5.19 Where there is a significant shortfall which makes the report unacceptable, the Acceptance Reviewer must ask for it to be recycled. This should only be for important concerns; minor comments or observations which improve the report are not reasons for recycling a report. Programmes may record the number of reports produced, the number which are recycled and the reasons for recycle as a performance measure. Where there are significant differences of professional opinion the relevant process in NS-TAST-GD-085 shall be followed.

## **Publication**

- 5.20 ONR is increasingly publishing its reports on the internet. All Accepted Reports should be written, as far as is reasonable, to a standard that would allow them to be published with minimal redaction. The content of the report should be shared with the relevant licensee/duty-holder for factual comment before acceptance and publication. Writing reports suitable for publication requires the following:-
- The tone of the report should be objective, balanced and open-minded;
  - Use of emotive language should be avoided;
  - There should be no unnecessary comment on the licensee/duty-holder’s general capability or performance unless germane to the report’s objectives;
  - Reference should be made to organisational positions rather than to individuals;
  - Care should be taken regarding potential security issues such as combining building functions, location, vulnerability etc;

- References to financially sensitive information (e.g. which could affect the commercial position of a licensee/duty-holder) should be minimised. If this information is required then, in consultation with the licensee/duty-holder, e.g. to determine a mutually acceptable date for publication, publication should be delayed;
- Care should be taken to ensure the licensee/duty-holder's reputation is not unnecessarily questioned;
- Use of acronyms and technical jargon should be minimised;
- Unnecessary detail should be excluded;
- Summaries should be readily understood by a reasonably well informed person who is not necessarily a nuclear technical expert.

NB - When preparing a PAR for publication the Author should consult the guidance on "Review of PAR for Release in the Public Domain" on HOW2.

### **Changes to Document Scope and Fast-Tracking**

- 5.21 If the task or its scope changes, there may be a need to change the type of report to be produced. This should be agreed, in the same way as for the original work. The reason for any change in the report type should be recorded as part of the auditable trail.
- 5.22 It is acceptable for reports in draft to be copied to relevant team members for information. However, Delivery Leads should not base their permissioning recommendations on such drafts before they have been accepted or at least their conclusions and recommendations have been formally accepted.

### **Document Storage and Distribution**

- 5.23 Reports must be stored in TRIM unless security classification precludes it. For all documents whose security classification precludes their (full) storage on TRIM, there should be clear instructions in TRIM as to how copies of the (full) report can be accessed.
- 5.24 Distribution of reports should conform to local Programme arrangements and should be carried out electronically unless this is not secure enough.

## **6. ASSOCIATED DOCUMENTS**

- 6.1 "Guidance on Mechanics of Assessment" (See HOW2 under "Deliver Permissioning Project - Step 1")
- 6.2 "Programme Scoping and Resourcing" on HOW2
- 6.3 Procedures on "Regulatory Issue Management" in HOW2
- 6.4 NS-PER-IN-001 – Preparation and Issue of Licence Instruments
- 6.5 NS-PER-GD-013 – Delegated Authorities
- 6.6 NS-PER-GD-001 – Use of Flexible Permissioning

## 7. REFERENCES

- 7.1 The Judge over your shoulder  
[www.tsol.gov.uk/Publications/Scheme\\_Publications/judge.pdf](http://www.tsol.gov.uk/Publications/Scheme_Publications/judge.pdf)

**8. ANNEX 1: REPORT ACCEPTANCE CHECKSHEET**

Report Title:

Report Number:

Produced by:

<b>PROCESS:</b> Does the report show sufficiently -		Initials
Adherence to the Operating Programme Plan or other relevant approved plan? Relevant background included (legal, technical, references)? Consultation (e.g. with HSE)? All Regulatory Issues recorded & resolved or the way forward clear? Clear unambiguous basis for the recommendation(s) / outcome(s)? A clear statement of adequacy? Peer Reviewed (where relevant) and agreed adequate? Security classification is appropriate? Format is fit for purpose?	Sufficient	
	Reservations	
	Rework	
	Remarks:	
<b>QUALITY:</b> Does the report show sufficiently -		Initials
Proportionate, robust technical argument(s)? Consistency with the legal intent? A clear context (history, associated work)? Clear, justified objectives? Justified work scope to meet the objectives (e.g. sampling)? An informed reader can follow the arguments? A summary of the technical arguments substantiating the outcome(s)? Both positive and negative aspects? That its conclusions are rational, clear and based firmly in the facts? A focus on the regulatory decision and conditions/ recommendations flowing from it? That it stays within the author's accepted competences?	Sufficient	
	Reservations	
	Rework	
	Remarks:	
<b>PUBLICATION:</b> Is the report sufficiently -		Initials
Fit for purpose? If classified, is there a releasable part? If not, is this appropriate? Fit for publication (e.g. it could reasonably be understood by an informed member of the public)? For PARs: Communications team notified in advance of media issues Spell check and formatting check undertaken Sent to Communications team for final plain English and media check.	Sufficient	
	Reservations	
	Rework	
	Remarks:	

This check has been carried out on a new / rewritten report. Rewrite reason –

Signature:

Post:

Name [BLOCK CAPITALS]

Date: