

The use of the Enforcement Management Model (EMM) in ND

INS/030

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1 Purpose & Scope

1.1 This procedure covers the use of the HSE Enforcement Management Model (EMM) to guide enforcement decisions within ND.

2 Policy

2.1 ND will ensure the effective management of the enforcement process. Enforcement decisions and action taken will be informed by the principles of proportionality, consistency, targeting, transparency and accountability set out in the HSC Enforcement Policy Statement.

2.2 The principles of the EMM will be applied in all regulatory contacts when considering enforcement action and will be applied formally (see definitions below) in the following circumstances.

- 1) Following investigation of all fatal accidents.
- 2) Prior to enforcement action being taken in all decisions to prosecute.
- 3) Where the application of the EMM process results in an initial enforcement expectation of the issue of an Improvement Notice, a Direction or a Specification.

3 Responsibilities

3.1 **ND inspectors** should ensure that they are familiar with the enforcement principles in the HSC Enforcement Policy Statement and apply them in their regulatory contacts using the EMM and the ND specific guidance G/INS/030 The Use of the Enforcement Management Model in ND to inform enforcement decisions.

3.2 **Superintending Inspectors** should ensure that they, and inspectors in their units, use the principles in the HSC Enforcement Policy Statement, the EMM and the ND specific guidance G/INS/030 in making enforcement decisions. They should ensure that the EMM is applied formally in the circumstances defined in [para 2.2](#) above.

4 Definitions

4.1 **Enforcement** - For the purpose of this document the term "enforcement" is used in its widest sense and covers all activities falling within the scope of the HSC Enforcement Policy Statement. It includes all dealings with licensees/dutyholders which result in service

of notices, issue of licence instruments or prosecution. It also extends to the provision of information and advice either verbally or in writing.

4.2 **Formal application of the EMM** means that progress with the application of the EMM is recorded on the Enforcement Assessment Record, EMM1.

5 Procedure

5.1 ND inspectors should use the EMM and associated guidance for enforcement decisions involving conventional safety.

5.2 ND inspectors should use the guidance document G/INS/030 The Use of the Enforcement Management Model in ND, in conjunction with the Enforcement Management Model, and OC 130/11 in making enforcement decisions relating to nuclear safety and enforcement of the Ionising Radiations Regulations 1999.

6 Associated Documents

6.1 HSC Enforcement Policy Statement

6.2 The Enforcement Management Model

6.3 G/INS/030 The Use of the Enforcement Management Model in ND.

6.4 OC 130/11 Enforcement Management Model Application to Ionising Radiations.