



# Managing Rule-Breaking

## *The Toolkit*

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# 1.0 Introduction

## What is Hearts and Minds?

The Hearts and Minds project was started in 1998, to promote the understanding and development of personal motivation for safety in the workforce. A century of scientific knowledge about how and why people behave the way they do has been packaged in brochures for people to use in their daily work. All brochures can be used without any extra training by you and your team; they are intended to create less work instead of more, and most importantly, to be enjoyable and fun to use.

## Using this Brochure

This brochure will help you to understand why people break rules and how to manage and change this. It consists of introductory information, and team exercises, supported by questionnaires and the Meeting Expectations Model. Extra information (such as a PowerPoint presentation and printable flipcharts) can be found on the Energy Institute website. The step-by-step process in the centre pages describes how to use team meetings to uncover and solve problems related to rule breaking. The techniques in this brochure have been designed for use by work-teams, people who do the same work, follow the same procedures and have the same trade.

The process can be run in a single session lasting 6-8 hours, but is better done in small steps after the initial introduction. Once a number of problems have been uncovered, subsequent sessions with the same group can skip the first steps, speeding things up. These small working sessions may take 15-60 minutes in, for example, morning meetings, or safety meetings; they should be carried out regularly over a prolonged period to affect change in behaviours.

The exercises must be performed in an atmosphere of openness trust and honesty. Because it may appear threatening to many individuals to admit to breaking rules, it must be agreed in advance that no consequences will be attached to those who admit to breaking rules previously. For syndicate exercises the groups must include the people who experience the problems at first hand, when they feel obliged to break the rules, but can also include their managers and supervisors as they can be one of the sources of rule-breaking problems. It is best if the team's line supervisor facilitates the exercises so that solutions can be quickly put into practice.

Management should ensure that the action plans are supported and where necessary, that the proposed improvements will be implemented within an agreed and short time span.

## Why are Violations Dangerous?

- A helper walks behind a truck without informing the driver (violation). The driver selects reverse gear by mistake (error) and runs over the helper.
- A maintenance supervisor decides to keep production going by not performing a required electrical isolation (violation). An operator, knowing maintenance is taking place, decides to fix a different problem, while assuming that the process is isolated (error), and gets electrocuted.
- Passengers in a car, not wearing their seatbelts (violation), are killed when the driver hits an obstacle (error) and rolls over, when they are thrown out of the vehicle at high speed.

**When a hazard is present:  
Violation + Error = DISASTER**

Rules and Procedures form one of the major barriers between hazards and unwanted events. There are two ways people can remove barriers. They can fail to do what they intended – errors such as slips, doing the wrong thing by mistake – or they can break the rules intentionally (violation), the topic of this brochure. When people fail to follow a procedure (rule-breaking), for whatever reason, an essential control has been removed from the HSE Management System (HSE-MS). Failure to follow a procedure, usually done for what feels like a good reason, is not necessarily disastrous on its own, although it can be. Multiple failures are required for an accident to happen and the dangerous element in such cases is breaking a rule, violating, without informing others while assuming other barriers will be kept in place. Without communication, someone else may remove yet another barrier. When a hazard is present the combination with a simple slip or lapse or technical failure opens the path to disaster.

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It is not possible or even desirable to introduce a procedure for every situation, but writing or changing procedures is a natural solution to problems, especially after an incident. This often leads to complicated procedures and rules that are increasingly hard to follow, being seen as unnecessary or even irrelevant. Such rules should be regularly challenged and open to constructive suggestions about how to do things 'better'. Without challenge people accept rule-breaking, which undermines respect for those rules that should never be broken.

There are a small number of rules that are the result of bitter experience. Examples of such rules are the wearing of seatbelts when driving and not being under the influence of alcohol or drugs at work. These rules form a no-go area and must be complied with as a condition of employment. Debate on such rules has to concentrate on how to ensure compliance, not on whether they are appropriate. Many other rules and procedures can be challenged.

## Why do People Violate?

### Who violates? – Wolves and Sheep

People can be characterised as Sheep or Wolves. Sheep are the guardians of high standards and feel uncomfortable when faced with demands to break the rules. Wolves, in contrast, are opportunistic go-getters who feel in control and do not mind cutting corners to get the job done. Successful organisations need both sheep and wolves to operate profitably and sustainably.

Sheep tend to follow the rules because they are there; they will also follow bad or inappropriate ones. So, make sure Sheep have the best procedures available so they don't create problems unwittingly.

Wolves make their own decisions as they see fit at the time. The most dangerous part of the "Violation + Error = Disaster" equation comes from the fact that other people assume that the rules and procedures are being followed to the letter (even Wolves assume this). As Wolves are essential but dangerous, it is vital that every organisation has an effective "Wolf Management System". The most effective solutions are:

- Continuous communication
- Good forward planning
- Updating procedures to reflect practice as long as the hazards are still controlled
- Providing a way of permitting short-term changes to procedures while keeping management/supervisors in the loop.

If the procedures are fine, even wolves will follow them.

### The Lethal Cocktail

Several factors, together called The Lethal Cocktail, explain why people break the rules. The *Worksite Conditions Questionnaire* measures how much of the four ingredients may be present in the organisation.

**Expectation** – "I had to break the rules to get the job done last time, and nothing has changed since then!" To predict if someone will violate in the future a good way is to ask if they expect to have to break the rules. The cause of this can be diagnosed using the *Procedures and Practices Questionnaire*, particular the level of Situational violations.

**Planning** – Rule-breaking is a natural response to poor or inadequate planning. The people doing the work are the experts at planning. They can be more involved in ensuring that plans are feasible and they have the necessary resources available to deliver the plan.

**Opportunity** – A good manager or supervisor looks for opportunities and plans them into the work program. Problems arise when opportunities are grasped, without discussing with those involved whether the risks have changed.

**Powerfulness** – The more experienced and competent someone is the more powerful they feel, although this feeling may be an illusion. People who feel more powerful and in control are more likely to violate. Ensure that powerful people are motivated to follow the rules or that the rules are really the best way of working and they believe this.

### Personal Norms – The Antidote

Personal norms measure professional attitudes that provide a personal defence against the ingredients of the Lethal Cocktail. Good personal norms keep Wolves from giving in to temptation. Personal norms are difficult to improve quickly, but it is worth knowing how important they can be. Discuss what people's personal norms and standards are for acceptable workplace behaviour. Are these supported by the actions of management and supervisors?

### Questionnaires – How big are the problems?

Associated with this brochure there are two questionnaires:

1. The *Procedures and Practices Questionnaire* allows groups to identify the specific type of rule-breaking that is taking place. This questionnaire is based on work originally carried out for the U.K. Health and Safety Executive and provides information that can be used to focus discussions (as per the centrefold exercises).
2. The *Worksite Conditions Questionnaire* assesses which elements of the lethal cocktail are present. Even if rule breaking does not seem to be an obvious problem the questionnaire helps identify potential problem areas.

The *Worksite Conditions Questionnaire* also provides an estimate of how many wolves and sheep there are in the workforce. However selection of people does not provide a solution, as both sheep and wolves are essential to run a successful and safe business. The solution is understanding what you have got and learning to manage it to make best use of both groups.

## 2.0 Types of Rule-Breaking

This section introduces the different types of rule breaking (violation). There are distinct types of violation, with different causes. People may not know the rule (unintentional), may be unable to do the job (situational), may have other reasons not to comply (optimising), or may find themselves in unusual circumstances (exceptional). For other definitions see the *Consequences for Exemplary and Expected Behaviours* and the *Consequences for Errors and Violations* inserts.

### 2.1 Unintentional (Understanding)

*People do not know how to apply the procedures*

Problems may arise because of difficult language in procedures, many cross-references and a failure to consider the level of users when designing and writing the procedures.

### 2.2 Unintentional – (Awareness)

*People act as if there is no procedure*

If procedures are not available on site, or people are not sufficiently familiar with the procedures, people will operate as if the rules or procedures do not exist.

### 2.3 Situational (No-Can-Do)

*It is impossible to get the job done by following the procedures strictly*

Some violations occur when there is a gap between what the rules or procedures require and what is available or possible. Lack of local resources, or failure to understand real working conditions may increase pressure to violate in order to get the job done and achieve targets.

### 2.4 Optimising (I-Can-Do-Better)

*It is sometimes possible to get the job done faster, more conveniently or experience a thrill by not adhering to the rules*

Optimising can take place for either Organisational or Personal benefits. *Organisational Optimising Violations* are done with the intention of achieving organisational goals, such as reducing down time and keeping production going. This may be seen as a way of pleasing the boss. *Personal Optimising Violations* are done to reach a personal goal, like having less work to do or going home early. Incentives, such as a bonus for meeting targets, may encourage either type of Optimising violations.

It should be noted that violations for organisational benefits may serve as the basis for improvements in productivity and safety if brought out into the open, communicated, discussed and approved.

### 2.5 Exceptional

*People have to solve problems for the first time and fail to follow good practice*

In new, difficult or dangerous situations there may not be any procedural guidance or experience. This kind of violation may be more frequent in activities that require a great deal of novel problem solving e.g. emergency response. It is competence, rather than procedures, that will help to reduce the occurrence of rare, yet dangerous violations.

### 2.6 Reckless Violations

*A rule was violated without thinking or caring about the consequences*

In a very small number of cases people commit violations without thinking or even caring about the consequences. Such violations are outside the scope of this brochure; they should be investigated and disciplined in line with local guidelines or criminal proceedings.

### 2.7 Routine Violations

*Rules are broken, because they are felt to be irrelevant or because people in general or a particular person no longer appreciate the dangers*

Any of these, apart from exceptional violations, may be done routinely, either by everybody or, in some cases, just by one individual. This indicates that there is an issue around a particular rule or an individual, or the effort of following rules is felt to be greater than the apparent benefits. Whether a rule is broken routinely or not is important, because managers and supervisors may be aware of the problem, but doing nothing, or unaware, when they are expected to know what is going on. The routine nature of a violation can be a problem in itself because a culture that tolerates other violations is created. If there are routine violations then the type of violation which has become routine also needs to be identified and addressed.

## 6.0 Behaviour has Consequences – Meeting Expectations

Section 7 describes general principles for creating compliance, such as rewards and forcing functions. Teams can use this information proactively as part of the centrefold exercises (4.6). However the principles in Managing Rule Breaking can also be used reactively to determine the consequences for certain behaviours, both positive and negative. This is done through the application of the Meeting Expectations Model.

### What is the Meeting Expectations Model for?

The model links behaviours (both good and bad) with the consequences people (individuals and their managers) can expect. The aim of the model is to improve consistency and fairness, both when recognising and rewarding people for exemplary behaviour and when applying disciplinary measures.

The model provides the categories into which an act or behaviour can be placed, and gives guidance on the kinds of consequences appropriate for each category. When using the model, leaders need to exercise judgement both in selecting the category into which a particular act or behaviour fits best, and in deciding the specific consequences to apply. Special recognition or disciplinary measures must only be carried out after consultation with local HR who are the custodians of local policy, practice, consistency, fairness and due process.

In making such decisions, leaders should establish the circumstances leading up to the act or behaviour in question, including the manager's role. In the case of an incident, the incident investigation should provide sufficient information.

### What issues does it address?

**1** When things go right, we tend to take for granted the actions and behaviours of the individuals who contributed to it. Doing a good job deserves recognition and being rewarded makes people more likely to do the right thing in the future. Praise, special awards or payments are given for exemplary actions, but there is significant variation in how leaders make use of these. Recognition and reward schemes can be counter-productive if they are not seen to be inclusive and fair.

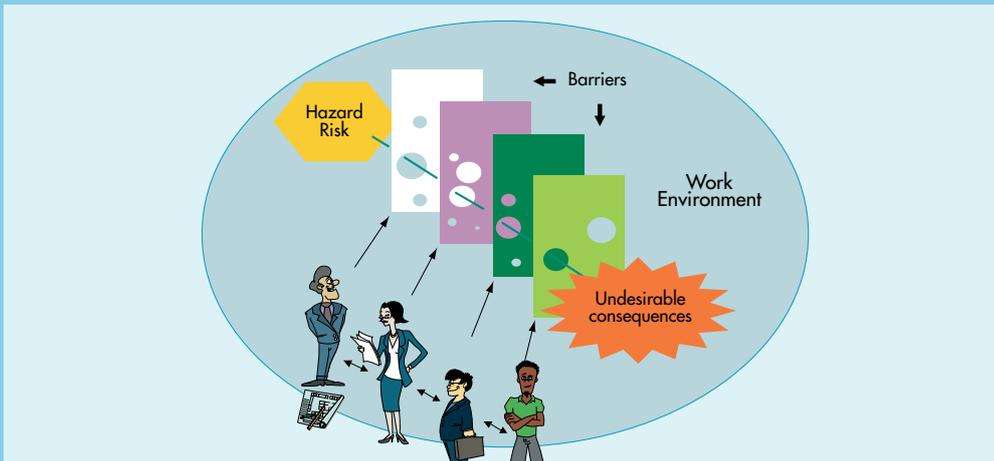
**2** When things go wrong many investigations do not go far enough. They seek to identify the error or rule violation that was “the cause”. But this is seldom the entire issue; human error or rule violation is almost always a symptom rather than an initial cause. The underlying causes of an incident need to be discovered. Solving these will always prevent many more incidents than just concentrating on the direct causes.



Meeting Expectations Model

## Managing Rule-Breaking

In situations where effective 'hardware' barriers cannot be established, guidelines, rules and procedures provide one of the most effective ways of managing hazards. Failure to follow established rules and procedures removes one or more of these barriers. In combination with a single error or mechanical failure, violations can lead to disaster. Rule-breaking therefore forms a major threat to the integrity of the HSE management system (HSE-MS). Analyses of major accidents have found that rule-breaking, violations at both the level of the individual and of the organisation, forms one of the most common causes of accidents.



The majority of people break rules and cut corners for what they see as good reasons – often to get the job done. Distinguishing people into either Sheep or Wolves is one way of looking at people breaking the rules. Sheep are guardians of high standards who dislike having to break the rules. Wolves have fewer problems with violation, feel in control of situations and exploit opportunities when they arise. Organisations need both Sheep and Wolves to operate successfully. Nevertheless it is most often problems associated with the procedures, rather than the attitudes of individuals, that form the major reason for rule-breaking. These problems affect the ability of people to adhere to the rules or procedures, and may create a culture in which rule-breaking becomes accepted. This brochure helps small groups to identify the existence of problems and find approaches to manage those problems. The brochure also provides background information about six different types of rule-breaking. There are hints provided on how to fix problems, and about creating compliance in individuals or groups.

## ATTACHMENTS

There are four attachments to provide information about

1. The prevalence of types of violation – the **Procedures and Practices Questionnaire**
2. The reasons why violations are likely to happen – the **Worksite Conditions Questionnaire**
3. **The consequences for Exemplary and Expected behaviours**
4. **The consequences for Errors and Violations**

For more information please visit [www.energyinst.org.uk/heartsandminds](http://www.energyinst.org.uk/heartsandminds)



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