



Annual Safety Reports

Guidance for mainline transport operators

March 2021

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Purpose

This document provides mainline infrastructure managers and transport undertakings (collectively known as transport operators) with guidance on producing their annual safety reports, as required by:

- The Railways and Other Guided Transport Systems (Safety) Regulations 2006 (as amended) (ROGS);
- Commission Implementing Regulation (EU) 402/2013 (the common safety method (CSM) for risk evaluation and assessment;
- Commission Regulation (EU) 1078/2012 (the CSM for monitoring).

The sections of this guidance refer to the regulatory requirements, together with explanatory background material. It aims to ensure consistency across the industry by interpreting (but not going beyond) the statutory requirements.

Please Note:

Following the United Kingdom exiting the European Union (EU), the annual safety report content and what is required to be reported, has not changed. Some of the legislation has changed because of the withdrawal and The Rail Safety (Amendment etc.) (EU Exit) Regulations 2019 are to be read alongside the legislation referred to above. More information is provided in the relevant sections of the annual safety report template.

Guidance on the annual safety report structure

The annual safety reports submitted to ORR by each transport operator should comprise a cover page (with details of the organisation and contact details) together with:

- The five main sections which address the paragraphs in regulation 20 (1) of ROGS):
 - (a) Information on how the transport operator's safety targets, referred to in paragraph 2(b) of Schedule 1, are met
 - (b) The results achieved through putting the transport operator's safety plans, referred to in paragraph 2(b) of Schedule 1, into effect
 - (c) Statistics for the common safety indicators (CSI), laid down in paragraphs 1.1 to 6.2 of, and the Appendix to, Annex I of the Directive (2016/798/EU). (There are separate arrangements for collecting the statistics for CSIs so these are not required to be sent with the annual safety report.)
 - (d) The findings of safety auditing carried out pursuant to the procedures referred to in paragraph 2(k) of Schedule 1
 - (e) Comments on any deficiencies or malfunctions relating to the running of vehicles or the management of infrastructure relating to the operation in question that may be relevant to the safety of that transport system
- and two sections which address the CSM's:
 - (f) Experience with applying the CSM for risk evaluation and assessment (including synthesis of the decisions related to the level of significance of the changes)
 - (g) Experience with the application of the CSM for monitoring

The sections are set out correspondingly in the annual safety report template that is available on ORR's website. If an organisation's business extends to operations off the mainline railway, then data related to that part of the operation will not be required.

Guidance on the annual safety report content

The annual safety report must contain information relating to the year before its submission, i.e. 1 January 2020 to 31 December 2020.

Guidance on the content of each section of the annual safety report template follows this introduction. The guidance should be used to inform the content of the annual safety report. The template for the report is available on ORR's website.

Refranchising

When a new franchisee starts operating it should begin to compile information required for the annual safety report for submission by 30 June in the following year.

The outgoing franchisee is required to produce a partial report that covers the period up until the end of the franchise. This report will need to be sent to us by 30 June in the year following the end of the franchise.

Requests for further information

If you have any questions or would like further information please contact:

Trevor Kent or Emma Angell

Email: ROGS@orr.ov.uk

Section A

ROGS Regulation 20(1)(a)

Information on how the transport operator's safety targets, referred to in paragraph 2(b) of Schedule 1, are met

Guidance on what information to include in this section

When developing the targets we suggest that the overriding objective should be consistent with the strategy for “Leading Health and Safety on Britain’s Railways” published by RSSB. The level of safety should be maintained where it is managed well, and continuous improvement should be delivered in priority risk areas, wherever it is reasonably practicable to do so.

Please refer to Tables A1 – A4 of the annual safety report template on ORR’s website. It is important to note that, while the Common Safety Targets and Common Safety Indicators (CSIs) will only relate to events associated with rolling stock in motion, the safety targets should cover all aspects of safety, not just those relating to rolling stock in motion.

Transport operators should also describe how they monitor their safety performance to meet both overall safety requirements and their main targets.

This information should, in large part, be derivable from organisational safety plans and safety progress reports for the year in question. It may be supplemented by regular actions taken as part of the transport operator’s safety management system (SMS) initiatives.

Section B

ROGS Regulation 20(1)(b)

The results achieved through putting the transport operator's safety plans, referred to in paragraph 2(b) of Schedule 1, into effect

Guidance on what information to include in this section

This section should present information about each of the actions and objectives listed in Section A, including the extent to which the expected results were achieved. An overall assessment of the effectiveness of the organisation's strategy for maintaining safety should be given. There should be a discussion of any areas where it has brought about significant changes in the risk profile.

Please refer to tables B1 - B4 of the annual safety report template on ORR's website. These tables align with Tables A1 – A4 for ease of reference.

In each case a short commentary should assess performance against the target, noting where targets have not been met and the reasons why. This could include commentary on how any adverse trends in performance were tackled and managed.

This information should be available from organisational safety progress reports and review processes.

Section C

ROGS Regulation 20(1)(c)

Statistics for common safety indicators (CSI) laid down in paragraphs 1.1 to 6.2 of, and the Appendix to, Annex I of the Directive (2016/798/EU).

Guidance on what information to include in this section.

Unlike previous years, ORR does not require transport operators to provide data for the CSIs as part of the annual safety report. The data will now be collected via alternative mechanisms:

- from transport undertakings via the existing CSI data collection arrangements with RSSB; and
- from infrastructure managers via bilateral communications with ORR

This is in response to lessons learned during previous years and is aimed at simplifying the arrangements for all parties.

Section D

ROGS Regulation 20(1)(d)

The findings of safety auditing carried out pursuant to the procedures referred to in paragraph 2(k) of Schedule 1

Guidance on what information to include in this section

Please refer to Table D of the annual safety report template on ORR's website.

This section should describe the safety audit(s) carried out by the organisation, as relevant to paragraph 2(k), including the audit's planned regularity. In their annual safety reports duty holders should give a general report against the statement they have made in the SMS regarding internal auditing. This should include how many audits they had planned to carry out and how many were actually completed. An internal audit would be either one carried by the duty holder itself or commissioned by it but carried out by an external organisation. Most organisations appear to be retaining the annual audit feature (historically the external audit). The significant findings of these audits, including recommendations and outcomes, should be included in this section. These may be described as annual audits and as such are likely to be seen at Managing Director level. 'Significant findings' would include instances when the audit showed a risk of a serious injury, fatality, major failure of equipment (leading to the issue of an NIR) or processes. It would also include areas of recurring and persistent risk such as a regularly reported tripping hazard.

Examples of what could be included

The information in this section should include the main safety-related audit findings about the key elements of health and safety management, for example (but not confined to):

- Policy
 - Intent, scope and adequacy.
- Organisation
 - Acceptance of health and safety responsibilities by line managers and the adequacy of arrangements to secure control.
 - Adequacy of arrangements to consult employees about health and safety.
 - Adequacy of arrangements to ensure competence of all employees and provision of health and safety assistance.
- Planning and implementation
 - Adequacy of management arrangements and risk control systems.
 - Extent of compliance with management arrangements.

- Measuring systems
 - Adequacy, relevance and design.
- Review systems
 - Ability of the organisation to learn from experience, improve performance, develop the health and safety management system and respond to change.

Section E

ROGS Regulation 20(1)(e)

Comments on any deficiencies or malfunctions relating to the running of vehicles or the management of infrastructure relating to the operation in question that may be relevant to the safety of that transport system

Guidance on what information to include in this section

Please refer to Table E of the annual safety report template available on ORR's website.

This section should comment on classes of serious accident / 'near miss' events with the real potential to result in a significant accident¹, along with lessons learnt and actions taken (if any). Individual suicide and trespass incidents should not be included, and information provided in sections (a) to (d) does not need to be repeated.

Organisations should also highlight significant trends or recurrent themes that indicate, or have the potential to result in, a notable deterioration in safety. Organisations should note any actions that have been taken to mitigate the risk in the areas identified.

Examples of what could be included

This section should comprise qualitative comments and information on such example topics as those listed below. The amount of information required is likely to range from a few sentences to around half a page, depending on the type of incident or information being commented on.

- An increase in SPADs and other operational errors, identifying common causal factors and actions taken as a result of the incidents.
- A potentially recurring door fault, common to a particular class of train, which has the potential to result in serious injury. Actions taken to rectify the fault.
- An increase in the number of broken rails. Identification of causal factors and actions taken to mitigate the risk.
- A significant increase in the number of injuries occurring to passengers in stations.
- Identification of any underlying causes such as horseplay or alcohol misuse, and actions put in place to reduce the risk.
- Any event/trend that represents a notable deterioration in safety that is not covered elsewhere in the report.

Section F

Commission Implementing Regulation 402/2013/EU (Article 18)

Experience with the application of the CSM for risk evaluation and assessment

Guidance on what information to include in this section

Please refer to Table F of the annual safety report template on ORR's website.

This section should provide:

- A summary of the organisation's experience in applying the CSM process;
- A summary report on the decisions related to significance of change (which should include a summary of the process used to determine that a change that affects safety is not significant; and
- A summary of any forthcoming projects where you expect to apply the CSM.

Section G

Commission Regulation 1078/2012/EU (Article 5)

Experience with the application of the CSM form monitoring

Guidance on what information to include in this section

Please refer to Table G of the annual safety report template on ORR's website.

This section should include:

- a description of the organisation and the staff who carry out the monitoring process;
- results of the monitoring process and the decisions they led to; and
- a list of measures to address unacceptable non-compliances.



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