Oliver Stewart
RAIB Recommendation Handling Manager

28 March 2024

Mr Andy Lewis
Deputy Chief Inspector of Rail Accidents

Dear Andy,

RAIB Report: Near miss with track workers and trolleys at South Hampstead, London on 11 March 2018

I write to provide an update[1] on the action taken in respect of recommendations 1 & 3 addressed to ORR in the above report, published on 18 December 2018.

The annex to this letter provides details of actions taken in response to the recommendations and the status decided by ORR. The status of recommendations 1 & 3 is **'Closed'.**

We do not propose to take any further action in respect of the recommendations, unless we become aware that any of the information provided has become inaccurate, in which case I will write to you again.

We will publish this response on the ORR website.

Yours sincerely,

Oliver Stewart

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[1] In accordance with Regulation 12(2)(b) of the Railways (Accident Investigation and Reporting) Regulations 2005

Recommendation 1

The intent of this recommendation is that there is complete clarity about the responsibilities and operation of the 'Person in Charge' (PiC) role defined in Network Rail standard NR/L2/OHS/019 Issue 9.

Network Rail should:

a)   revise its standard for managing the safety of people at work on or near the line (currently standard NR/L2/OHS/019 issue 9) to clarify the following aspects of the 'Person in Charge' (PiC) role:

   i. a PiC should be allocated to each separate work group, and remain with that work group for the duration of the work;

   ii. the same PiC should be involved in both the planning process and delivery of the work (excluding exceptions stated in the standard);

   iii. when the COSS duties of a PiC are delegated to someone else, that individual should be appointed during the planning process, endorse the safe work pack and deliver COSS duties on site.

b)   provide suitable guidance to support the understanding and implementation of the standard, and maintain access to such documentation for relevant staff and contractors.

c)   brief out the changes arising from a) and b) above to relevant staff and contractors.

ORR decision

1.   Network Rail have substantially simplified the 019 standard, as per the recommendation, so that roles and responsibilities are stated more clearly and understandably.

2.   The requirements of the recommendation are addressed in the following part of the standard:

- *7.3 The person in charge*
  The person in charge shall
  *a) be accountable for their own safety and the **safety of all persons in their work group** (our emphasis);*
    - PIC to be involved in both planning & delivery of work: this is stated in 4.2.1: *The R(esponsible) M(anager) shall appoint the person in charge who will be doing the work to be involved in the planning process.*
    - COSS to be appointed at planning stage, endorse SWP & deliver COSS duties on site: this is stated in 4.2.7: *4.2.7 Delegation of COSS duties The person in charge shall only delegate COSS duties in accordance with GE/RT8000 (rulebook which includes a module*

defining COSS duties) *at the planning stage. The COSS shall endorse the SWP as part of the verification process.*

3.   The Network Rail closure statement also included a statement that the material had been briefed out to relevant staff, as per recommendation 2.

4.   After reviewing the information provided ORR has concluded that, in accordance with the Railways (Accident Investigation and Reporting) Regulations 2005, Network Rail has:

- taken the recommendation into consideration; and

- has taken action to close it

Status: Closed.

Previously reported to RAIB

5.   On 18 December 2019 ORR reported the following:

Network Rail has amended the COSS training syllabus to reflect and clarify the role of the PIC. It is intended to discontinue the COSS role and replace with PIC's over a 2-year period, which will include re-training when an individual's COSS competence falls due for renewal.

Network Rail hope to revise 019 by April 2020, but this isn't simple as the PIC role and COSS line clear role clarifications need TOMSC input as they involve rule book changes.

Update

6.   On 30 November 2023 Network Rail provided the following closure statement:

[N220-12] South
Hampstead Rec 1.doc

Recommendation 3

The intent of this recommendation is that staff in charge of safety on site have good quality location information to minimise the risk of accidents arising from confusion about which lines are open to traffic.

Network Rail should review and improve the quality of the location information provided in its safe work packs, to help staff better identify running lines, access points and other relevant geographical features. The review should include consideration of supplementing the current minimum information specified in

Appendix A of standard NR/L2/OHS/019 with detailed track diagrams, local street maps, ground level and/or aerial photographs (eg from RouteView) etc, using a risk-based approach.

ORR decision

7.   Network Rail has introduced the RailHub system to help create, verify and authorise Safe Work Packs (SWP) and manage line blockages. RailHub replaces Safe System of Work Planning System (SSOWPs) and Green Zone Access Manager (GZAM) software. The minimum requirements for SWP information are set out in the Network Rail 019 standard, appendix A. The latest (issue 12) requirements do not differ in this respect from the requirements at the time of the South Hampstead near-miss.

8.   Network Rail have demonstrated that RailHub now includes much improved access point location information using street mapping to pinpoint the location relative to the work being carried out, although adding photographs and track diagrams from Route View could be technically challenging and of limited value, so may not be reasonably practicable. As the RAIB report points out, though the standard requires the provision of detailed track diagrams 'where used', these would need to be assessed for accuracy at the planning stage.

9.   Adding access point information is a step forward in allowing COSS's to orientate themselves in relation to the work being done. In addition, we note access point signage showing line names and directions has improved greatly since 2018 as Network Rail rolls out better signs at more locations and Network Rail plans a feasibility study to consider whether SWPs could be linked to location data so that they confirm to the user that they are in the location given in the SWP. Funding from Technical Authority and Route Services is available to do this early in CP7.

10.   From the information provided, it appears that there is nothing more that would be reasonably practicable for Network Rail to do at present to utilise existing technology to help staff identify if they are at the correct access point, in addition to the revised planning processes, improved signage programme, adding verified access point information to RailHub, and ensuring that COSS's unfamiliar with an area are given the opportunity for a visit ahead of the works.

11.   After reviewing the information provided ORR has concluded that, in accordance with the Railways (Accident Investigation and Reporting) Regulations 2005, Network Rail has:

- taken the recommendation into consideration; and
- has taken action to close it

Status: Closed.

Previously reported to RAIB

12.   On 18 December 2019 ORR reported the following:

The recommendation is being addressed through the Safe Work Pack simplification programme (SSOWP 3), which is expected to be rolled out in June 2020. We support the approach being taken and have asked Network Rail for more information about the programme of work.

Update

13.   On 29 November 2022 Network Rail provided the following closure statement:

[N207-05] South
Hampstead Rec 3.doc

14.   On 22 January 2024 Network Rail provided the following additional information:

Network Rail has a combination of factors that lead staff to the correct access point.
- *The responsible manager, using ELLIPSE should specify the correct location for work to be undertaken*
- *The section planner should correctly use ELLISE, the National Hazard Directory and Railhub to plan the correct location to access the track*
- *The Person in charge / COSS should check the plan using their local knowledge to confirm that the access point is correct. If local knowledge is unclear then a site visit is required prior to the works to confirm the access point and track layout.*
- *The Person in charge can use the access point app to verify they are the right location. The app has not had all 22000 access point locations verified, this requires the feedback of the local person accessing the railway to confirm that location. The updated version of the APP will have the ability for access point issues to be reported to the National Hazard Directory (NHD) for correction. This will be launched when the new NHD goes live.*

We are confident we have a system in place to enable staff to get to the correct access point

Recommendation 1

The intent of this recommendation is that there is complete clarity about the responsibilities and operation of the 'Person in Charge' (PiC) role defined in Network Rail standard NR/L2/OHS/019 Issue 9.

Network Rail should:

d)   revise its standard for managing the safety of people at work on or near the line (currently standard NR/L2/OHS/019 issue 9) to clarify the following aspects of the 'Person in Charge' (PiC) role:

  i. a PiC should be allocated to each separate work group, and remain with that work group for the duration of the work;

  ii. the same PiC should be involved in both the planning process and delivery of the work (excluding exceptions stated in the standard);

  iii. when the COSS duties of a PiC are delegated to someone else, that individual should be appointed during the planning process, endorse the safe work pack and deliver COSS duties on site.

e)   provide suitable guidance to support the understanding and implementation of the standard, and maintain access to such documentation for relevant staff and contractors.

f)   brief out the changes arising from a) and b) above to relevant staff and contractors.

ORR decision

1.   Network Rail has amended the COSS training syllabus to reflect and clarify the role of the PIC. It is intended to discontinue the COSS role and replace with PIC's over a 2-year period, which will include re-training when an individual's COSS competence falls due for renewal.

2.   Network Rail hope to revise 019 by April 2020, but this isn't simple as the PIC role and COSS line clear role clarifications need TOMSC input as they involve rule book changes.

3.   After reviewing the information provided ORR has concluded that, in accordance with the Railways (Accident Investigation and Reporting) Regulations 2005, Network Rail has:

  • taken the recommendation into consideration; and

  • is taking action to implement it

***Status: Progressing.* ORR will advise RAIB when further information is available regarding actions being taken to address this recommendation.**

Information in support of ORR decision

4.   On 3 May 2019 Network Rail provided the following initial response:

Action Plan

Network Rail Workforce Safety with the Planning and Delivery Safe Work team have been undertaking a post implementation review of standard 019.
The outputs will be reviewed and a working group will be set up to review the documents and associated modules.
In answer to this recommendation in adding simplification and clarity to the text (IMS requirement), modules 02;03;04 will also be reviewed in particular section 3.6 within these modules that are linked to Safe Work Pack Verification. (it has been noted that where cyclical packs are in use authorised for up to 12 months there is no specific details as to what a PIC should do if COSS duties are delegated (which is specified in non repeated tasks).

A full review of COSS training has also been undertaken and enhancements to the course material will be trialled during July /August 2019 this places added requirements on the behaviours and suitability of the COSS to undertake the role and additional work is being undertaken to formalise the Pic capability to a competence again outputs will be ready for Dec 2019 and course material determined ready for December 2020.

Currently the tool for briefing safety changes is through the various alerts that exist and Safety Central and recording using the Sentinel system. A review by Head of Corporate Workforce Safety and Head of Standards team to utilise a process available to formally record all safety information upon receipt is being considered and then mandating on the business this should be completed and implemented during 2019. (Timescale: 31 January 2021)

Recommendation 3

The intent of this recommendation is that staff in charge of safety on site have good quality location information to minimise the risk of accidents arising from confusion about which lines are open to traffic.

Network Rail should review and improve the quality of the location information provided in its safe work packs, to help staff better identify running lines, access points and other relevant geographical features. The review should include consideration of supplementing the current minimum information specified in Appendix A of standard NR/L2/OHS/019 with detailed track diagrams, local street maps, ground level and/or aerial photographs (eg from RouteView) etc, using a risk-based approach.

ORR decision

5.   The recommendation is being addressed through the Safe Work Pack simplification programme (SSOWP 3), which is expected to be rolled out in June 2020. We support the approach being taken and have asked Network Rail for more information about the programme of work.

6.   After reviewing the information provided ORR has concluded that, in accordance with the Railways (Accident Investigation and Reporting) Regulations 2005, Network Rail has:

- taken the recommendation into consideration; and
- is taking action to implement it, but ORR has yet to be provided with a detailed plan.

Status: Progressing. ORR will advise RAIB when further information is available regarding actions being taken to address this recommendation.

Information in support of ORR decision

7.   On 3 May 2019 Network Rail provided the following initial response:

Action Plan

Network Rail has been undertaking a lot of work in this area, during 2018 improvement updates have been made to the various systems used to formulate Safe Work Packs (SWP)

The WFS Team and our business Partners in the Information technology group & PDSW, have improved how track side information about positioning is viewed when planning SWP.

CP6 funding has also been secured to develop the use of QR codes for access points so that accurate information can be displayed on COSS handsets so that they know they are in the correct place, going forward when digital packs are in place the pack won't be allowed to go live if the COSS is in the wrong access point or position on the track.

Trials in two routes are being set up for autumn 2019, details to be confirmed to the ORR once known.