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14 October 2020

Mr Andrew Hall
Deputy Chief Inspector of Rail Accidents
Cullen House
Berkshire Copse Rd
Aldershot
Hampshire GU11 2HP

Dear Andrew,

RAIB Report: Near miss between a train and a track worker at Shawford on 24 June 2016

I write to provide an update¹ on the action taken in respect of recommendation 2 addressed to ORR in the above report, published on 23 March 2017.

The annex to this letter provides details of actions taken in response to the recommendation and the status decided by ORR. The status of recommendation 2 is **'Implemented'**.

We do not propose to take any further action in respect of the recommendation, 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 on 15 October 2020.

Yours sincerely,



Oliver Stewart

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

Recommendation 2

The intent of this recommendation is to improve the resilience of the rail testing and lubrication section within Eastleigh (now Wessex Outer) delivery unit to loss of resources and sudden increases in workload so that such situations do not compromise safety.

Network Rail should:

a. Carry out a review to identify improvements in how the Eastleigh (now Wessex Outer) rail testing and lubrication section manages rail defects so that it is more tolerant of changes to staff resourcing and peaks in workload. The review should include consideration of:

- the resourcing levels needed within the section to manage and deliver its work bank arising from planned inspections and likely volumes of work arising to support maintenance activities;
- the impact that planned runs by ultrasonic test trains can have on the management and delivery of the section's workload when a large amount of time dependent work to verify suspect defects is generated by multiple runs taking place in short succession; and
- the impact that missed or partially completed runs by ultrasonic test trains can have on the management and delivery of the section's workload.

b. Take steps to implement any improvements from the findings of the review (paragraph 96).

This recommendation may also apply to other rail testing and lubrication sections within Network Rail.

ORR decision

1. Network Rail have carried out a review and provided a closure statement setting out the changes they have made to improve the resilience of the rail testing and lubrication section within Wessex Outer delivery unit.

2. 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
- taken action to implement it

Status: *Implemented.*

Previously reported to RAIB

3. On 22 March 2018 ORR reported that Network Rail had not formally responded to the recommendation.

Update

4. On 17 August 2020 Network Rail provided the following closure statement:



Closure Statement -
Shawford Rec 2_.do

5. Network Rail state the following:

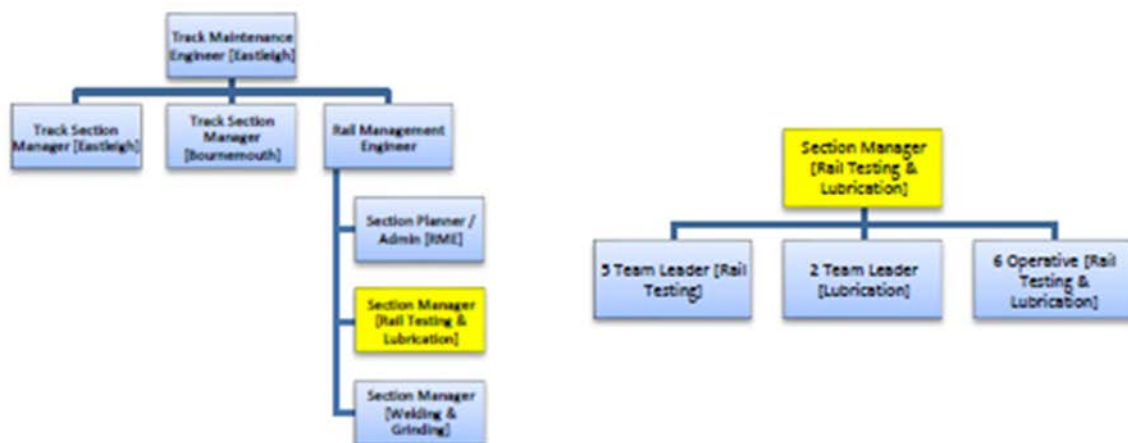
Closure Statement

Recommendation 2 - Action A

A review was conducted between 2017 – 2018 was undertaken on the Rail testing and lubrication team and the associated management structure, including the engineering reporting structure that was in place at that time.

2016 Organisational Review Findings

In 2016 the Rail Testing and lubrication team consisted of a Rail Management Engineer (Band 4) Reporting to the Eastleigh Track Maintenance Engineer. The Rail Management Engineer (or RME) managed Welding & Grinding Section Manager and Rail Testing and Lubrication Section Manager, as well as providing the engineering support for the compliance and monitoring of Train borne inspection across the delivery unit.



#roles are a single post unless specified otherwise

Findings identified within the review were as follows;

- *The resource allocated was insufficient within the lubrication team for planned maintenance activity, comprising the number of Operatives available for rail testing.*
- *Shortfall in the number of Rail Testing team leader's vs pre-planned inspection*

- There was no method of calling on additional resource to manage peaks in workload such as verification of suspects of UTU

- There was no standardised process on how to respond to lost train borne recording and taken an engineering approach to risk asses or mitigate lost runs using TRK001 and the temporary variation process, as an alternative to resulting to manual pedestrian testing.

- Level of planning and admin resource was insufficient to support the Section Manager, leading to ineffective planning of work at short notice, resulting in lost work.

In addition, this was a shared resource across the whole Rail Management Engineer team, so support was required from other planners within the wider DU team. Leading to the section manager assuming aspects of the planner role.

The role of the Rail Management Engineer was compromised by several factors,

- impact of an excessive workload of the Section Manager,
- lack of support in line management and engineering from the Track Maintenance Engineer, due to the TMEs excessive span of control with Bournemouth & Eastleigh Track Sections.

Closure Statement:

Recommendation 2 - Action B

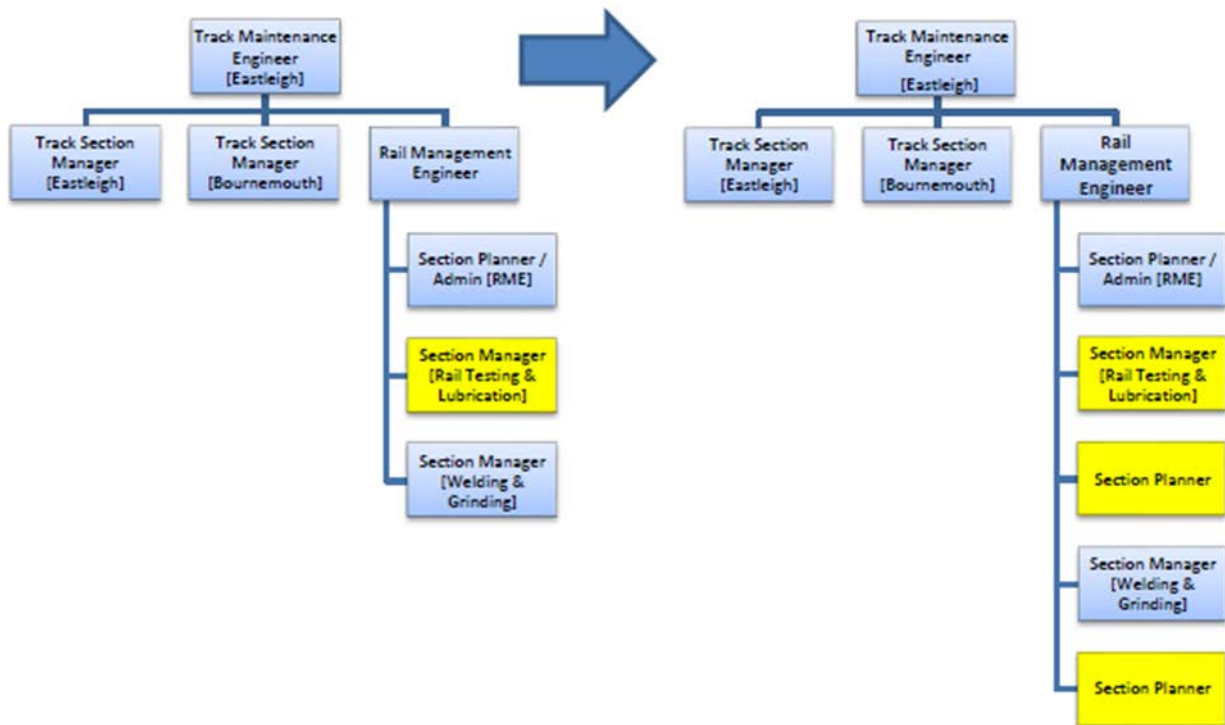
In 2017, to address the disparity between the modelled required resource both in Lubrication and Rail Testing the team size was increased in two waves.

- 10 Team Leader [Rail Testing]
- 4 Team-Team Leader [Lubrication]
- 8 Operative [Rail Testing & Lubrication]

In late 2018 all roles had been recruited



In 2018 additional changes were made to introduce dedicated section planners within the Rail Management Engineer Team, this was to provide adequate planning and admin support for the Section Manager's within the Rail Management Engineer team and sufficient continuity for leave across the year, without passing workload onto the Section Manager or Rail Management Engineer. The two additional roles were recruited in 2018



The final phase of the changes to the Rail Management organisation post Shawford were completed in 2019, to provide a single senior engineering lead for the rail management function, A Track maintenance engineer [Lineside & Rail Management] was created, the objective being;

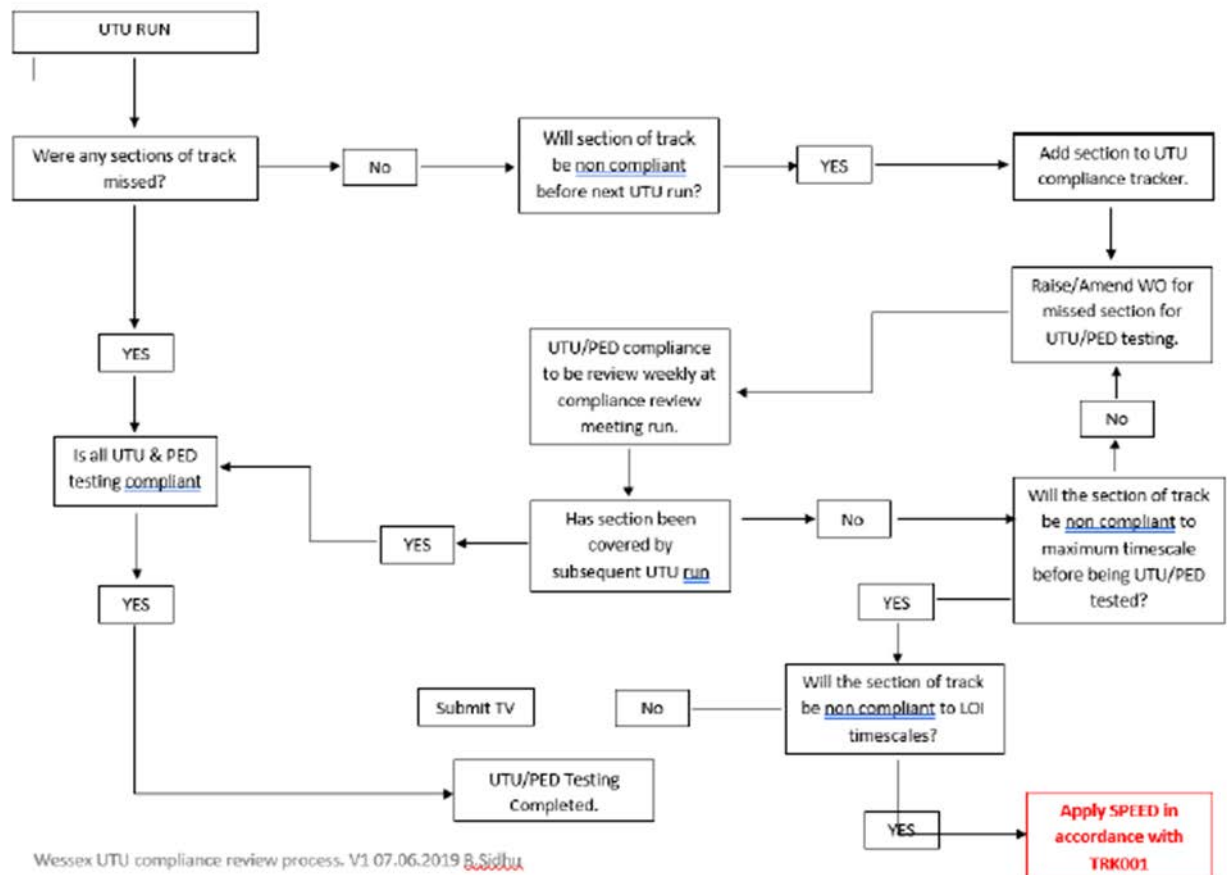
- To provide a Senior Engineer with enough levels of competence and experience to lead and direct the team as an engineering function and provide line management to the team.
- Remove Line management responsibilities from the Rail Management engineer, enabling them to focus on Train borne compliance and act as an independent technical expert.



To support the delivery of peaks of activity from Rail suspects and missed train-borne recording there are a now a series of process in place to flex the amount of resource available.

Missed train-borne inspection is managed through a process that was introduced to work with Network Rails AIS service to recover train-borne recording and to enable runs to be re-planned within compliant timescales, or risk assessed through Network rails temporary variation process. Extending the required frequency.

Manual testing is only done on high risk sites emerging from the risk assessment process and not A-B and is only when no other option is available.



Where fluctuations on requirements demand occur, contract testing resource is used in conjunction with our team to deliver reactive testing within the required timescales. We have contract labour services of both Ultrasonic testers and protection resource that we use.

The business plan and associated FY20 budget assumes that testing resource may be required at least once a period (4 weeks).

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b. Take steps to implement any improvements from the findings of the review (paragraph 96).

This recommendation may also apply to other rail testing and lubrication sections within Network Rail.

ORR decision

1. Network Rail have not formally responded to the recommendation.
2. After reviewing the information provided ORR has concluded that, in accordance with the Railways (Accident Investigation and Reporting) Regulations 2005, Network Rail has:
 - not provided a response setting out how the recommendation will be delivered.

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

Information in support of ORR decision

3. No information provided by end implementer.