

**Oliver Stewart**  
**RAIB Recommendation Handling Manager**



28 November 2022

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

Dear Andy,

**RAIB Report: Near miss between a train and a track worker at Peterborough on 20 July 2018**

I write to provide an update<sup>1</sup> on the action taken in respect of recommendation 2 addressed to ORR in the above report, published on 5 June 2019.

The annex to this letter provides details of actions taken in response to the recommendations 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 29 November 2022.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Oliver Stewart', written in a cursive style.

Oliver Stewart

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<sup>1</sup> 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 reduce the risk of track workers being struck by a train as result of a breakdown in the communications between a Controller of Site Safety / Safe Work Leader and site lookout at the site of work, and the intermediate and distant lookouts.*

Network Rail should:

- a. investigate the common practices used by Controllers of Site Safety / Safe Work Leaders and site lookouts to communicate with intermediate / distant lookouts using flag signals to indicate 'all clear' at the start of work and after a train has passed, and 'work complete';
- b. seek to understand the reasons for the unofficial systems of communication currently used and the risks that they introduce;
- c. investigate ways of improving communication between those at the site of work and intermediate / distant lookouts, including the use of technology;
- d. implement, across its network, an improved system of communication, based on the findings from (a), (b) and (c) above, including training of relevant staff and promoting amendments to the rule book as necessary; and
- e. implement effective arrangements for the monitoring, audit and review of the improved system of communication that it puts in place.

## ORR decision

1. The near-elimination of lookout-only protection by Network Rail has effectively implemented this recommendation. Although look out protection hasn't been completely eliminated, it is used so rarely that the risks of near-misses from inadequate communication between look outs and COSS's are correspondingly much lower than in 2018.
2. Network Rail are continuing to explore ways of reducing the number of near misses, but the proportion of incidents where the root cause was lookout failure has reduced from 51% to 5% of a substantially smaller number of events.
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
  - has taken action to implement it

**Status: Implemented.**

## Previously reported to RAIB

4. On 15 April 2020 ORR reported the following:

Network Rail are undertaking work to implement a consistent national approach to communications using flags between the COSS/SWL and lookouts. This will primarily be done by promoting a change to the Rule Book and subsequent changes to lookout training. Network Rail is also carrying out work to understand the reasoning behind use of unofficial systems.

### **Update**

5. On 2 August 2022 Network Rail provided the following closure statement:



2022 08 02  
Peterborough station

## Previously reported to RAIB

### Recommendation 2

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- e. implement effective arrangements for the monitoring, audit and review of the improved system of communication that it puts in place.

### ORR decision

1. Network Rail are undertaking work to implement a consistent national approach to communications using flags between the COSS/SWL and lookouts. This will primarily be done by promoting a change to the Rule Book and subsequent changes to lookout training. Network Rail is also carrying out work to understand the reasoning behind use of unofficial systems.

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
- is taking action to implement it by 31 December 2021.

**Status: *Implementation ongoing.* ORR will advise RAIB when actions to address this recommendation have been completed.**

### Information in support of ORR decision

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

#### **Action Plan**

*Network Rail have investigated the common practice identified above and have found that it is standard practice throughout the regions and routes, and in certain areas different methodologies are applied in the same Region.*

*To gain a consistent approach to this practice which does have benefits with making it consistent (one national approach). An update to the Industry Training Material (amendments) will be required through Network Rail Training 'Lookout Training Materials' and to the Rule Book Modules GE/RT8000 HB3 Duties of the Lookout & Site Warden section 4; 5; 6 & 7.*

*An application will be made to the RSSB, TOM-SC committee to request amendments to GE/RT8000 HB3 and set up of a working group to decide what the consistent signals should be, this will take about 12-18 months to request the changes, have the change request approved, set up the industry working group, approval of the changes by the TOM-SC committee and final changes published, in the Rule Book.*

*A further working group or part of the same remit will look at the reasoning behind the unofficial system in use, if there is any technology that could help and implement throughout the business with an effective monitoring system, this would take an additional period of time 12 further months.*

*Completion date – 31 December 2021*