

Oliver Stewart
RAIB Recommendation Handling Manager



31 May 2023

Mr Andy Lewis
Deputy Chief Inspector of Rail Accidents

Dear Andy,

RAIB Report: Person struck by a train at Eden Park station, south-east London on 26 February 2020

I write to provide an update¹ on the action taken in respect of recommendation 5 addressed to ORR in the above report, published on 19 February 2021.

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 5 is **'Closed'**.

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 1 June 2023.

Yours sincerely,

Oliver Stewart

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

Recommendation 5

This recommendation is intended to ensure that, in the long term, the UK rail industry has sufficient information, guidance and decision-support tools to fully assess and manage safety risks associated with use of the railway by disabled people.

RSSB, assisted where necessary by train operating companies, Network Rail and passenger groups representing disabled people, should develop and implement means of collecting and analysing the data needed to properly understand and manage the safety risks associated with disabled people travelling on the UK railway. This information should be used to improve railway guidance and decision-support tools to better understand and manage the risks associated with use of the railway by disabled people.

ORR decision

1. As part of the SMIS upgrade process, RSSB has introduced a new form for recording accidents on platforms, that allows a person's impairments to be recorded. The action taken goes beyond the recommendation as it allows for the recording of all classes of impairment, not just visual impairment.
2. In addition to the SMIS update, RSSB has also updated the Platform-Train Interface Risk Assessment Tool (PTI RAT). Enhancements include a series of questions and risk profiles that relate specifically to vulnerable people, such as the provision of tactile paving.
3. After reviewing the information provided ORR has concluded that, in accordance with the Railways (Accident Investigation and Reporting) Regulations 2005, RSSB has:
 - taken the recommendation into consideration; and
 - has taken action to close it

Status: Closed.

Previously reported to RAIB

4. On 16 February 2022 ORR reported the following:

Following the initial response, we wrote to RSSB to acknowledge the problems and challenges with collecting the information identified in the recommendation, but requesting a more detailed response of how it was being addressed, such as the consideration given to other ways to collect data. RSSB has since provided clarity on the aims of the project and expected outputs.

Update

5. On 12 April 2023 RSSB provided the following update:

On officially accepting the recommendation on 27 May 2021, we noted that relevant work had already begun as part of RSSB's natural SMIS upgrade process. Our new SMIS Personal Accident Form, for example, allows for the recording of different impairments of the person(s) injured in an event, and also allows the person's impairment(s) to be identified as a possible cause of the event. We also amended the field question to include the following additional text: 'Did the injured person consider themselves to have a disability **or appear to have a visible impairment**'. Originally, the question only asked 'Did the person consider themselves to have a disability?' The new version should broaden the scope of what gets recorded under this category.

To aid input, we added on-screen guidance on how to respond to the impairment question – next to said question – on the SMIS input screen. Users must note that **Yes** should be selected if the person appeared to have a visible impairment, even if the injured person did not confirm the impairment themselves:

The screenshot shows the 'Personal accident form' interface. The top navigation bar includes the Coruson logo, RSSB | SMIS, and notification icons. The form title is 'Personal accident form' with a 'DRAFT' status. A sidebar on the left lists report sections: Safety Event, Location, Sub events, People, trains and other objects (1), Person (selected), Possible cause(s), Investigation, and Attachments. The main content area displays the question: 'Did the injured person consider themselves to have a disability or appear to have a visible impairment?'. Below the question are three radio button options: 'No', 'Unknown', and 'Yes' (which is selected). To the right of the question, a note states: 'Please note that Yes should be selected if the person appeared to have a visible impairment, even if the injured person didn't confirm the impairment themselves.' Below the question is a section titled 'Impairment type' with a list of checkboxes: Arthritis, Hearing impairment, Learning or developmental impairment, Mental health disorders, Mobility impairment, Multiple disabilities or impairments, Other, Unknown, and Visual impairment.

In addition to the SMIS enhancement, we proposed to capture the relevant requirements for an update to the RSSB Platform-Train Interface Risk Assessment Tool (PTI RAT). We consulted with industry on this via the PTI Working Group, working with the ORR to establish the requirements for the PTI RAT, to share good practice and reach a consensus as to what outputs needed to be generated from them.

Work progressed on the PTI RAT throughout 2022, including establishing a PTI RAT Users Group which was made up of existing super users and interested parties from several TOC's, which agreed a number of updates on the tool's full set of questions, criteria and associated guidance with a particular emphasis on accessibility. As a result, we added questions around the location, condition and compatibility of boarding ramps as well as change some terminology to be in line with correct references for passenger profile.

In summary, following an extensive period of engagement with operators and Accessibility & Inclusion specialists, we enhanced the PTI RAT to include a series of questions and risk profiles that relate specifically to vulnerable people. This includes the provision of tactile paving, the location, condition and compatibility of wheelchair ramps and contingency plans for lift failure and overcarry. We have also added functionality to enable the user to customise questions to make sure they are relevant to local conditions. The enhanced tool is supported by a new suite of training videos and user guides. We have a high degree of confidence that, with ORR backing, more operators will adopt it as their primary method of PTI risk assessment. This will not only ensure that accessibility constraints are captured and assessed, but will also generate data to enable operators, infrastructure owners and RSSB to identify and quantify risk via station, route or network.

With all this in mind, we now consider Recommendation 5 to be complete.

Previously reported to RAIB

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ORR decision

1. Following the initial response, we wrote to RSSB to acknowledge the problems and challenges with collecting the information identified in the recommendation, but requesting a more detailed response of how it was being addressed, such as the consideration given to other ways to collect data. RSSB has since provided clarity on the aims of the project and expected outputs.

2. After reviewing the information provided ORR has concluded that, in accordance with the Railways (Accident Investigation and Reporting) Regulations 2005, RSSB 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

3. On 27 May 2021 RSSB provided the following initial response:

I am pleased to report that we accept the recommendation. To this end, we held an internal meeting on 14 April 2021 to discuss our action plan. However, work had already begun as part of RSSB's natural SMIS upgrade process. Our new SMIS Personal Accident Form, for example, allows for the recording of different impairments of the person(s) injured in an event, and it also allows the person's impairment(s) to be identified as a possible cause of the event.

*We also amended the field question on the new form to include the following additional text: 'Did the injured person consider themselves to have a disability **or appear to have a visible impairment**'. Originally, the question only asked 'Did the person consider themselves to have a disability?' The new version might broaden the scope of what gets recorded under this category, although we must point out that there are limitations and challenges with taking the approach suggested by the*

recommendation. First, upgrading the forms will not guarantee that the data will improve. Staff at the front line are likely to be too busy dealing with the accident or incident to ask lots of questions and take down the details that – in an ideal world – we would want. RSSB can raise the issue at (for example) the People on Trains and in Stations Risk Group and the Passenger Operators' Safety Group, but RSSB cannot mandate usage. Secondly, many people do not like to admit that they have disability which means that – very often – disabilities are hidden.

Note that, in addition to the SMIS upgrade, we are also capturing requirements for potential updates to the PTI Risk Assessment Tool from industry.

We will keep ORR informed of progress in the usual manner.

4. On 13 January 2022, RSSB provided the following update:

I can clarify that we are working with train operating companies to understand how information about disabilities is recorded at the time of the incident in their front line forms. Following this, we will be looking to produce some best practice guidance, or similar, on how this information could be captured more consistently, acknowledging the fact that there is unlikely to be a “one size fits all” solution as the front line forms vary from organisation to organisation. This activity would hopefully improve the information that is captured at the front line and fed back to the SMIS inputters so that it can be recorded in SMIS. We have started this work, but note a delay due to resource requirements caused by our forthcoming update to the Safety Risk Model.