

Oliver Stewart
RAIB Recommendation Handling Manager



8 August 2023

Mr Andy Lewis
Deputy Chief Inspector of Rail Accidents

Dear Andy,

RAIB Report: Track workers struck by a train at Margam on 3 July 2019

I write to provide an update¹ on the action taken in respect of recommendation 6 addressed to ORR in the above report, published on 12 November 2020.

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 6 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 9 August 2023.

Yours sincerely,

Oliver Stewart

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

Recommendation 6

The intent of this recommendation is that Network Rail has a proactive safety leadership and a culture which promotes an open and objective approach to the reporting and improvement of safety performance.

Network Rail should investigate different ways of promoting proactive safety leadership at every level of the organisation, to develop a culture that values and actively promotes the open and honest reporting of safety performance, the early identification of any weaknesses in management processes and open debate. The output of the investigation should be an active cultural change programme which is the subject of consultation with employees and stakeholders, and then widely disseminated

ORR decision

1. Network Rail have provided good evidence of an active cultural change programme in each of the regions, that addresses all the points that one would expect such a programme to address, and broadly meets the expectations of the recommendation, namely continuous safety improvement.
2. Each region has its own unique culture change programme. We have not assessed these in detail but there is enough information in Network Rail's response to confirm that the consultants they have engaged are well-known in their field. From limited work with Route Services, we know that the programme has driven significant investment. Overall, our assessment is that there is little more we could reasonably expect Network Rail to do to meet the requirements of the recommendation.
3. To support the closure statement, Network Rail have provided a suite of documents setting out the development and roll out of the cultural change programme.
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 10 November 2021 ORR reported the following:

The safety leadership pilot had been run in Route Services and is considered by Network Rail to be a qualified success. Leadership was more visible and there has been good joint working with the trade unions. Results so far have shown that for change to be effective, initiatives need to be embedded and repeated, so not seen

as a one off. Progress had been limited in Scotland due to challenges around staffing and COVID. Network Rail is considering which outcome measures will be used as the basis for a closure statement.

ORR's main concern with Network Rail's response in this area had been that there seems to be a great deal of latitude for the constituent Regions to adopt their own approach – or even do nothing at all – so it would be hard to judge when a consistently suitable improvement has been achieved across the network. We await a written response on this point. We also expect some revisions to the original timeline, which is now out of date

At a meeting in early November, we received verbal assurances that every Region is adopting a programme. Whilst the format, approaches and timelines may vary – all will be required to demonstrate that they deliver similar outcomes in improved safety leadership.

Update

6. On 29 November 2022 provided the following closure statement and supporting document:



[N207-05] Margam
Rec 6.pdf



[N207-05] Margam
Rec 6 zip file of Apper

Previously reported to RAIB

Recommendation 6

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ORR decision

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2. ORR's main concern with Network Rail's response in this area had been that there seems to be a great deal of latitude for the constituent Regions to adopt their own approach – or even do nothing at all – so it would be hard to judge when a consistently suitable improvement has been achieved across the network. We await a written response on this point. We also expect some revisions to the original timeline, which is now out of date

3. At a meeting in early November, we received verbal assurances that every Region is adopting a programme. Whilst the format, approaches and timelines may vary – all will be required to demonstrate that they deliver similar outcomes in improved safety leadership.

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
- is taking action to implement it

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

Information in support of ORR decision

5. On 1 February 2021 Network Rail provided the following initial response:

Action Plan**Action Plan (with milestones)**

Work already completed:

- Jan 2020 - We have contracted with JMJ to develop a safety culture and leadership programme. The focus is developing and safety and service culture (injury and incident free is the concept for safety).
- Feb 2020 - JMJ in conjunction with Network Rail, undertook independent analysis through workshops and interviews with senior leaders, middle managers and frontline staff. As a result, we analysed the safety leadership of the Company and undertaken a culture review down through the organisation to the frontline.
- March 2020 a significant culture session was held with senior leaders to kick start the programme. Unfortunately, this coincided with the National COVID lockdown
- June 2020, we picked up the programme and set about building two models to test the learning we gained from that initial analysis and workshop. Importantly this explores the leadership provided via our senior management as well as frontline leaders and supervisors.
- November 2020 The models blend both cultural requirements for improving safety and improving business service performance are operating within both Route Services and Scotland's Railways. The models have metrics built into their evaluations which were reported back to the Executive Leadership team to allow further evaluation

To do:

- Feb 2021, Network Rail are undertaking further injury and incident free workshops with our Senior Leadership Group whilst the two models are being evaluated. This will provide further learning from the current mood of our leadership to help shape our final programme
- The programmes have a blend of:
 - Commitment workshops
 - Coaching
 - Leadership meetings and forums
 - MSiA Skill development sessions
 - MSiA leadership forums
- April 21. OJEU tender will be issued
- September 21 Regions and Routes will be able to take up the benefit of full safety leaderships programmes. Our Trade Unions will be part of the programme for roll out. A full communications

plan is currently being developed, now that the trials in Scotland and Route Services are developed.

Evidence required to support closure of recommendation