

Oliver Stewart
RAIB Recommendation Handling Manager



16 October 2023

Mr Andy Lewis
Deputy Chief Inspector of Rail Accidents

Dear Andy,

RAIB Report: Runaway hand trolley at Ramsbottom, East Lancashire Railway on 15 March 2018

I write to provide an update¹ on the action taken in respect of recommendations 2 & 3 addressed to ORR in the above report, published on 12 November 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 2 & 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 on 17 October 2023.

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 ensure that ELR has in place suitable and sufficient working practices in its Permanent Way department to meet the requirements of the Safety Management System.

The East Lancashire Railway Permanent Way department should develop and implement local procedures in accordance with the principles of the railway's Safety Management System, including, but not limited to:

- risk assessing work activities;
- managing and controlling the acquisition (including donation), maintenance and operation of Permanent Way department equipment;
- staff competence management; and
- planning of work activities.

ORR decision

1. The East Lancashire Railway (ELR) has carried out a review of its SMS in line with the requirements of the recommendation. The railway has now confirmed to us that its review is complete, and the SMS has been updated accordingly. We have made our own enquiries to check that the ELR permanent way department is able to meet the requirements of the SMS, as set out in the intent of the recommendation. This included the initial follow-up to the incident, and an onsite inspection of the railway in 2020. ORR has also reviewed relevant permanent way standards as part of an application made by the railway for testing at speeds above 25mph in 2022.

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

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

Status: Closed.

Previously reported to RAIB

3. On 11 November 2019 ORR reported the following:

The initial response from ELR did not contain sufficient information about the circumstances of the incident or a clear indication of the work that has been completed and what remained outstanding.

ELR have since confirmed that they are rewriting their safety management system which they expect to complete by the end of December 2019. This will address all the key parts of the recommendation.

An example of a change made to the SMS is that anything now donated to the ELR goes into quarantine and can only come into use once it has been inspected by someone competent in respect of the donated item.

Unbraked trolleys have been removed from service on the ELR and replaced with those with a fail safe braking capability. ELR have also developed a maintenance standard for trolleys.

Update

4. On 22 February 2023 East Lancashire Railway provided the following update: *The Safety Management System has been reviewed and updated since the incident. This is now available to all our working members through our internal communications and competency system HOPS. We can provide access to this if you would like to review.*

5. On 3 March 2023 East Lancashire Railway provided the following relevant sections from the SMS:



Recommendation 3

The intent of this recommendation is to ensure that ELR is aware of the extent to which its Safety Management System is being effectively implemented.

The East Lancashire Railway should implement a process of thorough regular audits, which are capable of detecting non-compliances with its Safety Management System and identifying corrective actions needed to improve the management of safety.

ORR decision

6. The ELR has developed a programme of audits for 2023 and 2024 in accordance with the written process within its safety management system, and provided this to ORR. The ELR has also provided copies of two recent audits; Permanent Way, and Traction & Rolling Stock.

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

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

Status: Closed.

Previously reported

8. On 11 November 2019 ORR reported the following:

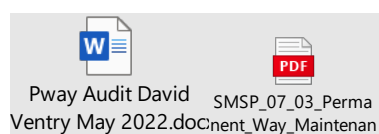
ELR are undertaking departmental audits, including for the permanent way department covering equipment used and work procedures (including planning and execution of work). ELR have indicated that they expect all actions to be implemented by January 2020.

Update

9. On 22 February 2023 East Lancashire Railway provided the following update:

The Permanent Way department had an independent audit completed in the summer of 2022. This was delayed due to Covid 19 but the actions were completed.

10. On 3 March 2023 East Lancashire Railway provided the following Audit and advised that the standards referred to are covered in the Permanent Way Maintenance document:



Previously reported to RAIB

Recommendation 2

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- risk assessing work activities;
- managing and controlling the acquisition (including donation), maintenance and operation of Permanent Way department equipment;
- staff competence management; and
- planning of work activities.

ORR decision

1. The initial response from ELR did not contain sufficient information about the circumstances of the incident or a clear indication of the work that has been completed and what remained outstanding.
2. ELR have since confirmed that they are rewriting their safety management system which they expect to complete by the end of December 2019. This will address all the key parts of the recommendation.
3. An example of a change made to the SMS is that anything now donated to the ELR goes into quarantine and can only come into use once it has been inspected by someone competent in respect of the donated item.
4. Unbraked trolleys have been removed from service on the ELR and replaced with those with a fail safe braking capability. ELR have also developed a maintenance standard for trolleys.
5. After reviewing the information provided ORR has concluded that, in accordance with the Railways (Accident Investigation and Reporting) Regulations 2005, ELR has:
 - taken the recommendation into consideration; and
 - is taking action to implement it by 31 December 2019

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

Information in support of ORR decision

6. On 14 December 2018: East Lancashire Railway provided the following initial response:

a. risk assessing work activities; [Please see attached document.](#)



Pway Risk
Assessment.pdf

b. managing and controlling the acquisition (including donation), maintenance and operation of Permanent Way department equipment; [Please see attached document PUWER, SMS Document SMSP 03.10M.](#)



ELR SMSP 03.10M -
PUWER.pdf

c. staff competence management; and [At present competency records are maintained by each individual department, with no central access for the Company. This makes obtaining records dependent on the department competency manager and availability can be patchy. The ELR wider ambition to centralise competency including that of the Permanent Way department. ELR preparing to adopt HOPS across all safety critical departments. 2019 project plan for implementation of HOPS. The Footplate Standards role has been expanded to incorporate Railway wide standards. The timescale for implementation of the revised SMS amendments will be completed by December with consultation period set for January. Then the revised documents will be presented at the March Board meeting for authorisation. A briefing will follow when the final document is issued. The Permanent Way team members have been trained in the use of trolleys and how to use the new trolley. However, since March we have not used trolleys on the ELR infrastructure.](#)

d. planning of work activities. (paragraphs 75a.i, 75a.ii, 75b.i, 75b.ii and 76) [5 Those identified in the recommendations have a general and ongoing obligation to comply with health and safety. The Permanent Way team every day the working team are provided with Safety brief and method statement for the work activity. These are recorded and documents retained. Person in charge of work is responsible for delivering the briefing prior to work commencing. Please see attached document PIC Best Practice.](#)



PIC Best
Practice.pdf

7. On 1 November 2019, ELR provided the following update on each point of the recommendation:

a) Risk assessing work activities

Manager have completed the IOSH Managing Safely Course and training in the 5 x 5 risk assessment process. Risk assessments are completed for each work activity and for the group undertaking the work. Daily briefings are given with the document signed by the person in charge of the work. Safety Team has been established with representatives from most departments across the ELR including infrastructure. New position has been advertised to support the Pway supervisor and complete the transfer of paper records into the one system of HOPS. Audit has

been completed for the PWay department in October Vs the SMS. This has highlighted some action points.

- b) managing and controlling the acquisition (including donation), maintenance and operation of Permanent Way department equipment*

All acquisitions arrive in the Traction and rolling stock department with the equipment details entered into HOPS as an asset and the schedule for inspection and maintenance exams set up. The ELR have adopted HOPS to centralise competency and maintain records centrally. All vehicles, rolling stock, locomotives and assets have now been registered in HOPS and the maintenance schedule entered to track and remain the maintenance team of the examination schedule.

- c) staff competence management*

The competency of staff conducting all safety critical duties are now entered into HOPS. Supervisors and managers have been trained in the use of the system and also supported to complete the IOSH Managing Safely course to set the standard that we expect. The Pway department have gone through training and the records have been supplied for the inclusion in HOPS.

- d) planning of work activities. (paragraphs 75a.i, 75a.ii, 75b.i, 75b.ii and 76) 5 Those identified in the recommendations have a general and ongoing obligation to comply with health and safety*

The Permanent Way team every day the working team are provided with Safety brief and method statement for the work activity. These are recorded and documents retained. Person in charge of work is responsible for delivering the briefing prior to work commencing. The Pway Manager has completed the IOSH Managing Safely and all risk assessments are completed to the 5 x 5 measure.

Recommendation 3

The intent of this recommendation is to ensure that ELR is aware of the extent to which its Safety Management System is being effectively implemented.

The East Lancashire Railway should implement a process of thorough regular audits, which are capable of detecting non-compliances with its Safety Management System and identifying corrective actions needed to improve the management of safety.

ORR decision

8. ELR are undertaking departmental audits, including for the permanent way department covering equipment used and work procedures (including planning and execution of work). ELR have indicated that they expect all actions to be implemented by January 2020.

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

- taken the recommendation into consideration; and

- is taking action to implement it by 31 January 2020

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

Information in support of ORR decision

10. On 14 December 2018: East Lancashire Railway provided the following initial response:

Already started this by the deployment of an independent compliance audit for operations functions. The finds from this report have been used to develop an action plan for improvement. Some recommendations have been challenged but the reasons have been recorded.

Additional actions:

- *Safety Manager appointed. The original appointed Safety Manager was unable to dedicate the time required to fulfil the duties.*
- *SMS Document Controller appointed. This is a voluntary position and will track the amendments and updates to documents and when they are ready for review.*
- *Re-invigorated safety team co-ordinated. Remit and the group includes Safety audit programme for 2019 and safety tours. Representatives from most departments that act as safety champions*
 - *Agenda for safety team meeting attached below:*
 - *Remit of the group*
 - *Fire risk assessments*
 - *Safety Management System re-write and priorities*
 - *Training*
 - *External audit actions and updates*
 - *Audits*
 - *Internal*
 - *Safety tours*
 - *External – Potential for RM3 audit or independent safety audit.*
 - *Actions and plan*
 - *Safety documentation*
 - *Any other business*
 - *Assets register for plant and equipment set up in fleet maintenance pro.*
 - *Assessor training for all assessors .*
 - *Train the trainer course ready for 2019.*
 - *Traction and Rolling stock annual examination of trolleys for fitness to use.*
 - *Safety Management System in review and re-write process.*

11. On 1 November 2019, ELR provided the following update:

The actions from the independent audit are recorded in this tracker. The Safety Team have set up a schedule of Safety Tours, and Safety Audits to cover departments one by one. The Safety Team review actions and monitor improvements. The ELR will adopt the RM3 model for auditing by April 2020.

