

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



6 October 2023

Mr Andy Lewis  
Deputy Chief Inspector of Rail Accidents

Dear Andy,

**RAIB Report: Track worker struck by a train near Surbiton station, south-west London on 9 February 2021**

I write to provide an update<sup>1</sup> on the action taken in respect of recommendation 3 addressed to ORR in the above report, published on 25 May 2022.

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 3 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 October 2023.

Yours sincerely,

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 3

*The intent of this recommendation is for Network Rail to understand the reasons underlying the non-compliances identified during this investigation and learn from them.*

Network Rail should review working practices at Woking track section to understand the extent and nature of any non-compliances relating to safe systems of work and their related rules, procedures, and behaviours. This review should seek to understand the underlying reasons behind any non-compliances identified and if they may apply more widely to other track sections. Network Rail should take actions to address any issues identified by this review.

### ORR decision

1. Network Rail has reviewed working practices at Woking track section. The review found, that whilst key staff were knowledgeable about the requirements of the 019 standard, there were underlying issues around monitoring of safe work packs, failure to correct repeat issues, high numbers of late (unplanned) access requests and some lack of cooperation between the section manager and their manager, the track maintenance engineer (TME). Cumulatively, that meant non-compliances were less likely to be detected and acted upon, with the potential for poor working practices to develop and continue unchecked.

2. In response, and by implication addressing the possibility of similar issues elsewhere in Southern, the region took the following action:

- Re-instructing staff on patrolling diagrams
- On-site safe system of work inspections, including patrolling, by independent persons
- Section managers re-instructed on 019 requirements
- Improved planned assurance inspections (PAISS) by DU senior managers (IME's & IMDM's)
- A key senior manager role in Wessex Inner (IME) split into 2 roles to allow more time to focus on business compliance & performance
- A new suite of DU monitoring KPI's
- SMART monitoring & compliance objectives for SM & TME roles
- Late access requests now require TME approval, resulting in much-reduced numbers of requests.
- Quarterly auditing of managers' self-assurance (MSA) monitoring, assessing how well managers have been monitoring compliance.
- A review of local governance arrangements

3. These actions reflect the actions we would expect to be taken in response to the issues identified.

4. The issues at Woking could apply in other track sections. In our assessment, the issues at Woking reflect a partial failure of monitoring processes at track section, DU and route level, so that whilst Network Rail has the processes in place, local staff were not following them. We are satisfied that with the improvements in Level 1

monitoring and the longer experience of little or no unassisted lookout access since the accident, these issues are likely to be less common across Network Rail. The issues are all of a type that effective section, DU and route compliance monitoring ought to be identifying.

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

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

**Status: Closed.**














### Previously reported to RAIB

6. On 24 May 2023 ORR reported the following:

Network Rail has provided an action plan setting out the review of working practices at Woking track section across 4 areas. We have asked Network Rail for a copy of the review in order to decide if the actions described adequately address the recommendation. Network Rail have submitted a closure statement, but we have not been in a position to thoroughly review it.

### Update

7. On 16 May 2023 Network Rail provided the following closure statement and supporting documents:

					
Surbiton Fatality RAIB Rec 3 Closure TePGSIPAISS	FW Instruction Compliance	04-13-23-ISAA L1-DG0144-Inner-Wii	Appendix 3a RAIB Rec 3 1.5 ISAA report 3	Appendix 2 RAIB rec Action 1.4 Woking S1.2	Appendix 1 RAIB rec3 Clapham Brief.pdf
					
Appendix 9 RAIB Rec 3 4.3 Objectives .xlsx	Appendix 8 RAIB Rec 3 4.2 Southern Region	Appendix 8 RAIB Rec 3 3.3 IME and S&TME3	Appendix 6 RAIB Rec 2.4 03-31-23-ISAA-3	Appendix 7 RAIB Rec section 3 Woking 0'3	Appendix 5 RAIB Rec 2.3 IMDM IME PAIS'
					
Appendix 4b REC 3 2.1 Wessex Inner PAIS					

## Previously reported to RAIB

### Recommendation 3

*The intent of this recommendation is for Network Rail to understand the reasons underlying the non-compliances identified during this investigation and learn from them.*

Network Rail should review working practices at Woking track section to understand the extent and nature of any non-compliances relating to safe systems of work and their related rules, procedures, and behaviours. This review should seek to understand the underlying reasons behind any non-compliances identified and if they may apply more widely to other track sections. Network Rail should take actions to address any issues identified by this review.

### ORR decision

1. Network Rail has provided an action plan setting out the review of working practices at Woking track section across 4 areas. We have asked Network Rail for a copy of the review in order to decide if the actions described adequately address the recommendation. Network Rail have submitted a closure statement, but we have not been in a position to thoroughly review it.
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 close it

**Status: Open.**

### Information in support of ORR decision

3. On 2 August 2022 Network Rail provided the following initial response:

#### Action Plan

#### Please provide milestones with dates

The following action plan has been split into 4 sections, covering the following objectives, and each with their own series of actions.

1. Ensure patrolling diagrams are understood, compliant, and form part of the safe work pack.
2. Revise Level 1 assurance process so that non-compliances to 019 standard are identified and acted upon robustly.
3. Improvement of governance structure and organisational design to enhance compliance.
4. Improvement to business processes and business-as-usual activities.

The following tables list each of the actions within each section. The table also include the due date of the action, as well as stating whether the action has been applied to just the Woking Track section and/or the wider Wessex Route.

1. Ensure patrolling diagrams are understood, compliant, and form part of the safe work pack.

No.	Milestone Description	Date	Woking	Route
1.1	Assurance review of all patrolling diagrams undertaken by the Head of Asset (Track). Completed in June 2021.	Complete	Yes	Yes
1.2	All patrolling Persons In Charge (PIC) to sign to confirm they have been briefed on the track patrolling diagrams they undertake. To be completed between 31 <sup>st</sup> July and 30 <sup>th</sup> August 30 <sup>th</sup> 2022 in line with the Track Maintenance Engineer (TME) Maintenance Scheduled Task (MST) frequency.	30/08/22	Yes	Yes
1.3	All patrolling PICs and planners to be provided with a copy of the patrolling diagrams once briefed.	30/08/22	Yes	Yes
1.4	All track patrolling diagrams to be uploaded into RailHub and to be added as an attachment to the safe work pack (SWP) for each patrol.	30/09/22	Yes	Yes
1.5	Infrastructure Safety Assurance Advisors (ISAA) to provide independent assurance of SWPs of patrols to ensure that patrolling diagrams are included, that SWPs cover the required limits of the patrolling diagrams, and that the PIC understands the patrol being undertaken. Commencing from 1 <sup>st</sup> September 2022.	01/12/22	Yes	Yes

2. Improvement of level 1 site-based assurance so that non-compliances to 019 standard are identified and acted upon robustly

No.	Milestone Description	Date	Woking	Route
2.1	Update and reissue the Infrastructure Maintenance Engineer (IME) Planned Assurance Inspections & Site Surveillance (PAISS) inspections plan to ensure that it clearly provides focus on both maintenance and inspection tasks. Completed April 2021.	Complete	Yes	Yes
2.2	IME PAISS inspection plan extended to Supervisors and Section Managers as a minimum requirement. Completed April 2021.	Complete	Yes	Yes
2.3	IME PAISS inspection plan structure to be revised to include assurance checks of Section Manager and Supervisor PAISS inspections by Engineers, IMEs, and Infrastructure Maintenance Delivery Managers (IMDM). Revised structure of PAISS inspection plan to also include comparisons of the results and actions identified through locally completed PAISS vice those identified by the Infrastructure Safety Assurance Advisors (ISAA). Revised PAISS inspection plan to go live following endorsement by the Regional Assurance Manager and Infrastructure Director.	26/08/22	Yes	Yes

2.4	Infrastructure Safety Assurance Advisors (ISAA) to be deployed in response to any high-risk findings from the quarterly Management Self-Assurance (MSA) reviews or internal PAISS assurance checks. The ISAAs will be deployed to support action plan development with the relevant line manager. Post implementation reviews will be completed by the ISAAs within 3 months of actions being completed.	18/11/22	Yes	Yes
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### 3. Improvement of governance structure and organisational design to enhance compliance

No.	Milestone Description	Date	Woking	Route
3.1	Independent review of Wessex Inner governance structure undertaken by Regional Assurance team and recommended actions implemented. Completed June 2021.	Complete	Yes	Yes
3.2	Woking Section Manager performance development action plan in place and managed through HR processes.	Ongoing	Yes	N/A
3.3	The IME role in Wessex Inner Delivery Unit to be split into two separate roles to reduce the line management span of control and consequently increase the IME's ability to focus on more detailed reviews of their business unit's performance.	16/09/22	Yes	Yes
3.4	The Signalling and Telecoms Maintenance Engineer (S&TME) role in Wessex Inner DU to be split into two separate roles to reduce the line management span of control and consequently increase the S&TME's ability to focus on more enable more detailed focus on more detailed reviews of their business unit's performance.	16/09/22	N/A	Yes

### 4. Improvement to business processes and business-as-usual activities

No.	Milestone Description	Date	Woking	Route
4.1	Regional Head Quality, Risk & Assurance (QRA) led 'root and branch' review of compliance to 019 standard and process within the Working Track depot and section. Review involved, but was not limited to the TME, Section Manager, and Section Planner. Completed June 2022.	Complete	Yes	N/A
4.2	Introduction by the Regional Head QRA of a new simplified periodic report of performance at DU level against a suite of assurance key performance indicators (KPI). Report to form part of DU, Infrastructure, Route, and Regional-level periodic reporting cycle and Business Assurance Committee (BAC) governance meetings.	31/08/22	Yes	Yes
4.3	A revised set of objectives set for Section Manager, Engineer, IME, and IMDM roles which includes a clear focus of assurance and compliance activities and actions. Objectives have been written in a form which is SMART (Specific, Measurable, Aligned, Realistic, Time specific). Performance against SMART objectives is available on a periodic basis via an Infrastructure Scorecard which is available to all personnel. Completed July 2022.	Complete	Yes	Yes

4.4	Enhancement of level 1 assurance process knowledge of, and compliance to, Business Management System (BMS) processes. In October 2022 Wessex Route will be launching, in tandem with Sussex and Kent Routes, a focus on knowledge and compliance to level 1 assurance in the Maintenance organisation. The programme will focus on the most critical BMS processes and will involve assessing managers level of knowledge of the processes, and their compliance to them. One of the key processes being assessed will be the 'maintenance governance process'. As part of the assessment a clear expectation will be set across all managers about what local governance meetings they must be holding, and what measures and processes they must be monitoring within them. The level of compliance to these processes will then be monitored at all levels, culminating in reporting at BAC level.	10/02/23	Yes	Yes
4.5	Successful transition and go-live with RailHub system on 4 <sup>th</sup> July 2022 with all go-live criteria met. Completed 4 <sup>th</sup> July 2022.	Complete	Yes	Yes
4.6	Pending go-live of the nationally led RailHub Management Information (MI) reporting capability (forecast go-live circa December 2022), Wessex Route to produce a local reporting capability that provides visibility of performance against the most safety critical elements of compliance to 019 standard.	17/08/22	Yes	Yes
4.6	Periodic review of authority number usage by DU section within the Wessex Route as part of periodic business reporting cycle identified Woking Track section as the highest user. Within Woking Track section the existing approval process for granting of authority numbers was extended to include the requirement for TME sign-off. The number of granted authority numbers subsequently reduced to levels similar to other comparable sections. Completed in May 2022. Review of quantity of authority numbers used by DU section continues as part of periodic business review process.	Complete	Yes	Yes

### Evidence required to support closure of recommendation

#### 1. Ensure patrolling diagrams are understood, compliant, and form part of the safe work pack.

No.	Evidence Description
1.1	Documentation confirming that patrolling diagrams have been updated to apply immediate learnings from Surbiton relating to high risk crossover layouts.
1.2	Signature sheets recording receipt of a briefing on track patrolling diagrams by PICs in charge of patrolling activities.
1.3	Signature sheets recording receipt of track patrolling diagrams by PICs in charge of patrolling diagrams and the Section Planners responsible for preparation of SWPs.
1.4	Evidence of all patrolling diagrams uploaded within RailHub.
1.5	Copies of assurance reports produced by Infrastructure Safety Assurance Advisors (ISAA) demonstrating that SWPs contain the track patrolling diagrams, that the PIC understands the patrolling diagram, and that the SWP covers the requirements of the patrolling diagram.

#### 2. Improvement of level 1 site-based assurance so that non-compliances to 019 standard are identified and acted upon robustly

No.	Evidence Description
2.1	IME PAISS inspection plan identifying the need to review maintenance and inspection tasks.
2.2	IME PAISS inspection plan identifying Supervisors and Section Managers undertaking PAISS.
2.3	New PAISS process created by the Regional Assurance team. Copies of PAISS completed by Engineers, IMEs, and IMDMs demonstrating assurance activities and comparison of PAISS completed by Section Managers and Supervisors.
2.4	Copies of assurance reports completed by Infrastructure Safety Assurance Advisors (ISAA) in response to concerns raised via MSA or PAISS. Copies of subsequent post implementation assurance reports confirming embedding of actions within the organization.

### 3. Improvement of governance structure and organisational design to enhance compliance

No.	Evidence Description
3.1	Outcome report by Regional Assurance team supported by evidence of individual actions completed in response to report.
3.2	Copy of Section Manager development action plan (with personal information redacted).
3.3	Signed consultation document for the IME role split.
3.4	Signed consultation document for the S&TME role split.

### 4. Improvement to business processes and business-as-usual activities

No.	Evidence Description
4.1	Outcome report into 019 compliance.
4.2	Assurance DU RAG report for August 2022.
4.3	Copy of objectives scorecard demonstrating application to Section Manager, Engineer, IME, and IMDM roles.
4.4	Evidence of compliance to key business processes or action plan detailing journey to compliance.
4.5	Endorsement by national RailHub team for Wessex Route 'go-live' on 4 <sup>th</sup> July.
4.6	Copy of locally produced RailHub report providing visibility of safety critical compliance metrics.
4.7	Copies of periodic business reporting packs including authority number data. Data showing a reduction in authority numbers issued in Woking Track section.