

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



15 July 2024

Mr Andy Lewis  
Deputy Chief Inspector of Rail Accidents

Dear Andy,

**RAIB Report: Near miss with track workers and trolleys at South Hampstead, London on 11 March 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 18 December 2018.

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 2 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.

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 2

*The intent of this recommendation is that all those who act in the role of Responsible Manager, as defined in standard NR/L2/OHS/019 Issue 9, are fully briefed on their responsibilities under the standard.*

Network Rail should verify that all of its staff who currently act in the role of Responsible Manager, as defined in standard NR/L2/OHS/019 Issue 9, are fully aware of their responsibilities with respect to signing off safe work packs and, where this is not the case, take action to address this lack of understanding.

### ORR decision

1. Network Rail have provided a closure statement with briefing material covering the responsibilities for staff who act in the role of Responsible Manager (RM), as defined in standard NR/L2/OHS/019 Issue 12, the current version. We are of the view that the material does this, especially with reference to a RM's responsibilities in signing off safe work packs. Specifically, the material references the RM's role in authorising a safe work pack, itemises the essential elements of a safe work pack and explains the hierarchy of risk control and protection arrangements. From our work with Network Rail on track worker safety improvements and closure of Margam rec 2, we know that Network Rail has carried out a significant amount of auditing of compliance with 019.

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
- has taken action to close it

**Status: Closed.**

### Previously reported to RAIB

3. On 18 December 2019 ORR reported the following:

Network Rail accept that responsible managers need to be briefed on their duties under the 019 standard and have provided a plan of how they are going to carry this out.

### Update

4. Network Rail provided the following closure statement dated 14 December 2023:



231214 N220-12  
South Hampstead Rec

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### ORR decision

1. Network Rail accept that responsible managers need to be briefed on their duties under the 019 standard and have provided a plan of how they are going to carry this out.
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

**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

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

#### **Action Plan**

*Network Rail implemented the revised standard NR/L2/OHS/019 issue 9 during 2017, there was a requirement for the briefings to be recorded using the sentinel process as an event, these records focused on a general briefing and a COSS more specific detailed briefing. There was no specific briefing for responsible managers. As the standard is going to be fully reviewed as per Rec 1 the requirement for the responsible managers (rm) briefing will be separated and added to the briefing document to focus on the areas of responsibility (it could add confusion to the people in these roles if an emergency re-brief was initiated during the early part of 2019 & again when the revised issue 10 was landed)*

*A Sentinel report run will be requested and reviewed which will identify that RM's received the briefings as per the standard briefing issue 019. (Timescale: 31 January 2021)*

4. On 17 December 2019 Network Rail provided the following update:
  1. *Network Rail have used the SSOWP's system to download a list of all responsible managers, this will be compared to the Oracle records of those that have completed the 019 briefing. Completed by mid Jan 2020.*

2. *Anyone identified in action 1 to not have completed the 019 briefing will be contacted and requested to do so as a matter of urgency. Completed by 31 Mar 2020. Anyone not completing the briefing by that date will have their competence suspended on Sentinel.*
3. *The technical briefing will be made available on the SSOWP's system. Jan 2020.*
4. *Network Rail will consider amending the ACC (annual capability conversation) document making reference to 019 and the accountabilities and responsibilities within the standard. Jan 2021.*
5. *Lessons Learnt from actions 1, 2 and 4 will be taken forward with the development of the new PiC competence.*