

Oliver Stewart
RAIB Recommendation Handling Manager



22 October 2024

Mr Andy Lewis
Deputy Chief Inspector of Rail Accidents

Dear Andy,

RAIB Report: Serious injury to a passenger alighting from a train at Loughborough Central station on 14 January 2023

I write to report¹ on the consideration given and action taken in respect of the recommendations addressed to ORR in the above report, published on 31 October 2023.

The annex to this letter provides details of actions taken in response to the recommendations and the status decided by ORR. The status of all 3 recommendations is '**Open**'.

ORR will advise RAIB when further information is available regarding actions being taken to address these recommendations.

We will publish this response on the ORR website.

Yours sincerely,

Oliver Stewart

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

Initial consideration by ORR

1. All 3 recommendations were addressed to ORR when the report was published on 31 October 2023.
2. After considering the recommendations ORR passed recommendations 1 & 2 to Great Central Railway and recommendation 3 to the Heritage Railway Association asking them to consider and where appropriate act upon them and advise ORR of its conclusions. The consideration given to each recommendation is included below.
3. This annex identifies the correspondence with end implementers on which ORR's decision has been based.

Recommendation 1

The intent of this recommendation is to ensure that the safety management system at Great Central Railway adequately controls the risks arising from its activities, so that it incorporates industry best practice, complies with legal requirements and is updated at appropriate intervals.

Great Central Railway should continue with the review of its safety management system with a focus on:

- developing a robust process for assessing and controlling the risks arising from its activities, and ensuring this process is well understood by the staff responsible for creating and reviewing risk assessments
- ensuring that it has a well-defined process for investigating and reporting accidents and near misses that enhances its understanding of the risks arising from its activities
- ensuring that the needs of disabled passengers and staff are reflected in their assessment of risk.

Once complete, Great Central Railway should develop a timebound plan to implement any changes identified in a sustainable and consistent manner.

ORR decision

4. The Great Central Railway (GCR) has provided evidence of a review of its safety management system being underway. We have written to GCR requesting confirmation of the new risk assessment and incident reporting procedures being published and an example of a risk assessment of station platform operations. GCR expect to provide this information to ORR by November 2024.
5. After reviewing the information provided ORR has concluded that, in accordance with the Railways (Accident Investigation and Reporting) Regulations 2005, Great Central Railway has:
 - taken the recommendation into consideration; and
 - is taking action to close it

Status: Open.

Information in support of ORR decision

6. On 9 February 2024 Great Central Railway provided the following initial combined response on recommendations 1 & 2:

Governance and Management of Safety and Compliance

To ensure that the safety management system at Great Central Railway adequately controls the risks arising from its activities the following actions have been taken with regards to governance and management of Safety and Compliance within the organisation:

- *Devolved overall responsibility for Safety and Compliance to the General Manager at executive level, enabling the Board to have independent oversight and governance of the organisation **(Completed March 2023)***
- *Appointment of a new Director, Dave Penney at Board Level, with expertise and experience on the national rail network to provide assurance and advice to the Board in SHE matters **(Completed February 2023)***
- *Established the Board Sub-Committee (SHE) which meets a minimum of 3 times a year, supplemented by one to one's with the GM and HoS&C **(Completed November 2023)***
- *Instigate the SaMSTAG Group to commence the safety management system review of policy documents **(Ongoing since March 2023)***
- *Created a new role and appointed of a Head of Safety and Compliance (HoS&C) to ensure that in accordance with The Management of Health and Safety at Work Regulations 1999 Regulation 7 - Great Central Railway has an appointed competent person. **(Completed August 2023)***
- *Created and established the Executive Leadership Team, which includes a Head of Infrastructure (appointed November 2023), a Head of Safety and Compliance (Appointed September 2023) and Chief Operating Superintendent (current vacancy covered by the GM at present) **(Initial ELT structure established July 2023)***
- *Review and update the organisational structure to align with the newly created Executive Leadership Team **(Completed December 2023 and is now an ongoing activity)***
- *Reviewed the Health and Safety Policy Statement **(Draft completed November 2023)***

Safety Management System Review

In March 2023 the SaMSTAG Group was established which initially focused on understanding the current management system, and its state with a view to identifying a list of Policy Documents that are priorities to work through. As the General Manager was recruiting and establishing a new leadership team, there was limited resource within the organisation to support this activity.

Some limited progress was made however it became apparent that a re-structure of the system would be of benefit to the organisation in the longer term, and bring the Safety Management System in line with established good practise.

The newly appointed Head of Safety and Compliance commenced their role in September 2023. Following an induction period the HoS&C joined the SaMSTAG Group and reviewed the management system documents and current policy document list to:

- ▶ Identify any additional gaps in the current list of policy documents **(Completed December 2023)**
- ▶ Identify and add documents to the management system document list which are established as current practise but are not currently included within the Safety Management System, or are only embedded within a Policy Document as an Appendix to create a new Master Document List. **(Completed December 2023)**
- ▶ Formulate and propose a new structure for the management system that reflects the GCR's current organisational structure and is in line with ORR guidance and current good practise and embed this into the new Master Document List. **(Completed December 2023)**
- ▶ Establish governance arrangements for the Safety Management system which include clear accountability at Executive Leadership Team level and clarity of purpose of established consultative groups **(Draft procedure awaiting review)**
- ▶ Create an internal auditing protocol and draft plan for 2024-2025 **(Completed January 2024 - due to be published by end of February)**
- ▶ Create a document control procedure and associated templates to enable Departments to create and document their procedures, safe systems of work, instructions, forms and standards. **(Draft procedure awaiting review)**

The next steps in the management system review are outlined in the attached document ORR Response Attachment 8th February 2024

Risk Management and Assessment

The Head of Safety and Compliance reviewed the draft Risk Management and Assessment Policy that was in development.

This was subsequently split as follows:

- ▶ a Risk Management Philosophy for developing and maintaining legal

and risk registers
(Completed December 2023)

- ▶ *A Risk Assessment Procedure and associated forms; general risk assessment, hazard list, risk assessment register template, young persons risk assessment, new and expectant mothers assessment, new proposal assessment. (Procedure Completed January 2024 - due to be published by end of February and New Proposal Assessment form requires final development)*

Additionally internal training has also been developed to support implementation of the new procedure. Implementation of these procedures is incorporated in the 2024-2025 Safety Plan which will be launched at a Managers meeting on 22nd February 2024. Each department will be required to create a risk assessment plan to implement, and identify staff who can support this activity, and staff who will undertake risk assessment training.

Incident Reporting and Investigation

At present there are two separate procedures for incident reporting and investigation. These are in the process of being consolidated and combined into one procedure. The revised consolidated procedure is also being developed to align with the implementation of HOPS. It is planned that this will be drafted by the end of February 2024 and circulated for comments. The requirements of the revised procedure, including newly introduced / revised forms are planned to be launched at the Managers meeting to be held on 22nd February 2024, with a briefing to follow to all who were not able to attend due to other commitments.

Currently Great Central Railway has well established practise for reporting and investigating operational incidents, which are managed via HOPS and discussed at every Operations Management Group meeting which meets on a monthly basis. It is intended that with the implementation of HOPS to the wider community, that other departments will also begin to use this system. Great Central Railway also ensures that incidents and incident trends are a standing agenda item at the Health and Safety Committee, and has begun to provide summaries of serious incident investigations and trend data to the Board for discussion.

Needs of disabled passengers

Following the incident on the 14th January 2024, the below actions were taken to address the immediate causes of the incident:

- ▶ *passenger trains standard length is now 5 coaches*
- ▶ *special arrangements now apply when trains run with more than 5 coaches, alerting stationmasters to overlength trains and providing stewards in end coaches*

Further actions were also been identified:

- ▶ *platform obstructions have been cleared and the erection of sales and information stalls which narrow the useable platform area is very tightly controlled with a maximum of one stall allowed under the canopy at Loughborough*
- ▶ *boarding boxes have been provided at all stations and on all trains*
- ▶ *public address announcements have been updated to reinforce safety messages*

- ▶ *train dispatch plans have been drawn up and introduced for each station; these have been reviewed and updated and are to be reviewed again in October 2024*

Outstanding Actions are

- ▶ *a new Train Dispatch Policy is in development, which is anticipated to be finalised at the next operations management group in February 2024*
- ▶ *commission a business wide Accessibility audit by September 2024*

I hope that the information provided is satisfactory, and that you are confident that the actions that have been taken since January 2023 are sufficient to continue to establish significantly improved:

- *Governance at Boar and Executive level*
- *Safety Management System*
- *Implementation of Plan Do Check Act principles in line with ORR guidance*
- *Continuously improving safety culture and compliance with our*

legal requirements. which can be sustained in the long term. If you have any further questions regarding the information provided above, and the attached documents please do not hesitate to contact me.

Recommendation 2

The intent of this recommendation is to ensure that Great Central Railway has an organisational structure and process that provides effective oversight of how the various departments manage risk and ensures they operate in a co-ordinated, mutually beneficial manner.

Great Central Railway should continue to review its organisational structure and processes to give senior managers and the board a comprehensive understanding of what activities are being undertaken to manage risks, and that learning from

accidents, incidents and near misses is shared. It should implement a programme of thorough regular audits, which are capable of identifying corrective actions needed to improve the management of risk.

This recommendation may apply to other heritage railways.

ORR decision

7. The Great Central Railway (GCR) has provided evidence of having begun a review of its organisational structure, risk management and learning from accidents, incidents and near misses. To assess progress with this workstream, we have requested an update on progress with the audit programme for 2024/25, an example of a recent audit report and clarification of the process for tracking the completion of corrective actions identified through audit. GCR expect to provide this information to ORR by November 2024.

8. In considering how the learning from this incident and recommendation are applicable to other heritage railways, the ORR heritage workshops in January and February 2024 included a session on audit, monitoring and review, with the aim of putting processes in place at heritage railways for propagating the learning from incidents such as Loughborough.

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

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

Status: Open.

Information in support of ORR decision

10. See Rec 1 above for the Great Central Railway initial combined response on recommendations 1 & 2.

Recommendation 3

The intent of this recommendation is to ensure that Heritage Railway Association members have access to guidance on managing the risks around the platform-train interface, in particular how those risks can be influenced by the demographic of heritage railway visitors.

The Heritage Railway Association, in consultation with its members, should produce guidance on identifying and assessing the risks associated with the platform-train interface. This guidance should reflect where relevant any applicable law, guidance and good practice, including from other railways (including mainline). It should also consider how heritage railways should control the risks which arise from the use of

heritage rolling stock and infrastructure, the use of heritage railways by persons with disabilities and the demographic of visitors and passengers to such railways.

ORR decision

11. The Heritage Railway Association (HRA) is developing guidance for its members on identifying and assessing the risks associated with the platform-train interface. HRA are aiming to have the guidance in place by March 2025. The guidance may be produced by the Heritage Railway Safety & Standards Board, currently in embryonic form.

12. After reviewing the information provided ORR has concluded that, in accordance with the Railways (Accident Investigation and Reporting) Regulations 2005, The Heritage Railway Association has:

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

Status: Open.

Information in support of ORR decision

13. On 17 May 2024 the Heritage Railway Association provided the following initial response:

The HRA had been invited to attend a meeting with RAIB prior to finalisation of the draft report to explain the process, learning and direction of travel with regards to recommendations and were a consultee to the draft prior to final publication. We accepted the recommendation on the basis of this welcome consultation.

Since publication of the report, the matter has been largely dealt with by the Associations Operations & Safety Committee of which I am chair, and I can report the following actions:-

1. *Immediate circulation of the report to our members highlighting the recommendations and key learnings.*
2. *Reference to the report at our Autumn 2023 members conference.*
3. *Consideration of the report by the Operations & Safety Committee at our regular meetings and the adoption of a plan to produce guidance for members based on the issues highlighted in the report and consultation with member railways. This process commenced early in 2024 and it is our intention to produce draft guidance by the end of Summer 2024 for consideration by the committee, although as the work is dependent upon significant volunteer inputs this target date may slip slightly. It would be the intention to finalise the guidance by the autumn of this year. Other issues related to platform safety are being included in this guidance.*
4. *In the meantime, I am satisfied that our membership has been made aware of the issues raised, and that many have acted on them. These actions will be included in the drawing together of the guidance outlined in Item 3 above.*