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15 October 2019

Mr Andrew Hall
Deputy Chief Inspector of Rail Accidents
Cullen House
Berkshire Copse Rd
Aldershot
Hampshire GU11 2HP

Dear Andrew,

**RAIB Report: Signal passed at danger on approach to Wootton Bassett Junction, Wiltshire on 7 March 2015**

I write to provide an update[1] on the action taken in respect of recommendation 5 addressed to ORR in the above report, published on 5 May 2016.

The annex to this letter provides details of the action taken regarding the recommendation. The status of recommendation 5 is **'implemented'**.

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 16 October 2019.

Yours sincerely,

Oliver Stewart

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

**Recommendation 5**

*The intent of this recommendation is to ensure that emergency and temporary speed restrictions are designed and implemented in a way which results in clear and correct information being provided to train drivers.*

Network Rail, in association with any contractors who carry out such work, should review how the design and implementation of emergency and temporary speed restrictions is managed by the Swindon Maintenance Delivery Unit and how this resulted in the errors identified in this report. This review should consider:

- the information, instruction and training given to designers of TSRs;
- the procurement process for designs, including the circulation list for information and designs provided to Network Rail;
- the process for conversion of ESRs to TSRs, including the criteria for deciding whether an ESR design is modified, or if a new design must be used; and
- the process for implementing ESRs and TSRs, including the checking of designs and the action to be taken if conditions on the ground do not match the design.

Network Rail should also determine whether any of the issues identified may apply to other maintenance delivery units and take action as necessary to make any changes required.

**ORR decision**

1.      Network Rail have reviewed how TSRs and ESRs are designed and implemented by the Swindon Delivery Unit and rebriefed all those affected in line with TR01 and TR11.

2.      The findings of the review prompted Network Rail to develop a new standard (NR/L3/TRK/7006) aimed at improving the way ESRs are designed and implemented nationally. The standard has been briefed to staff at the Swindon delivery unit and more widely across Network Rail.

3.      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 implement it.

*Status:  Implemented.*

**Previously reported to RAIB**

4.      On 14 July 2017 ORR reported that Network Rail had a plan in place for addressing the recommendation, although timescales had slipped and the actions were not completed to meet the original deadline they had set. Network Rail had not

yet communicated to ORR a revised time-bound plan for addressing the recommendation but were planning to do so by April 2017.

**Update**

5.      Following timescale extensions, Network Rail provided the following closure statement on 24 May 2019:

*The Director of Route Safety & Asset Management for Western Route, conducted a full review at Swindon Delivery Unit that resulted in all staff and contractors associated with the process for implementing ESRs and TSRs being rebriefed on the design and installation of TSRs and ESRs which is now incorporated into Track competence, TR01 and TR11.*

*Furthermore, the details of the work that Western Route had implemented resulted in a national breifing of the incident and the associated actions taken.  This was led by the Engineering Assurance Manager, STE.*

*In addition every Route was requested to implement a process and where required a contract for provision of Temporary Speed Restriction (TSR) designs which was put in place in 2016. Every Route now has a contract with an external TSR designer (Arcadis and AECOM) or with the Signalling Design Group (which sits under Network Rail Infrastructure Projects group).*

*The resulting discussion from the previously highlighted actions above also highlighted the urgent need for further national action in order to improve the competence of staff involved in ESR designs.  This led to the Standards Steering Group for the Professional Head of Track to develop and publish a new Track standard for designing ESRs.*

*NR/L3/TRK/7006 is a work instruction for the creation and application of initial ESR design.  It was published in March 2019 with a compliance date of 06 March 2021. The purpose and scope is as follows: -*

### 1 Purpose

This document provides a process for completing an initial emergency speed restriction to support the control of the hazards associated with a train exceeding an emergency speed restriction, allowing the safe passage of rail traffic.

### 2 Scope

This document applies to the imposition of an emergency speed restriction by maintenance and Works Delivery only. All other functions who may apply an emergency speed restriction are not covered by the scope of this document and will need to comply with other documents that meet the requirements of GK/RT0075.

*The following posts have been identified to receive a technical briefing: -*

| Briefing (A-Awareness/ T-Technical) | Post | Function | Responsible for cascade briefing? Y/N |
|---|---|---|---|
| T | Route Asset Manager [Track] | Route Businesses | Y |
| T | Track Maintenance Engineer | Route Businesses | Y |
| T | Assistant Track Maintenance Engineer | Route Businesses | N |
| T | Signal & Telecoms Maintenance Engineer | Route Businesses | Y |
| T | Assistant Signal & Telecoms Maintenance Engineer | Route Businesses | N |
| T | Section Manager [Track] | Route Businesses | Y |
| T | Section Supervisor [Track] | Route Businesses | N |
| T | Team leader [Track] | Route Businesses | N |
| T | Section Manager [Signalling] | Route Businesses | Y |
| T | Project Manager [Track] | Route Businesses (Works Delivery) | Y |

*Extracts from the standard is contained in Appendix A.*

*To support the delivery of ESR designs in alignment with the new Track standard, an occupational course (TR53) was developed by Network Rail Training with support and endorsement by Safety, Technical and Engineering department (Track and Signalling) and piloted on 29th April to a number of Route delegates (with half the candidates from Western Route – Swindon Delivery Unit). The training is now available for Routes to book as part of the Network Rail Training portfolio.*

*Extracts from the course material is contained in Appendix B.*

### Conclusion:

*In view of the actions taken above and evidence provided demonstrating introduction of a standard and provision of a competence and training for Emergency Speed Restriction designs, as well as designs of TSRs via Licensed competent designers, the intent of this recommendation has been met and is therefore considered CLOSED.*

**Previously reported to RAIB**

**Recommendation 5**

*The intent of this recommendation is to ensure that emergency and temporary speed restrictions are designed and implemented in a way which results in clear and correct information being provided to train drivers.*

Network Rail, in association with any contractors who carry out such work, should review how the design and implementation of emergency and temporary speed restrictions is managed by the Swindon Maintenance Delivery Unit and how this resulted in the errors identified in this report. This review should consider:

- the information, instruction and training given to designers of TSRs;
- the procurement process for designs, including the circulation list for information and designs provided to Network Rail;
- the process for conversion of ESRs to TSRs, including the criteria for deciding whether an ESR design is modified, or if a new design must be used; and
- the process for implementing ESRs and TSRs, including the checking of designs and the action to be taken if conditions on the ground do not match the design.

Network Rail should also determine whether any of the issues identified may apply to other maintenance delivery units and take action as necessary to make any changes required.

**ORR decision**

1.      Network Rail have a plan in place for addressing the recommendation, although timescales have slipped and the actions were not completed to meet the original deadline they had set. Network Rail have not yet communicated to ORR a revised time-bound plan for addressing the recommendation but are planning to do so by April 2017.

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, but have not yet provided ORR with an updated time-bound plan.

*Status: Progressing.* **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 28 July 2016, Network Rail provided the following initial response:

*Network Rail carried out a review at Swindon Delivery Unit on 20 June 2016 to take evidence on each of the issues identified in the recommendation to determine the status at the time of the incident.*

*The review has identified that there was a significant non-compliance with the company standards in place to govern the management of ESRs and TSRs. They were not incorporated into the contract with the TSR designer and not referenced or used by the track staff involved in imposing and removing ESRs and TSRs.*

*Recent briefing and Level 2 assurance activity has not resulted in any change in practice or move to compliance with the standards and associated forms, other than the examples of the use of form SMF/SG0202 at Didcot SM[T].*

*The following next steps are proposed:*

*A management review meeting to be arranged with the acting RIMD, acting DRAM, IMDMs, RAM[T] and commercial manager for the TSR design contract to consider these findings, the reasons behind the failure to implement actions from previous assurance activities or directly in light of the incident;*

*Following step 1, an action plan should be developed to implement a regime which:*
* *complies with the standards;*
* *has controlled documentation used by the TSR designer;*
* *has controlled arrangements to identify mismatches between the fixed equipment and the TSR equipment as designed insofar as they affect the compliance of the TSR as presented to train drivers;*
* *improves the control of the design of ESRs outside the availability of the TSR designer by the track level 2 on call / ICC staff and has them checked;*
* *reviews the implementation of requirements arising standards briefing by level 1 assurance activity;*
* *reviews the management control and implementation of level 2 assurance actions and how these are shared across management units.*

*Target completion date: 30/09/16*

*This review and the actions in response to it will then be shared nationally for adoption and implementation as applicable across Routes, DUs and TSR designers.*

*Target completion date: 31/01/17*

4.      On 23 September 2016, Network Rail provided the following update:

*Further to the initial response given to ORR in July I have carried out a field review of progress against the items agreed to be implemented as part of the action plan and met with Western colleagues accountable for implementation.*
*The required action plan has not been developed to meet the requirements set out in the response and hence there is little confidence in completing the actions required by 30 September 2016. This will undoubtedly impact the timescale for national implementation, which at this stage was only really notional, until the Swindon DU arrangements have been determined and implemented.*

*Martin Jones, on behalf of Western has committed to provide an action plan detailing the actions, resources, timescales and outcomes by 15 September 2016. When we have this we should be able to estimate what national implementation of the same requirements should look like.*

5.      On 21 March 2017, Network Rail confirmed that they are developing a revised time-bound plan to address the recommendation which they plan to finalise and share with ORR in April 2017.